
Date: Monday 5, Friday 9, Monday 12 October 2020 (Friday 16 and Monday 19 October 2020 (overflow days))
Time: 9.30am
Meeting Room: Council Chamber
Venue: Orewa Service Centre
50 Centreway Road, Orewa

PRIVATE PLAN CHANGE 40

AGENDA – VOLUME 2

CLAYDEN ROAD, WARKWORTH

WARKWORTH LAND COMPANY, WHITE LIGHT TRUST LTD, KAURILANDS TRUST LTD, ROB MILLS & P & L RICHARDS

COMMISSIONERS

Chairperson Les Simmons
Commissioners Bridget Gilbert
Michael Parsonson

Wendy Stephenson
HEARINGS ADVISOR

Telephone: 09 890 8159 or 021 708 832
Email: wendy.stephenson@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

WHAT HAPPENS AT A HEARING

At the start of the hearing, the Chairperson will introduce the commissioners and council staff and will briefly outline the procedure. The Chairperson may then call upon the parties present to introduce themselves to the panel. The Chairperson is addressed as Mr Chairman or Madam Chair.

Any party intending to give written or spoken evidence in Māori or speak in sign language should advise the hearings advisor at least five working days before the hearing so that a qualified interpreter can be provided.

Catering is not provided at the hearing. Please note that the hearing may be audio recorded.

Scheduling submitters to be heard

A timetable will be prepared approximately one week before the hearing for all submitters who have returned their hearing appearance form. Please note that during the course of the hearing changing circumstances may mean the proposed timetable is delayed or brought forward. Submitters wishing to be heard are requested to ensure they are available to attend the hearing and present their evidence when required. The hearings advisor will advise submitters of any changes to the timetable at the earliest possible opportunity.

The Hearing Procedure

The usual hearing procedure (as specified in the Resource Management Act) is:

- The applicant will be called upon to present his/her 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 his/her 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 may also be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker. The council officer's report will identify any 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 information (evidence) in support of your application or your submission please ensure you provide the number of copies indicated in the notification letter.
- Only members of the hearing panel can ask questions about submissions or evidence. Attendees may suggest questions for the panel to ask but it does not have to ask them. No cross-examination - either by the applicant or by those who have lodged submissions – is permitted at the hearing.
- After the applicant and submitters have presented their cases, the chairperson may call upon council officers to comment on any matters of fact or clarification.
- When those who have lodged submissions and wish to be heard have completed their presentations, the applicant or his/her 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 chairperson then generally closes the hearing and the applicant, submitters and their representatives leave the room. The hearing panel will then deliberate "in committee" and make its decision by way of formal resolution. You will be informed in writing of the decision and the reasons for it.

**A NOTIFIED PLAN MODIFICATION TO THE AUCKLAND UNITARY PLAN BY
WARKWORTH LAND COMPANY, WHITE LIGHT TRUST LTD, KAURILANDS TRUST
LTD, ROB MILLS & P & L RICHARDS**

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SUBMISSIONS AND FURTHER SUBMISSIONS

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

Submission on a notified plan change

Submitter details:

Organisation Name Queen Elizabeth the Second National Trust
Address for service PO Box 3341
Wellington 6140
04 471 4191
mlucas@qeii.org.nz

Trade competition: The submitter could not gain an advantage in trade competition through this submission.

Scope of Submission:

This is a submission on PC 40 (Private), Warkworth – Clayden Road

The specific parts of the proposed plan change that this submission relates to are the effects of the proposed development on QEII open space covenant registered under instrument number **B943022.1** located entirely within the boundaries of the proposed Precinct.

Submission

1. Introduction

1.1. QEII National Trust is an independent statutory organisation established to encourage and promote the provision, protection, and enhancement of open space for the benefit and enjoyment of the people of New Zealand. QEII primarily achieves this by registering covenants to ensure perpetual protection of high value areas on private land.

2. Tomlinson Bush

2.1. The covenant in question, known as Tomlinson Bush, is 8.729 ha of remnant kauri and podocarp-broadleaf forest between Warkworth Showgrounds and Matakana Road. This is identified as a Significant Ecological Area in the Auckland Unitary Plan. LENZ classifications for Tomlinson Bush are 'Acutely Threatened–Critically Underprotected', 'Chronically threatened–Critically Underprotected', and 'At Risk–Critically Underprotected'.

2.2. Tomlinson Bush was protected with a QEII covenant in 1989 by the late Bill Tomlinson as part of a series of measures to protect areas of his property for the future benefit of the residents of Warkworth. Mr Tomlinson's efforts also included the transfer of land that now forms the Warkworth Showgrounds to Rodney District Council. The QEII covenant was established to "protect and maintain open space values on the land" and "to protect native flora and fauna on the land". The covenant is now co-owned by Auckland Council and three private landowners, including two of Bill Tomlinson's sons.

2.3. QEII wishes to have the provisions of this plan change amended to better recognise and ensure the health of the biodiversity values of Tomlinson Bush. We submit that this should be

achieved by altering the proposed zoning of the Precinct and by adding an additional objective, policy, and matter(s) for consideration.

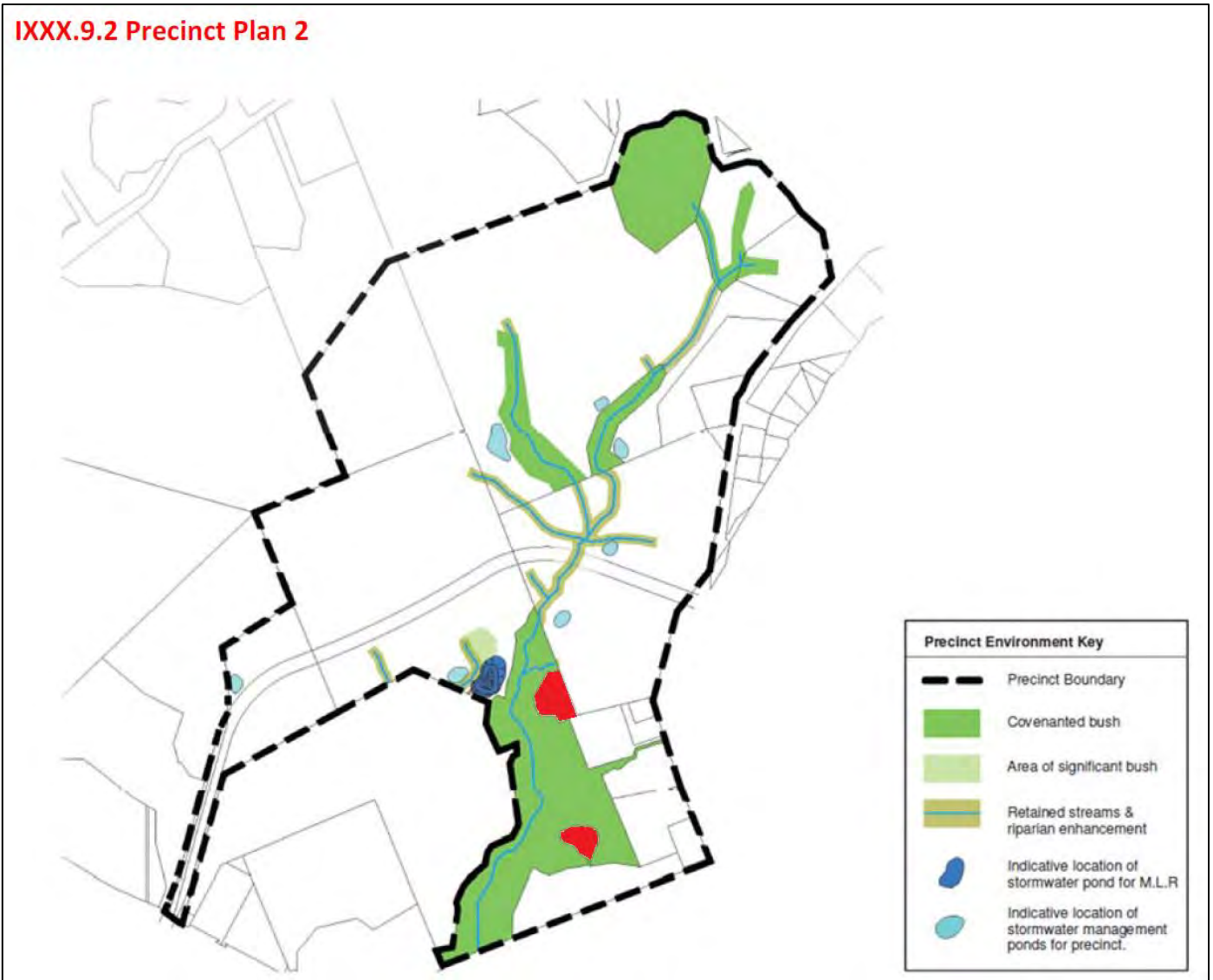
3. Protection offered by covenant vs. Unitary Plan

- 3.1. The covenant protects Tomlinson Bush from activities on the land which may compromise the health of the protected area. However, this protection does not extend to activities carried out on *non-covenanted* titles, as in most cases our enforcement powers can only be used on covenanted titles. For detrimental activities on adjacent land not subject to the covenant, plan provisions are the main protection, so it is important to QEII that the intensification of development set out in the Precinct Plan is balanced by protections for the indigenous biodiversity.

4. Zoning

- 4.1. We are concerned that the proposed plan change will compromise the health of Tomlinson Bush. Our concerns about this change in land use include the effects of stormwater volumes and contaminants, weed introductions, pest animal species (including domestic pets), garden waste dumping, and reverse sensitivity regarding shading and impacts on views.
- 4.2. In our submission, the zoning of the Precinct needs to be amended to reduce pressure on the covenant caused by intensification of land use.
- 4.3. Tomlinson Bush has been assigned SEA status identified as 'Tawa, kohekohe, rewarewa, hinau, podocarp forest' and has a Regional IUCN threat status of 'Vulnerable'. Kauri, podocarp, broadleaf forest' has a Regional IUCN threat status of 'Endangered'. Mānuka, kānuka, kauri and white rata (*Metrosideros diffusa*) are classified 'Threatened -Nationally Vulnerable' (de Lange et al. 2018).
- 4.4. We submit that it is inappropriate for the covenanted area to be subject to the two zones of densest housing that are proposed as part of this plan change. While the covenant will protect the bush from clearance, protection from damage caused by land use on adjacent non-covenanted titles will primarily be through these plan provisions. 13.1
- 4.5. To reduce risk of detrimental impact from adjacent development, we submit that the Precinct Plan should be amended to apply either the Single House Zone, Larger Lot Zone, or Countryside Living zone around the covenant, in such a way that any lots created adjacent to Tomlinson Bush are of lower density and therefore less threat to the values of the bush. 13.2
- 4.6. We are especially concerned about two 'keyhole' areas shown in red on the annotated version of *Precinct Plan 2* below. With the high value native bush essentially encircling these areas, the potential for impact from land use intensification is high, particularly on kauri within the covenant. We submit that instead these two areas should be retired and included with the 'Protection areas (not for development)' zonation from the Structure Plan, so that they can provide a buffer to mitigate detrimental effects from the adjacent development. 13.3

IXXX.9.2 Precinct Plan 2



Map showing in red the 'keyhole' areas which QEII submits should be given status of 'Protection areas (not for development)'

5. Proposed amendments to plan

- 5.1. The Ecological assessment in Appendix F of the plan change application confirms that the covenanted bush is significant, as does the SEA status afforded to it. We submit that this importance should be recognised through inclusion of an objective to the effect of "Ensure effects of development do not compromise indigenous biodiversity". 13.4
- 5.2. Flowing on from that objective, we propose that an additional Policy should be added, to the effect of "Protect and enhance existing indigenous biodiversity vegetation within the area, ensuring that effects on indigenous biodiversity are avoided". 13.5
- 5.3. To give effect to the policy and objective proposed above, we submit that the following additional Matters of discretion for Vacant lot subdivision should be added as follows. We do not believe that these are adequately covered by the existing Matters of discretion in E38.12.1 of the Unitary Plan. 13.6
 - 5.3.1. "(f) Proposed measures to manage pest plants and animals affecting indigenous biodiversity"

The ecological report identifies one of QEII's key concerns with development adjacent to this covenant – an increase in pest plants and animals. Addition of the above matter for consideration will mean that future subdivision adjacent to this high value forest area will take into account management of pest plants and animals and limit the potential for introduction of exotic species.

5.3.2. "(g) Proposed measures to manage sediment and stormwater to avoid impacts on indigenous biodiversity"

13.6

The report highlights that there is already evidence of streambank erosion and slumping. We are concerned that the increased impervious surfaces that will result from development in the catchment may lead to increased peak flows and further scouring and bank erosion. We therefore wish to ensure that stormwater design is sufficient to mitigate these peak flows and also appropriately handles urban catchment contaminants.

Again, while we note that while QEII consent will be required for any works which may affect the covenanted areas, we are hoping to achieve consistency between the provisions of this plan change and the likely QEII consent.

6. Decision sought

- 6.1. QEII seeks that the Precinct plan be amended to alter the zoning of the land adjacent to the covenant area, and that the provisions of the plan change should be amended as outlined above, to adequately ensure protection for the covenanted area.

13.7

We wish to be heard in support of our submission



Signature of submitter

2 April 2020

Date

PO Box 86, Orewa, Auckland 0946

Telephone (09) 216 9857
Email daniel@sfhconsultants.co.nz

12th June 2020
Auckland Council
Plans and Places
Private Bag 92300
Auckland 1142

Attn: John Duguid

Email: unitaryplan@aucklandcouncil.govt.nz

Request for an extension of time under s37 of the Resource Management Act 1991 (“RMA”) in relation to a late submission by David and Christine Pinker (“submitters”) on Proposed Plan Change 40 (Private) Warkworth – Clayden Road.

1. On 27th February 2020, the Proposed Plan Change 40 to the AUP Warkworth – Clayden Road (Plan Change) was notified. The submission period closed on 2 April 2020, and the further submissions period closed on 14 May 2020, with a further opportunity for further submissions closing on the 12 of June 2020. At the time of closing the submitters had not made a submission on the Plan Change due to the sudden lock down resulting from Covid-19.
2. Mr and Mrs Pinker seek a decision from Auckland Council under s37 of the RMA, extending the time period for lodging a submission on the Plan Change.
3. Section 37 of the RMA provides for extension of time limits as follows:

Power of waiver and extension of time limits

(1) A consent authority or local authority may, in any particular case,—
(a) extend a time period specified in this Act or in regulations, whether or not the time period has expired; or ...

4. The submitters seek an extension of the 2 April 2020 deadline to lodge a submission for the following reasons:
 - a. The disruption that Covid-19 has caused has interfered with the submitters ability to deal with this matter within the normal timeframe, in particular,
 - i. The closing date for submissions was during the lock down period;
 - ii. The submitters were not able to meet with their professional advisors during the lock down period, being older people, they were not well set up for remote conferencing; and

- iii. Auckland Council is currently extending the timeframe of applications due to impacts from the Covid-19 lockdown.
 - b. The submitters are directly affected by the proposed rezoning of their site, which is not as identified within the adopted Structure Plan – June 2019. The matters to which this submission relates is narrow, does not affect any other property and can therefore be dealt with reasonably efficiently.
 - c. The applicants have stated that, for land which they do not own, they are adopting the zoning identified within the Warkworth Structure Plan – June 2019. The content of this submission is consistent with that intent and therefore does not introduce any inconsistency.
 - d. Auckland Council’s s42a report has not yet been made publicly available; therefore, no party will be prejudiced by any late submission made by the submitters.
5. If Auckland Council grants the request for an extension of time, please find the attached submission on behalf of Mr and MRs Pinker on the Plan Change as ***attachment A***.

Yours faithfully
SFH Consultants Limited



Daniel L. Shaw

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

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



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

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

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) David and Christine Pinker

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

Address for service of Submitter

139 Clayden Road, Warkworth

Telephone:

021 2284 514

Fax/Email:

dp@novelli.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

Plan Change 40

Plan Change/Variation Name

Warkworth - Clayden Road

The specific provisions that my submission relates to are:

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

Plan provision(s)

Or

Property Address

139 Clayden Road, Warkworth

Or

Map

PPC 40 Map 1 - Zoning and Precinct Plan 1 and 2

Or

Other (specify)

Submission

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

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

Refer to separate sheet please.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

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

Rezone the submitter's site at 139 Clayden Road from Large Lot to Single House zone

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


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

12 June 2020

Date

Notes to person making submission:

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

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

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

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

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

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

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

Submission on Private Plan Change 40 – Warkworth – Clayden Road

David and Christine Pinker

139 Clayden Road,

Warkworth,

Auckland 0985

0212284 514

dp@novelli.co.nz

David and Christine Pinker own and reside at their property at 139 Clayden Road, Warkworth.

The Private Plan Change Request is made by a group of 5 cooperating landowners, but do not include the owners of the property at 139 Clayden Road.

Private Plan Change 40 is seeking to rezone approximately 102ha of Future Urban and Light Industry zoned land north of the Warkworth township.

Specifically, the request seeks to:

- rezone the Future Urban and Light Industry zoned land to: Residential – Single House, Residential – Mixed Housing Suburban, Residential – Mixed Housing Urban, Business Neighbourhood Centre and Rural – Countryside Living
- introduce new precinct provisions over the subject area
- extend the Stormwater Management Area Flow Controls over the subject area.

Of particular interest to the owners of 139 Clayden Road is that Private Plan Change 40 seeks to rezone their property as Large Lot zone.

Within Section 3.7 of the Plan Change Request, the applicant's Planner notes;

“This plan change does include other properties that are not part of the cooperating landowner applicant group. This is so that the precinct has a logical boundary in terms of the Warkworth Structure Plan. The largest additional site is in bush and subject to covenants to protect the bush area.

In the case of each of these additional properties, this plan change request fully adopts the indicative zonings proposed through the Warkworth Structure Plan (Tattico Page 16, Feb 2020).”

We note here that the adopted Warkworth Structure Plan - June 2019 at Pages 31-32, illustrated within Figure 15 and again noted as area 7 within Appendix 3 - Yield Calculations that the site at 139 Clayden Road would be zoned single house zone, with a modified minimum lot size (larger lots) and other landscape controls.

Relief Sought

The owners of 139 Clayden Road are generally supportive of PPC 40, subject to the change in zoning for their site at 139 Clayden Road from Large Lot zone to Single House zone, as was adopted within the Warkworth Structure Plan and any other subsequent changes required, including; | 14.1

- Amending proposed Precinct Plan 1 IXXX.9.1 to apply the subdivision control area to the subject site, and | 14.2
- Amending proposed Precinct Plan 2 IXXX.9.2 to reflect the actual area of covenanted bush rather than show the entire site at 139 Clayden Road as covenanted bush. | 14.3

If you require any further clarification please contact the office on (09) 216 9857, or by email daniel@sfhconsultants.co.nz

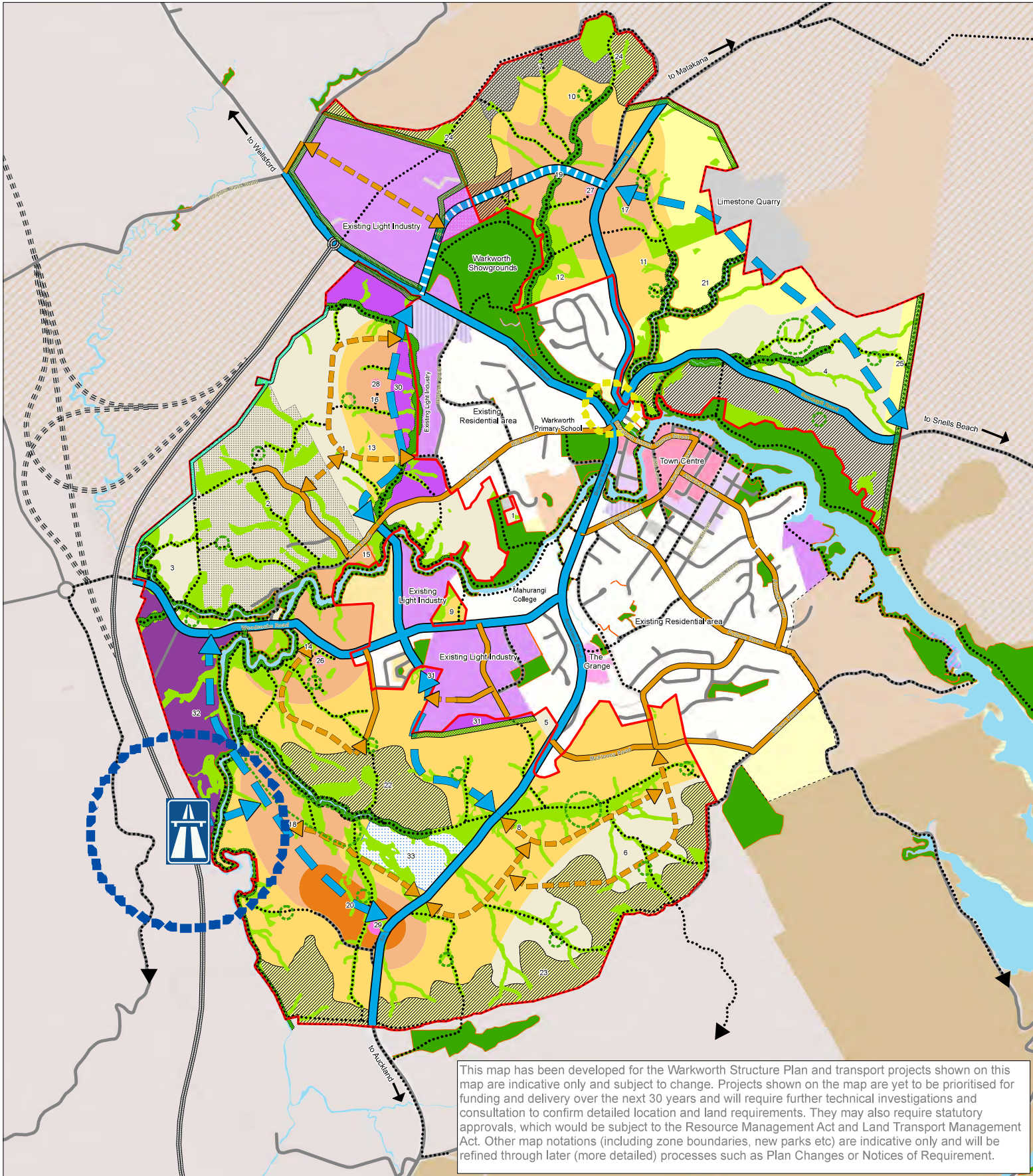
Yours faithfully

SFH Consultants Limited



Daniel L. Shaw

12 June 2020



This map has been developed for the Warkworth Structure Plan and transport projects shown on this map are indicative only and subject to change. Projects shown on the map are yet to be prioritised for funding and delivery over the next 30 years and will require further technical investigations and consultation to confirm detailed location and land requirements. They may also require statutory approvals, which would be subject to the Resource Management Act and Land Transport Management Act. Other map notations (including zone boundaries, new parks etc) are indicative only and will be refined through later (more detailed) processes such as Plan Changes or Notices of Requirement.

Warkworth Structure Plan



0 250 500 1,000 Metres

Date Printed: 27/05/2019

- New Interchange - south facing ramps only
- Ara Tūhono - Warkworth to Welford Indicative Alignment
- New Collector Roads with cycleways (Potential routes)
- Collector Roads (Upgrade existing road including cycling provision)
- Arterial Roads (Upgrade Existing road including cycleways)
- New Arterial Roads with Cycleways (Potential routes)
- Matakana Link Road - Te Honohono ki Tai
- Study Area
- Business case for long term improvements to the Hill Street intersection
- Areas for further landscape protection controls
- Business - Heavy Industry Zone
- Business - Light Industry Zone
- Business - Local Centre Zone
- Business - Neighbourhood Centre Zone
- Area for potential increase to minimum site size
- Morrison's Heritage Orchard
- Residential - Large Lot Zone
- Residential - Mixed Housing Suburban Zone
- Residential - Mixed Housing Urban Zone
- Residential - Single House Zone
- Residential - Terrace Housing and Apartment Buildings
- Potential investigation of rezoning 'live' zone
- Indicative Greenway routes (walkways/cycleways) (Auckland Council, Rodney Local Board)
- Rural Urban Boundary (RUB)
- Landscape Screening Area
- Potential buffering/screening area from motorway
- Protection areas (not for development)
- Existing Open space
- Future esplanade reserves (20m) on subdivision
- Indicative locations of new public space
- Ara Tūhono - Pūhoi to Warkworth (under construction)

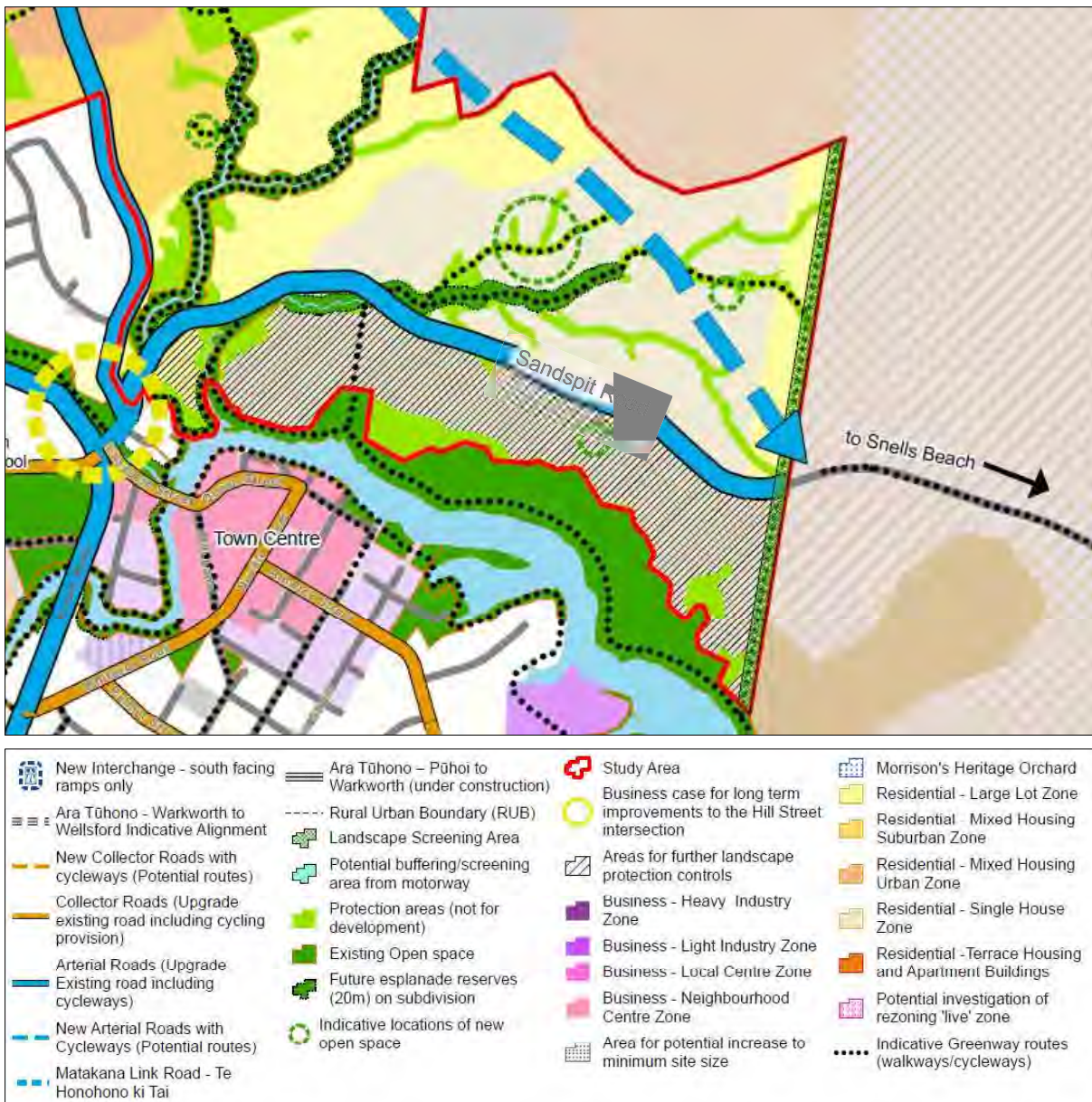


Figure 14: Single House zone in the north east of Warkworth

The northern edge of Warkworth rises to a ridgeline on which the RUB is located. To retain the rural and natural character of Warkworth it is important to retain the more natural and spacious elements around the edge of the basin that Warkworth sits within and to retain views from within the urban area to areas of landscape value on the edge. This Single House zone area is anticipated to contain larger sections for residential development (i.e. 1,000m²) with potential additional controls around building design (size, height, colour etc) and a requirement to revegetate a significant amount of the land along the urban edge. Note that some of this northern edge is also zoned Large Lot, but with further landscape protection controls (see section 3.3.2.1) to ensure a natural/landscaped boundary is retained.

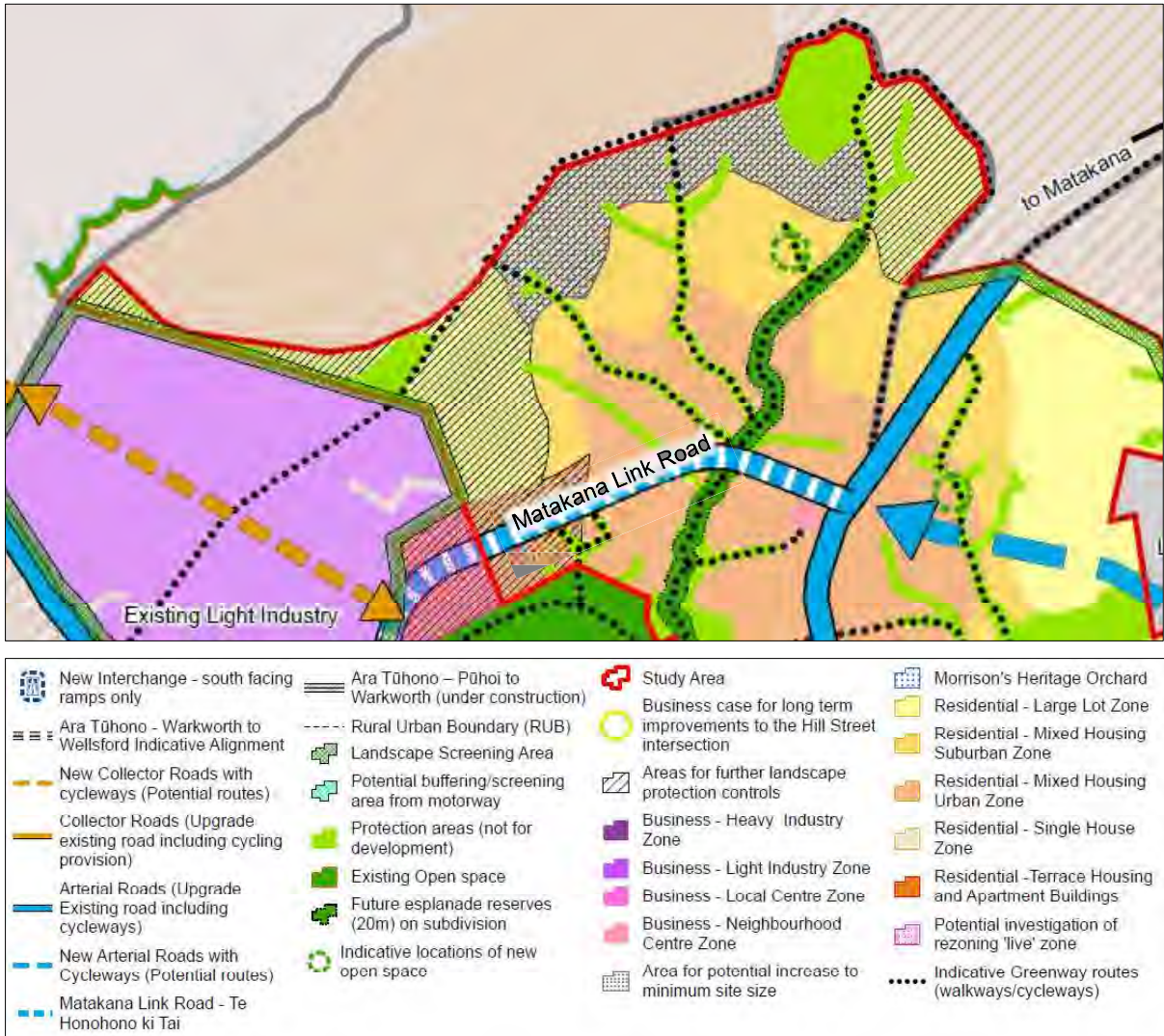


Figure 15: Single House zone in the northern edge of Warkworth

There is one area around Campbell Drive where residential subdivision consents have been granted within the study area. The structure plan applies the Single House zone to this site to be consistent with the granted development.

Appendix 3 – Yield calculations

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Mahurangi Community Sport and Recreation

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

collective (Incorporated Society)

Address for service of Submitter

P.O. Box 58, Warkworth 0941

Telephone:

021 645 129

Fax/Email:

mahusport@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number PC 40 (Private)

Plan Change/Variation Name Warkworth – Clayden Road

The specific provisions that my submission relates to are:

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

Plan provision(s) Please see enclosed.

Or

Property Address

Or

Map

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

Please see enclosed.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

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

Please see enclosed

15.1

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

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

25/3/2020

Date

Notes to person making submission:

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

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

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

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

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

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

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

2 April 2020

Mahurangi Community Sport & Recreation Collective Submission on Private Plan Change Request

PC 40 (Private) – Warkworth – Clayden Road

Introduction

The planning report by Tattica (PC40 Attachment B) sets out the seven principles of the Warkworth Structure Plan three of which are:

- A well-connected town – access to key parks and centres
- Quality built urban environment – open space and use of vegetation
- Infrastructure – provide for social infrastructure to support the needs of the community as it grows

The Warkworth Structure plan can also be found on the Auckland Council website at <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/place-based-plans/Pages/Warkworth-Structure-Plan.aspx>.

While the proposed private plan change addresses these individually, it fails to consider the current and future use of the Warkworth Showgrounds, a specific suburb park identified in the Warkworth Structure Plan and a site enveloped by the precincts identified in the private plan change.

We are not opposed to the private plan change but require amendments to it to protect and to guarantee the future of the Warkworth Showgrounds and surrounding recreational development, ensuring we avoid another Western Springs case whereby events, that had been held there for 90 years, were relocated after the build-up of residential housing in the area.

Background

The Mahurangi Community Sport and Recreation Collective Incorporated (MCSRC) is a collective originally set up by five founding clubs to promote active movement by the community with regards to sport and recreation. Over time this expanded to represent the interests of the Warkworth Showgrounds (WWSG) users and manage developments at the WWSG facility (an Auckland Council owned asset). As a result, we are recognised by Rodney Local Board (RLB) as the main point of contact for sport and recreation at WWSG and the Warkworth area.

MCSRC is comprised of many member clubs representing more than two thousand members from the wider Warkworth community. Some of the member bodies include hockey, equestrian sports, dog training, gymnastics, soccer (football), netball, athletics, cricket and rugby. In addition, the WWSG are actively used by many other groups in all seasons such as the incumbent agricultural society (Warkworth A&P Society), touch rugby, martial arts, running groups and arts and crafts.

The MCSRC has a long history of involvement in development at the WWSG, maintaining a strong collaborative working relationship with Auckland Council to develop the park to what it is today. Recent developments include the renovation of the existing clubrooms for use by all resident groups

and the establishment of an excellent new hockey turf. The MCRSC is currently working towards further major improvements at the WWSG with two of the main projects being the multisport facility, provided for in the district plan (see Reference Documents section, initial funding is underway and plans being finalised) and a bike and skate park (initial funding underway) on the northern slopes of the WWSG. There are also additional plans for cricket pitches and nets and a secondary hockey turf given its current and growing popularity.

Given the immediate proximity to the proposed development, we are disappointed to note that no sporting or community bodies that use the Warkworth Showgrounds, nor the MCSRC, have been consulted with during the development of this private plan change. We are therefore concerned that the future of the Warkworth Showground improvements demanded for by the Warkworth community would be in doubt or experience undue delays should this plan change be approved in its current form.

We have outlined our concerns below and would appreciate an opportunity to speak further on these at a hearing.

Submission Specific Provisions, View and Rationale for Change and Necessary Amendments

Specific Provision	View and Rationale for Change	Necessary Amendments	
<p>Cycle and walkways: IXXX.2 Objectives (4) IXXX.3 Policies (7) IXXX.7.2 Assessment Criteria 1 (a) (xiv) & (xv) IXXX9.1 Precinct Plan 1 IXXX9.3 Precinct Plan 3</p>	<p>Consideration needs to be given to the access points to the Warkworth Showgrounds allowing for the future development e.g.: access points should ideally not be in the middle of the proposed bike and skate park on the northern area of the WWSG.</p>	<p>Consultation with Auckland Council and MCSRC considering future recreational use of WWSG to align best access points</p>	<p>15.2</p>
<p>Noise, Light and Reverse Sensitivity: IXXX.2 Objectives (5) IXXX.3 Policies (9) IXXX.6.6 Noise Management (1) IXXX.7.2 Assessment Criteria 1 (a) (ix) IXXX9.1 Precinct Plan 1</p>	<p>The private plan change has certain reverse sensitivity areas noted but does not allow for both noise and light from the WWSG, with light being core to night use for both training and sporting events. There is also no provision considering the improvements that will occur at the WWSG whereby light and noise may increase. The WWSG currently has 24 hour access but an automated entry barrier allows open access to the public from 6am-10pm every day. There are groups that do train until late in the evening and this will only increase as clubs further develop, and once the multisport facility build and further proposed developments at the WWSG occur. As evidenced by the Western Springs case in Auckland, we are concerned we face a similar problem if the conditions are not clear from the outset.</p>	<p>Provide reverse sensitivity “no complaints covenant area” across Precinct Plan 1 for both light and noise (relating to recreational use of the WWSG)</p>	<p>15.3</p>
<p>Landscaping: IXXX.3 Policies (5) IXXX.6.7 Landscaping (1) IXXX9.1 Precinct Plan 1</p>	<p>There is no provision for screening and minimal planting of the WWSG Northern and North-eastern borders (South and South-eastern Precinct Plan). Fencing will need to be confirmed as it is preferred that access be made to the park only at agreed access points. The current plan change documents indicate imagery that implies an imposing overbear of residential buildings towards the WWSG and this will be a significant change to how the WWSG is currently viewed and enjoyed.</p>	<p>Provide increased screening on the borders mentioned helping mitigate visual impacts of the plan change when viewed from the WWSG and helping with noise and light</p>	<p>15.4</p>

<p>Northern Arena: IXXX.3 Policies (5) IXXX.7.1 Matters for Discussion (2) IXXX.7.2 Assessment Criteria (2) IXXX.4.1 Mixed Urban Plan (A1)</p>	<p>While we are supportive of including a provision of the indoor recreational facility, Northern Arena, there is no included/validated endorsement from Northern Arena Management/Owners. There is also no timeframe provided, nor is the community given an option to use the land before it falls back to a more intensive plan change, potentially viewed as a well “hedged bet” within the plan change. Without the endorsement the entire plan change does not provide any community factors per Activity Table in IXXX.4.1</p>	<p>Provide for the need for endorsement from Northern Arena including assessment of height restrictions and size of land package allowed for. Provide for secondary option to Auckland Council or the Warkworth community should Northern Arena not take this up, both provisions subject to time.</p>	<p>15.5</p>
<p>Stormwater and Drainage: IXXX.3 Policies (11) IXXX9.2 Precinct Plan 2</p>	<p>There is no provision for specific drainage of the WWSG Northern and North-eastern borders (South and South-eastern Precinct Plan)</p>	<p>Include an assessment of the borders mentioned and develop a mitigation plan to ensure no runoff occurs down the steep hill towards WWSG where it would impact recreational grounds (including the hill as this is part of the proposed bike and skate park)</p>	<p>15.6</p>
<p>Community: IXXX.4.1 Mixed Urban Plan (A1)</p>	<p>No sporting or community bodies that use the WWSG, nor the MCSRC as the key point of contact, have been consulted with nor is there a mention or contribution to the future needs of the community on the WWSG.</p>	<p>Direct consultation and contribution to address issues to ensure the current use and future development of the WWSG</p>	<p>15.7</p>

As mentioned above, we wish to be heard in support of this submission to ensure the private plan change incorporates the protection of the current and future use of the WWSG, which it currently avoids considering. In doing so, the greater outcome of the Warkworth Structure plan of being a well-connected town that is supported by quality built urban environments for a growing community will be achieved.




Gareth Jones and Nicola Jones (on behalf of the MCSRC Board)
Mahurangi Community Sport & Recreation Collective Incorporated

REFERENCES:

Rodney Local Board Plan – see page 25

<https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/local-boards/all-local-boards/Documents/rodney-local-board-plan-2017.pdf>

Mahurangi Matters – recent article regarding status of multisport facility project

<https://www.localmatters.co.nz/news/37152-collective-seeks-final-approval-multisport-facility.html>

Mahurangi Matters – article regarding funding support by Rodney Local Board for multisport facility

<https://www.localmatters.co.nz/news/25673-board-boosts-sports-project.html>

Mahurangi Matters – article regarding funding support by Rodney Local Board for bike and skate park

<https://www.localmatters.co.nz/news/32385-board-funds-boost-bike-park-plans-and-camera-coverage.html>

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Brett Illingworth

Organisation name: Warkworth Hockey Turf Charitable Trust

Agent's full name:

Email address: brett_illingworth@hotmail.com

Contact phone number: 094259148

Postal address:
54 Woodcocks rd
Warkworth
Auckland 0910

Submission details

This is a submission to:

Plan modification number: Plan change 40

Plan modification name: PC40 (Private) Warkworth — Clayden Road

My submission relates to

Rule or rules:
"No complaints covenants"

Property address: Plan change 40(private) Warkworth- Clayden Road

Map or maps:

Other provisions:
Warkworth Showgrounds Hockey Turf's

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

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

The reason for my or our views are:

Yes ,this should extend to preposed buildings surrounding the Showgrounds facilities.
The Hockey Turf runs 7 days a week from 6am-to 10pm .Lights are an intricate part of our complex and light spill may become an issue if the land opposite is developed into housing where as commercial would not matter. We have a second Turf preposed to go beside the existing Turf when numbers allow.This would also be fully lit.

I or we seek the following decision by council: Accept the plan modification with amendments

16.1

Details of amendments: To include a buffer zone around the whole Showgrounds Complex with a "no complaints covenants" as to hours of usage and Light spillage

16.2

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

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

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

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

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Organisation Name (if submission is made on behalf of Organisation)
Stellan Trust - c/o Terra Nova Planning (Shane Hartley)

Address for service of Submitter

PO Box 466, Orewa

Telephone: Fax/Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

Plan Change/Variation Name

The specific provisions that my submission relates to are:

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

Plan provision(s)

Or
Property Address

Or
Map

Or

Other (specify) a) Proposed Zoning

b) Potential adverse traffic effects on the intersections on Matakana Link Road, as they relate to

Submission Stellan Trust land and the wider Light Industry Zone.

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are: **Stellan Trust supports the proposed Plan Change in principle, subject to any adverse traffic effects on the first intersection from State Highway 1 on Matakana Link Road being avoided and/or mitigated. Stellan Trust has had significant involvement in the planning process for the Matakana Link Road, particularly the inclusion of two intersections on Matakana Link Road, the first directly serving Stellan Trust land, and the second serving the wider Light Industry zoned land.** (continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below 17.1
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

Provisions to ensure that any adverse traffic effects that would compromise the subdivision and development of all of the Light Industry Zone served by the two intersections on Matakana Link Road are avoided and/or mitigated, including the first intersection directly servicing the Stellan Trust land. 17.2

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



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

27 July 2020
Date

Notes to person making submission:

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

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

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

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

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

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

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

Submission date: 21 July 2020

Attend a hearing

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

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Penny webster

Organisation name: Warkworth A&P Society

Agent's full name: Malcolm Webster

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Contact phone number: 021390317

Postal address:
P O Box 77 Warkworth
Warkworth
Warkworth 0941

Submission details

This is a submission to:

Plan modification number: Plan change 40

Plan modification name: PC40 (Private) Warkworth — Clayden Road

My submission relates to

Rule or rules:
As per the submission of the Mahurangi Sports Collective

Property address: Clayden Rd plan change PC40

Map or maps:

Other provisions:
As a Society who has an encumbrance on the adjoining land we were not advised of this Plan change. We would like to support the submission of the Mahurangi Sports collective. We are concerned that there are Reverse sensitivity issues with our Showground

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

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

The reason for my or our views are:
As above

I or we seek the following decision by council: Amend the plan modification if it is not declined

18.1

Details of amendments: Include on titles a reverse sensitivity clause to ensure the future of the Showgrounds is not compromised

18.2

Submission date: 28 July 2020

Attend a hearing

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

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

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

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

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

Yes

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

The Resource Management Act 1991

**SUBMISSION ON PLAN CHANGE 40 (PRIVATE): CLAYDEN ROAD TO THE AUCKLAND
UNITARY PLAN – OPERATIVE IN PART**

Under Clause 6 of Schedule 1 of the Act

To: Auckland Council
unitaryplan@aucklandcouncil.govt.nz

WARKWORTH PROPERTIES (2010) LTD c/- Ellis Gould, Solicitors at the address for service set out below (“**the Submitter**”) makes the following submission in relation to Plan Change 40 (Private): Clayden Road (“**the Plan Change**”) to the Auckland Unitary Plan – Operative in Part (“**Unitary Plan**”):

1. The Plan Change seeks operative urban zonings for Future Urban and Light Industry zoned land on the northern margins of Warkworth.
2. The Submitter is not a trade competitor of the applicant for the Plan Change and could not gain any advantage in trade competition through this submission.
3. In any event, the Submitter will be directly affected by the Plan Change as the owner of the site on the north-western corner of the Hudson Road SH1 intersection, legally described as Section 4 Survey Office Plan 476652 (“**Site**”) shown at **Annexure A** to this submission. While the Site does not form part of the Plan Change area, the wider development of the area, including the proposed roading network within the Plan Change area and how this integrates with the current and planned future roading network, has the potential to adversely affect the Submitter’s interests.
4. The Submitter generally supports the Plan Change, and, in particular, supports the live zoning of land within the Plan Change area. The Submitter has a particular interest in:
 - (a) The proposed indicative location of the route for the Matakana Link Road (“**MLR**”) and its intersection with State Highway 1 (“**SH1**”) as shown on Precinct Plans 1 and 3; and
 - (b) The management of stormwater within and in the vicinity of the land subject to the Plan Change.
5. The reasons for the submission are as follows;

- (a) Provided the relief sought below in this submission is granted, the Plan Change will:
- (i) Promote the sustainable management of natural and physical resources;
 - (ii) Promote the efficient use and development of resources;
 - (iii) Be in accordance with the purpose and principles in Part 2 of the Resource Management Act 1991 (“**RMA**”); and
 - (iv) Be appropriate in terms of section 32 of RMA.

In particular, but without derogating from the generality of the above:

- (b) Precinct Plans 1 and 3 identify the location of MLR, including its intersection with SH1. The MLR forms part of a wider programme of roading works within the Warkworth area, including the Western Link Road (“**WLR**”) which is intended to connect directly to the MLR across SH1.
- (c) The indicative WLR will pass through the north-west of the Submitter’s Site (which fronts SH1). The Submitter holds a resource consent to develop part of the Site for large format retail incorporating a Pak’n Save supermarket. The Submitter is concerned to ensure that the WLR/SH1 intersection is located in a manner that does not encroach upon the part of the Site being developed pursuant to the consent.
- (d) Therefore, the Submitter has an interest in ensuring that the intersection of the MLR, the WLR and SH1 is located appropriately and developed in a coordinated manner.
- (e) To this end, the Submitter lodged submissions and subsequent appeals regarding:
 - (i) The Waka Kotahi NZ Transport Agency SH1 widening designation incorporating the intersection between SH1 and the MLR; and
 - (ii) The Auckland Transport MLR designation

seeking that the alignment of the MLR as it approaches SH1 be adjusted north-westwards to ensure that the proposed WLR would not pass through the Site in the event that it is decided to terminate that road opposite the end of the MLR.

- (f) The Submitter's understanding that that the MLR/SH1 intersection is to be consented and constructed in the manner shown in **Annexure B**.
- (g) The Submitter also made submissions on Private Plan Change 25: Warkworth North ("**PC25**") seeking that its provisions be consistent with **Annexure B**. The Council's decision on PC25¹ is consistent with the relief sought by the Submitter.
- (h) The intersection of MLR/SH1 shown on Precinct Plans 1 and 3 does not appear to reflect the location and/or alignment shown in **Annexure B** or the location of the WLR identified indicatively in the decision on PC25.
- (i) The Submitter therefore seeks the MLR be identified on the Plan Change in the manner shown in **Annexure B**.
- (j) The land subject to the Plan Change forms part of a complex stormwater catchment that is proposed to be developed intensively, including in respect of:
 - (i) The retail development proposed for the Site;
 - (ii) The urban development proposed in the area subject to PC25;
 - (iii) The construction works involved in the SH1 widening and the MLR;
 - (iv) The urbanisation proposed as part of the Plan Change; and
 - (v) Ultimately, the urbanisation of the balance of Future Urban zoned land under the Unitary Plan.
- (k) It is essential that stormwater management within the catchment be coordinated and, where possible, stormwater works be developed that cater for flows from the broader catchment rather than individual sites, so as to avoid duplication and unnecessary cost.
- (l) The Submitter therefore seeks that the Plan Change incorporates provisions requiring stormwater management that:

¹ PC25 has been appealed to the Environment Court (although not in relation to the indicative location of the SH1/WLR intersection).

- (i) Complements the Submitter’s resource consent for the Site and does not generate any adverse effects on the Site; and
 - (ii) Is consistent with the approach adopted in the balance of the catchment and in particular with respect to the SH1 widening and MLR designations.
6. The Submitter seeks that the Plan Change be upheld provided the following changes are made: 19.1
- (a) That Precinct Plans 1 and 3 are amended to show the MLR/SH1 intersection in the location shown in **Annexure B**. 19.2
 - (b) That the Plan Change incorporates stormwater provisions that:
 - (i) Complement the stormwater management on the Site pursuant to the Submitter’s resource consent;
 - (ii) Do not generate adverse effects on the Site; and 19.3
 - (iii) Are consistent with the approach adopted in the balance of the catchment and in particular in respect of the SH1 widening and MLR designations.
 - (c) Such other orders, relief or other consequential amendments as are considered appropriate or necessary to address the matters outlined in this submission. 19.4
7. The Submitter wishes to be heard in support of its submission.
8. If other parties make a similar submission, the Submitter would consider presenting a joint case with them at any hearing.

DATED this 29th day of July 2020

WARWORTH PROPERTIES (2010)
LTD by its solicitors and duly authorised
 agents, Ellis Gould



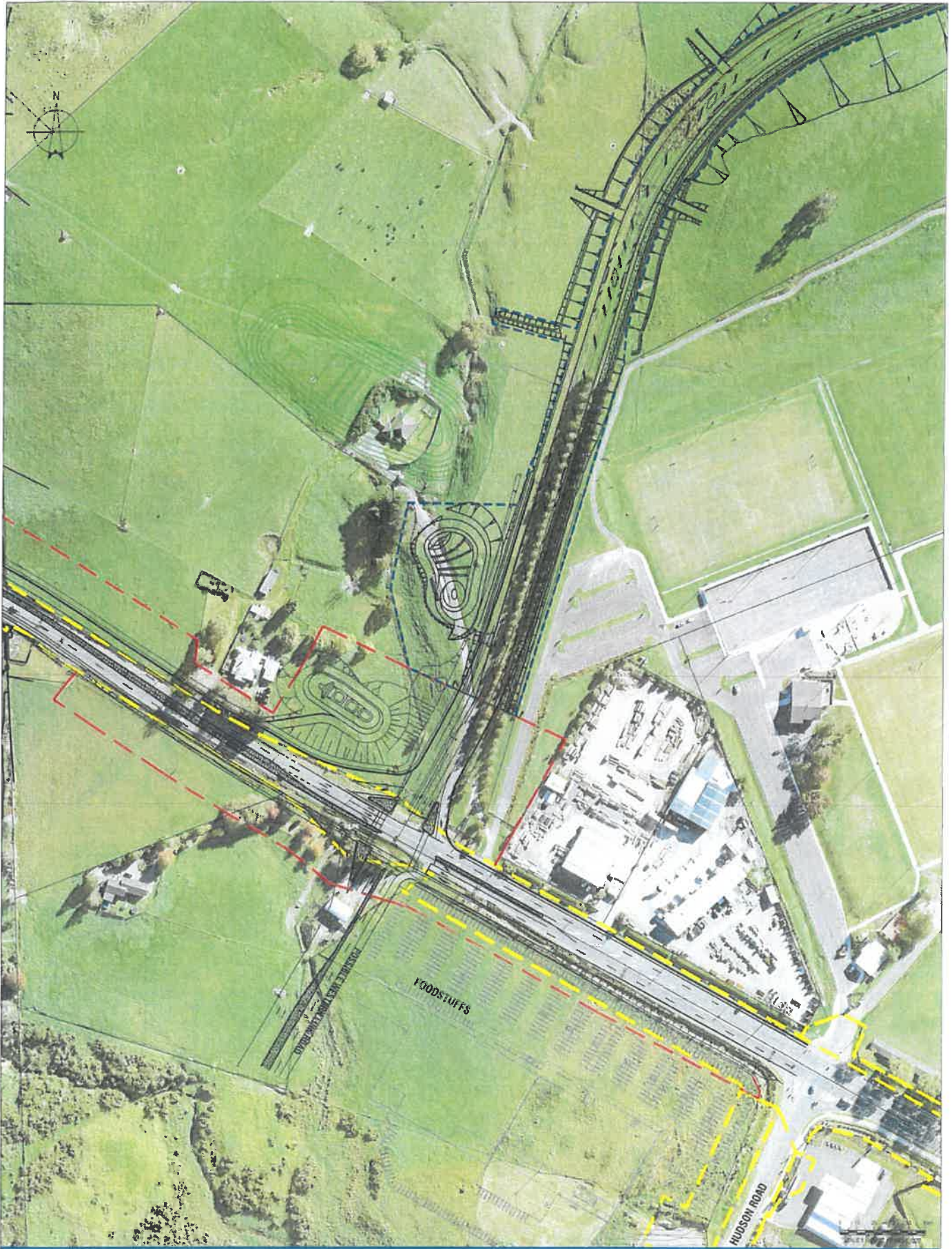
DA Allan / AK Devine

ADDRESS FOR SERVICE: The offices of Ellis Gould, Solicitors, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509. Auckland 1140, DX CP22003, Auckland. Telephone: (09) 307-2172, Facsimile: (09) 358-5215. **Attention:** Douglas Allan / Alex Devine. dallan@ellisgould.co.nz / adevine@ellisgould.co.nz.

Annexure A – Map showing the Submitter's Site



Annexure B – Map showing relocated MLR/SH1 Intersection



Drawn	RT	Checked	Discussed	Design Check
Approved			Date	
Scale	AS SHOWN	This Drawing must not be used for construction unless signed as Approved		Drawn As A1
A	INDICATIVE LAYOUT			RT
NA	Revisions	Note: Indicate any changes on this drawing or approval of drawing	Drawn	Checked

ARA TŪHONO - PŪHOI TO WARKWORTH



NZ TRANSPORT AGENCY
WAIKA KOTAHĪ

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Project: SH1 WIDENING - HUDSON RD TO P2Wk

Title: MATAKANA LINK ROAD STUB W/ WLR
13.5m SHIFT - DEC 3, 2019 INFO

Job No:	51-34406	DO NOT SCALE
Drawing No:	SK-051	Sheet: 1 of 1
Rev:	A	

Plot Date: 13 December 2019 9:45 AM | Call File No: M:\CA\aut\w\proj\05134406\CA\CD\orig\PLAN\TTP\WLR\OPTION\05134406-01-051.dwg

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Grant Reddell

Organisation name:

Agent's full name:

Email address: northwood.dev@xtra.co.nz

Contact phone number: 021486423

Postal address:
49 Matakana Road

Warkworth 0910

Submission details

This is a submission to:

Plan modification number: Plan change 40

Plan modification name: PC40 (Private) Warkworth — Clayden Road

My submission relates to

Rule or rules:
Rezone the future Urban and Light Industry

Property address: Matakana Road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Until Auckland City gets its house into order and is prepared to sort out the infrastructure of Warkworth, ie. a roundabout on Hillstreet intersection and a public footpath to the new proposed residential zoned area, rezoning should not take place.

We have too much congestion as is on Matakana Road coming into town and speed limits need to be brought down to 50km/h up to at least the red barn. Auckland Council seems to be focused on turning a lovely out of Auckland township into what to turn a satellite city without returning the contributions and rates back into this area. Warkworth is being raped of its assets to go into the super fund of

Auckland central and this, I believe, is ethically wrong. Until Council has the funds to upgrade sewerage, stormwater and city water plus roading problems they should not be advancing on expansion schemes.

I or we seek the following decision by council: Decline the plan modification

20.1

Submission date: 30 July 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Sub #	Sub Point		Summary	
2	2.5	Michael George Cronin	Implement roundabouts rather than traffic lights on the proposed Matakana Link Road.	GHL oppose this relief. GHL has been working with AT and NZTA to reach agreement on the appropriate form of intersections onto MLR supported by traffic modelling. Agreement has been reached on a signalised intersection for a range of reasons.
2	2.7	Michael George Cronin	Retain the live Light Industrial zoning in the plan change subject area.	GHL supports this outcome or other outcomes that achieves the relief sought in its submission.
3	3.4	New Zealand Transport Agency c/- Evan Keating	Amend precinct to consistently refer to the proposed Matakana Link Road as the Matakana Link Road, not Sandspit Link Road or MLR.	GHL supports this outcome.
3	3.6	New Zealand Transport Agency c/- Evan Keating	Amend the precinct to clarify the number of Matakana Link Road access points within both the text and maps.	GHL supports this outcome.
3	3.7	New Zealand Transport Agency c/- Evan Keating	Amend provision IXXX.7.1 Matters of discretion of the proposed precinct: The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions: (1) Vacant lot subdivision; (e) Transport including access, and parking <u>and traffic generation.</u>	GHL supports the inclusion of traffic generation to ensure that all developments in this area properly address effects on the road network.
3	3.8	New Zealand Transport Agency c/- Evan Keating	Amend provision IXXX.7.1 Matters of discretion of the proposed precinct: (2) Indoor Recreation Facility in the location shown on I1XXX.9.1 Warkworth Clyden Road: Precinct Plan 1: (c) <u>Transport, including access, parking and traffic generation</u>	GHL supports this relief for the reasons stated above.

3	3.10	New Zealand Transport Agency c/- Evan Keating	<p>Amend provision IXXX.7.2(1) Vacant Lot Subdivision Assessment criteria of the proposed precinct: The Council will consider the relevant policies identified below for controlled activities, in addition to the assessment criteria or policies specified for assessment of the relevant controlled activities in the zone, Auckland wide or overlay provisions:</p> <p>(1) Vacant lot subdivision (a) In addition to the matters of discretion listed at E38.12.2(7), the extent to which: <u>(xvii) Transport including access, parking and traffic generation is designed to ensure the safe and efficient operation of the surrounding transport network.</u></p>	<p>GHL supports the inclusion of the additional wording. This is to ensure GHL land is not utilised for overflow parking on roads in the GHL subdivision that may in turn affect the operational efficiency of GHL roads and therefore affect the ability for GHL or subsequent developers to obtain necessary resource consents in a reasonable manner.</p>
3	3.11	New Zealand Transport Agency c/- Evan Keating	<p>Amend provision IXXX.7.2(2) Indoor Recreation Facility Assessment criteria of the proposed precinct:</p> <p>(2) Indoor Recreation Facility in the location shown on I1XXX.9.1 Warkworth Clayden Road: Precinct Plan The extent to which: (d) Provision is made for transport related matters including access, and adequate parking to service the facility, and hours of operation, <u>traffic generation and the safety and efficiency of the transport network.</u></p>	<p>GHL supports the inclusion of the additional wording. This is to ensure GHL land is not utilised for overflow parking on roads in the GHL subdivision that may in turn affect the operational efficiency of GHL roads and therefore affect the ability for GHL or subsequent developers to obtain necessary resource consents in a reasonable manner.</p>
3	3.12	New Zealand Transport Agency c/- Evan Keating	<p>The information provided in the Transport Assessment is insufficient and should follow Auckland Transport's ITA guidelines. Any consequential changes to the precinct provisions are sought.</p>	<p>GHL supports the relief sought to ensure fair and transparent assessment of traffic and road network effects.</p> <p style="text-align: right;">-</p>

4	4.6	Middle Hill Ltd (as trustee for the Tyne Trust) c/- Hamish Firth, Mt Hobson Group	Confirmation that there is sufficient traffic network capacity to support the proposed development without compromising the ability of other landowners to develop their land including owners of land located to the South of the subject land.	GHL supports this relief for the reasons stated above.
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5	5.1	Auckland Transport	Require the applicant to provide a revised transport assessment with the methodology and content being developed and agreed with Auckland Transport and New Zealand Transport Agency and make any consequential changes to the precinct provisions and zoning.	GHL supports the relief sought to ensure fair and transparent assessment of traffic and road network effects.
5	5.2	Auckland Transport	Amend the precinct plan boundary to exclude the southwestern end of the proposed Matakana Link Road (the panhandle) and make consequential amendments to the precinct plan diagrams and other provisions.	
5	5.3	Auckland Transport	Amend all references to 'Sandpit Link Road' to 'Matakana Link Road.'	GHL supports this outcome.
5	5.4	Auckland Transport	Amend the precinct to clarify the number of Matakana Link Road access points within both the text and maps.	GHL supports this outcome.

5	5.5	Auckland Transport	<p>Amend the precinct provisions to include the following additional objectives and policies:</p> <p><u>Objectives</u></p> <p>x. <u>Subdivision and development is co-ordinated with the delivery of the transport infrastructure and services required to provide for development within the precinct and connect it to the wider transport.</u></p> <p>x. <u>Subdivision and development within the precinct occurs in a manner which avoids, remedies or mitigates adverse effects on the safe and efficient operation of transport infrastructure and services.</u></p> <p>x. <u>Subdivision and development recognises, protects and supports strategic transport connections through the precinct which support growth in the wider Warkworth area.</u></p> <p><u>Policies</u></p> <p>x. <u>Require subdivision and development to be co-ordinated with the provision of transport infrastructure and services identified in the precinct plan.</u></p> <p>x. <u>Require subdivision and development to provide transport networks within the precinct and to provide connections to adjoining land in accordance with Precinct Plan 3.</u></p>	GHL supports the relief sought.
5	5.12	Auckland Transport	<p>Amend activity table IXXX.4 to add the following as a non-complying activity:</p> <p><u>'Construction or use of a vehicle crossing to the Matakana Link Road.'</u></p>	GHL supports inclusion of a Rule to make direct access to MLR a Non-complying activity. This is because GHL seeks to ensure that traffic effects in relation to the operation of the MLR are consistently and fairly managed.

5	5.15	Auckland Transport	Amend activity table IXXX.4 to clarify the activity status applying to subdivision which does not comply with the access points indicated on Precinct Plan 3, or proposes a different intersection layout for the easternmost access point indicated on Precinct Plan 3. A discretionary activity status is appropriate, subject to appropriate assessment which demonstrates with transport modelling and a safety audit that the location and design are suitable to service the proposed land use and maintain the function of the surrounding transport network in a safe, efficient and effective manner.	<p>GHL supports increased certainty as to the access points onto the MLR because the number and location of access points may have consequential effects on GHL and their ability to obtain subdivision consent to develop their live zoned land.</p> <p>GHL does not support ability for the agreed intersection with WLC land (PPC40 and GHGL land) to be changed without the explicit written approval of GHL.</p>
5	5.16	Auckland Transport	Amend standard IXXX.5 Notification so that recreation facility and subdivision activities are subject to the standard tests for notification.	GHL supports this outcome as if insufficient parking is provided then GHL may be affected because there could be spill over parking onto GHL land when that is developed. Spill over parking may affect GHL in terms of the operational efficiency of its road network and the ability to obtain future consents.
5	5.21	Auckland Transport	Amend matters of discretion at IXXX.7.1(1) by adding the following matter: '(f) <u>The design and operation of any intersection with Matakana Link Road.</u> '	GHL supports this relief.
5	5.30	Auckland Transport	<p>Add new assessment criteria to IXXX.7.2 Assessment Criteria (1) Vacant Lot Subdivision, as follows:</p> <p><u>(b) In addition to the assessment criteria listed at E38.12.2(7), for any proposal involving design and construction of an intersection to Matakana Link Road at the access points identified on Precinct Plan 3, whether:</u></p> <p><u>(i) The intersection design is supported by a transport assessment and safety audit demonstrating that the intersection will provide a safe, efficient and effective connection to service the expected subdivision and development. This includes safe and convenient provision for pedestrians and cyclists.</u></p>	GHL supports this relief.

			(ii) <u>The accompanying transport assessment and safety audit demonstrate that the design and operation of the proposed intersection will not have adverse effects on the function of the surrounding transport network including Matakana Link Road.</u>	
5	5.31	Auckland Transport	Amend the assessment criteria at IXXX.7.2(2) as follows: '(2) Indoor Recreation facility ...' Delete (a) as follows: '(a) The indoor recreation facility is located within the land area identified on Precinct Plan 1. Delete (d) and replace with the alternative wording as follows: '(d) Provision is made for transport related matters including access and adequate parking to service the facility, and hours of operation. '(d) <u>Traffic generation effects can be accommodated within the transport network, safe access is provided to the site, and sufficient well- designed and well-located parking is provided.</u> '	GHL supports the relief sought.
7	7.7	Auckland Council c/- Celia Davison	Amend the precinct to be more consistent with the 'landscape screening' areas sought by the Warkworth Structure Plan, by requiring areas of planting in the order or 20-30m deep to accommodate mature native trees in the long term, and effectively screen industrial development. The effectiveness of the precinct provisions, including various yards and precinct plans, should be evaluated and amended to achieve this outcome.	GHL supports the relief sought in part to the extent that landscaping and open spaces areas can assist in managing reverse sensitivity effects but GHL does not support a 20 to 30-metre deep planting strip as a desirable or beneficial urban outcome.
10	10.1	Skywork Helicopters Limited (Skywork) c/- Burnette O'Connor, The Planning Collective	Decline the plan modification	GHL supports the relief sought.
10	10.2	Skywork Helicopters Limited (Skywork) c/- Burnette O'Connor, The Planning Collective	Rezone the land affected by noise generated by Skywork Helicopters Limited to non-residential or other compatible uses.	GHL supports the relief sought.

10	10.3	Skywork Helicopters Limited (Skywork) c/- Burnette O'Connor, The Planning Collective	Require provisions that address reverse sensitivity effects on Skywork Helicopters Limited to be incorporated into the precinct provisions, potentially including requirement of mechanical ventilation in all dwellings and no complaints covenants.	GHL supports the relief sought.
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Further Submission in support of, or opposition to, a notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6



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

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

For office use only Further Submission No:
Receipt Date:

Further Submitter details

Full Name or Name of Agent (if applicable)

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

Organisation Name (if further submission is made on behalf of Organisation) Goatley Holdings Limited

Address for service of Further Submitter

C/o The Planning Collective - Burnette O'Connor

Telephone:	021 422 346	Fax/Email:	burnette@thepec.co.nz
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Contact Person: (Name and designation, if applicable)

Scope of Further Submission

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number	40 (Private)
Plan Change/Variation Name	Warkworth - Clayden Road

I support : **Oppose** (tick one) **the submission of:**

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number	Point-Number

See attached

The reasons for my support / opposition are:

See attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) _____

of the original submission be **allowed**

disallowed

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Burnette O'Connor

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

19 August 2020

Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Adjoining land owner.

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

Sub #	Sub Point		Summary	Further Submission
2	2.7	Michael George Cronin	Retain the live Light Industrial zoning in the plan change subject area.	GHL supports this outcome or other outcomes that achieves the relief sought in its submission. Specifically retaining the Business – Light Industry zone gives greater protection the industrial zoned land and future industrial land uses. It is the most appropriate zone to effectively manage reverse sensitivity effects.
10	10.1	Skywork Helicopters Limited (Skywork) c/- Burnette O'Connor, The Planning Collective	Decline the plan modification in part	GHL support the relief sought.
10	10.2	Skywork Helicopters Limited (Skywork) c/- Burnette O'Connor, The Planning Collective	Rezone the land affected by noise generated by Skywork Helicopters to non-residential or other compatible uses.	GHL support the relief sought.
10	10.3	Skywork Helicopters Limited (Skywork) c/- Burnette O'Connor, The Planning Collective	Require provisions that address reverse sensitivity effects on Skywork to be incorporated into the precinct provisions, potentially including requirement for mechanical ventilation in all dwellings and no complaints covenants.	GHL support the relief sought.
11	11.2	Warkworth Land Company	Amend IXXX.3 Policies in the precinct provisions to include:(12) Manage the effects of stormwater runoff through a series of controls and measures which assist in retaining high water quality and minimising or mitigating sedimentation and erosion.	GHL support the relief sought but seeks that the provisions are amended to make it specific that there should be no increase in stormwater discharge onto adjoining sites above pre-development flows.
11	11.3	Warkworth Land Company	Amend IXXX.7.1(1) Matters of discretion to include: (f) Stormwater management	GHL support the relief sought.
11	11.4	Warkworth Land Company	Amend IXXX.7.2(1)(a) Assessment Criteria to include:(xvii) The cumulative effect of the approach to stormwater management is in accordance with an approved SMP and achieves a "treatment train" process which mitigates urban stormwater quality issues and controls runoff.	GHL support the relief sought but seeks that the Assessment Criteria are amended to make it specific that there should be no increase in stormwater discharge onto adjoining sites above pre-development flows.
14	14.1	David and Christine Pinker	Amend the zoning of 139 Clayden Road from Large Lot zone to Single House zone.	GHL oppose this relief unless suitable provisions are included to avoid reverse sensitivity effects on the adjoining industrial zoned land. It will potentially enable additional residential development because sites with an area of 1000m ² rather than 4,000m ² could

				be created. This potentially increases reverse sensitivity effects.
14	14.2	David and Christine Pinker	Amend Precinct Plan 1 to apply the subdivision control area to the subject site	GHL oppose this relief unless suitable provisions are included to avoid reverse sensitivity effects on the adjoining industrial zoned land. It will potentially enable additional residential development because sites with an area of 1000m ² rather than 4,000m ² could be created. This potentially increases reverse sensitivity effects.
15	15.3	Mahurangi Community Sport & Recreation Collective	Provide reverse sensitivity "no complaints covenant area" across Precinct Plan 1 for both light and noise (relating to recreational use of the Warkworth showgrounds)	GHL support this submission to the extent that there should be comprehensive and consistent provisions to manage the range of reverse sensitivity effects in this location.
15	15.5	Mahurangi Community Sport & Recreation Collective	Provide endorsement from Northern Arena including assessment of height restrictions and size of site. Provide secondary option for council or Warkworth community should Northern Arena not take this up, both provisions subject to time.	Support to the extent that there should be a degree of certainty as to the nature of the recreation facility that the specific Precinct provisions seek to enable. GHL however does not consider that specific Precinct provisions are required. GHL considers the zoning should remain Business- Light Industry. This zone will enable resource consent for a recreation facility to be sought for a specific proposal and assessed as a Discretionary activity. This is the most appropriate outcome.
16	16.2	Warkworth Hockey Charitable Trust	Include a buffer zone around the whole Showgrounds Complex with a "no complaints covenant" protecting the hours of useage and light spillage from the showgrounds.	GHL support this submission to the extent that there should be comprehensive and consistent provisions to manage the range of reverse sensitivity effects in this location.
17	17.2	Stellan Trust c/- Shane Hartley	Include provisions in the precinct to ensure any adverse traffic effect that could compromise the subdivisions and development of the Light Industry zone served by the two intersections on Matakana Link Road are avoided and/or mitigated, including the first intersection directly servicing the Stellan Trust land.	Support to the extent that traffic effects need to be properly managed and that infrastructure costs need to be fairly attributed to all those benefitting.

18	18.2	Warkworth A&P Society – Penny Webster c/- Malcolm Webster	Include a ‘no complaints covenant’ on all titles to ensure the future use of the Showgrounds is not compromised.	GHl support this submission to the extent that there should be comprehensive and consistent provisions to manage the range of reverse sensitivity effects in this location.
19	19.2	Warkworth Properties (2010) Ltd c/- Douglas Allan and Alex Devine	Amend Precinct Plans 1 and 3 to show the MLR/SH1 intersection in the location shown in Annexure B of this submission.	GHl support this outcome.
19	19.3	Warkworth Properties (2010) Ltd c/- Douglas Allan and Alex Devine	Ensure the plan change incorporates stormwater provisions that:(i) complement the stormwater management on the submitters site pursuant to the submitter's resource consent(ii) Do not generate adverse effects on the submitters site(iii) Are consistent with the approach adopted in the balance of the catchment and in particular in respect of the SH1 widening and MLR designations	GHl support the relief sought.

Sub #	Sub Point		Summary	
2	2.7	Michael George Cronin	Retain the live Light Industrial zoning in the plan change subject area.	Skywork supports this outcome or other outcomes that achieves the relief sought in its submission.
9	9.1	Goatley Holdings Limited (GHL) c/- Burnette O'Connor, The Planning Collective	Decline the plan modification in part	Skywork support the relief sought.
9	9.2	Goatley Holdings Limited (GHL) c/- Burnette O'Connor, The Planning Collective	Amend the zoning to respond to the live-zoned Business Light Industry land adjacent to the subject land and ensure a more appropriate buffer between industrial activities and residential activities.	Skywork support the relief sought.
9	9.3	Goatley Holdings Limited (GHL) c/- Burnette O'Connor, The Planning Collective	Amend the precinct to ensure that potential reverse sensitivity effects on the Business - Light Industrial zoned land are effectively managed.	Skywork support the relief sought.

Further Submission in support of, or opposition to, a notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6



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

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

For office use only Further Submission No:
Receipt Date:

Further Submitter details

Full Name or Name of Agent (if applicable)

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

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

Skywork Helicopter Limited

Address for service of Further Submitter

C/o The Planning Collective - Burnette O'Connor

Telephone:

021 422 346

Fax/Email:

burnette@thepec.co.nz

Contact Person: (Name and designation, if applicable)

Scope of Further Submission

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number	40 (Private)
Plan Change/Variation Name	Warkworth - Clayden Road

I support : **Oppose** (tick one) **the submission of:**

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number

Point-Number

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See attached

The reasons for my support / opposition are:

See attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) _____

of the original submission be **allowed**

disallowed

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Burnette O'Connor

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

19 August 2020
Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Adjoining land owner.

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

Sub #	Sub Point		Summary	Further Submission
2	2.7	Michael George Cronin	Retain the live Light Industrial zoning in the plan change subject area.	Skywork supports this outcome or other outcomes that achieves the relief sought in its submission. Specifically retaining the Business – Light Industry zone gives greater protection the industrial zoned land and future industrial land uses. It is the most appropriate zone to effectively manage reverse sensitivity effects.
9	9.1	Goatley Holdings Limited (GHL) c/- Burnette O'Connor, The Planning Collective	Decline the plan modification in part.	Skywork support the relief sought.
9	9.2	Goatley Holdings Limited (GHL) c/- Burnette O'Connor, The Planning Collective	Amend the zoning to respond to the live-zoned Business Light Industry land adjacent to the subject land and ensure a more appropriate buffer between industrial activities and residential activities.	Skywork support the relief sought.
9	9.3	Goatley Holdings Limited (GHL) c/- Burnette O'Connor, The Planning Collective	Amend the precinct to ensure that potential reverse sensitivity effects on the Business - Light Industrial zoned land are effectively managed.	Skywork support the relief sought.
14	14.1	David and Christine Pinker	Amend the zoning of 139 Clayden Road from Large Lot zone to Single House zone.	Skywork oppose this relief unless suitable provisions are included to avoid reverse sensitivity effects on the heliport. It will potentially enable additional residential development on sites with an area of 1000m ² to be created. This potentially increases reverse sensitivity effects for Skywork.
14	14.2	David and Christine Pinker	Amend Precinct Plan 1 to apply the subdivision control area to the subject site.	Skywork oppose this relief unless suitable provisions are included to avoid reverse sensitivity effects on the heliport. It will potentially enable additional residential development on sites with an area of 1000m ² to be created. This potentially increases reverse sensitivity

				effects for Skywork.
15	15.3	Mahurangi Community Sport & Recreation Collective	Provide reverse sensitivity "no complaints covenant area" across Precinct Plan 1 for both light and noise (relating to recreational use of the Warkworth showgrounds).	Skywork support this submission to the extent that there should be comprehensive and consistent provisions to manage the range of reverse sensitivity effects in this location.
15	15.5	Mahurangi Community Sport & Recreation Collective	Provide endorsement from Northern Arena including assessment of height restrictions and size of site. Provide secondary option for council or Warkworth community should Northern Arena not take this up, both provisions subject to time.	Support to the extent that there should be a degree of certainty as to the nature of the recreation facility that the specific Precinct provisions seek to enable. Skywork however does not consider that specific Precinct provisions are required. Skywork considers the zoning should remain Business- Light Industry. This zone will enable resource consent for a recreation facility to be sought for a specific proposal and assessed as a Discretionary activity. This is the most appropriate outcome.
16	16.2	Warkworth Hockey Charitable Trust	Include a buffer zone around the whole Showgrounds Complex with a "no complaints covenant" protecting the hours of usage and light spillage from the showgrounds.	Skywork support this submission to the extent that there should be comprehensive and consistent provisions to manage the range of reverse sensitivity effects in this location.
18	18.2	Warkworth A&P Society – Penny Webster c/- Malcolm Webster	Include a 'no complaints covenant' on all titles to ensure the future use of the Showgrounds is not compromised.	Skywork support this submission to the extent that there should be comprehensive and consistent provisions to manage the range of reverse sensitivity effects in this location.

14 May 2020

Plans and Places
Auckland Council
Private Bag 92300
Auckland 1142
Attn: John Duguid

Email: unitaryplan@aucklandcouncil.govt.nz

Re: Further Submission for Proposed Private Plan Change 40 - Warkworth North

Please find attached Auckland Transport's further submission to the submissions lodged on Proposed Private Plan Change 40 Warkworth - Clayden Road for Warkworth Land Company and others.

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

Yours sincerely



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

Further submission by Auckland Transport on Private Plan Change 40 - Warkworth - Clayden Road

To: Auckland Council
Private Bag 92300
Auckland 1142

Further submission on: Submissions to Proposed Private Plan Change 40 from Warkworth Land Company and others for land at Clayden Road, Warkworth North

From: Auckland Transport
Private Bag 92250
Auckland 1142

1. Introduction

- 1.1 Auckland Transport represents a relevant aspect of the public interest and also has an interest in the proposal that is greater than the interest that the general public has. Auckland Transport's grounds for specifying this are that it is a Council-Controlled Organisation of Auckland Council ('the Council') and Road Controlling Authority for the Auckland region.
- 1.2 Auckland Transport's legislated purpose is "to contribute to an effective, efficient and safe Auckland land transport system in the public interest".
- 1.3 Auckland Transport is also part of the Supporting Growth Alliance (Te Tupu Ngātahi) ('SGA') which is a collaboration between Auckland Transport and the New Zealand Transport Agency to plan and route protect the preferred transport network in future growth areas, such as Warkworth.

2. Scope of further submission

- 2.1 The specific parts of the submissions supported or opposed, and the reasons for that support or opposition, are set out in **Attachment 1**.
- 2.2 The decisions which Auckland Transport seeks from the Council in terms of allowing or disallowing submissions are also set out in **Attachment 1**.

3. Appearance at the hearing

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



Signed for and on behalf of Auckland Transport

Christina Robertson
Group Manager: Strategic Land Use and Spatial Management

14 May 2020

Address for service of further submitter:

Katherine Dorofaeff, Principal Planner
Auckland Transport
20 Viaduct Harbour Avenue
Auckland Central
Auckland 1010
Email: Katherine.Dorofaeff@at.govt.nz

Attachment 1

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
1.4	Warkworth Area Liaison Group ropeworth@gmail.com	Create a pedestrian and cycle underpass under the Matakana Link Road to provide access to a park and ride facility in the showgrounds.	Oppose	<p>Such an underpass is not proposed as part of the Matakana Link Road project or identified in the Council's adopted Warkworth Structure Plan.</p> <p>Any such proposal would require the consent of Auckland Transport as requiring authority for the Matakana Link Road and as the entity responsible for managing and controlling the local transport network.</p> <p>The provision of at-grade crossing facilities in appropriate locations will be considered as part of any intersection proposal at consent stage.</p>	Disallow
2.5	Michael George Cronin cronin.mg@gmail.com	Implement roundabouts rather than traffic lights on the proposed Matakana Link Road.	Oppose	Auckland Transport supports the current approach of the precinct plan where the form of the intersections with the Matakana Link Road are generally not specified but are left to be determined at consent stage. The exception is the eastern most access where a 'left in / left out' arrangement is referred to with alternative forms provided for as a discretionary activity.	Disallow
2.6	Michael George Cronin cronin.mg@gmail.com	Rezone more land to Neighbourhood Centre zone.	Oppose in part	The size and scale of the neighbourhood centre needs to be consistent with its role of providing residents and passers-by with frequent retail and commercial service needs such as a dairy, chemist, bakery, takeaways, and small offices. This is consistent with the Council's adopted Warkworth Structure Plan.	Disallow
7.10	Auckland Council celia.davison@aucklandcouncil.govt.nz	Amend the precinct to address the treatment of all roads or other impervious areas to manage stormwater quality.	Oppose in part	It is not clear what additional controls are sought within the precinct to address treatment of road to manage stormwater quality. Such matters are already addressed	Disallow in part

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
				through the relevant Auckland-wide rules in the Auckland Unitary Plan and through the process offered by the Council's Stormwater Network Discharge Consent.	

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 40 (PRIVATE)
WARKWORTH – CLAYDEN ROAD
Clause 8 of Schedule 1, Resource Management Act 1991**

To: Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Attention: Planning Technician

By email: unitaryplan@aklc.govt.nz

Name of further submitter: White Light Trust Limited (**WLT**)

1. This is a further submission in opposition to submissions on Proposed Plan Change 40 (Private) Warkworth – Clayden Road (**Plan Change**).
2. White Light Trust has an interest in the Plan Change that is greater than the interest the general public has because it is one of the five applicants for the Plan Change.
3. Attached to this further submission is a table setting out the following details (see **Attachment A**):
 - (a) the original submissions to which this further submissions relates;
 - (b) the particular part of the original submissions to which this further submission relates;
 - (c) whether White Light Trust supports or opposes the original submission;
 - (d) the reasons for the support/opposition; and
 - (e) whether White Light Trust seeks that original submission be allowed or disallowed.
4. White Light Trust wishes to be heard in support of its further submission.

DATED at Auckland this 14th day of May 2020

White Light Trust Limited

Address for service of further submitter:

245 Matakana Rd
RD 5
WARKWORTH 0985

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
1. Warkworth Area Liaison Group (c/o Roger Williams) Email: ropeworth@gmail.com	1.1	Support in part	WLT supports the submission point that the plan modification be accepted with modification, but it does not agree with the amendments proposed by the submitter.	Allow in part
	1.2	Oppose	WLT does not agree that the Clayden Road intersection should be realigned, or that it should be the main entry and exit point to the precinct area. It supports the indicative collector/local road layout and MLR access points shown on Precinct Plan 3 of the Plan Change, and on the attached Plan provided by AT (Appendix B, pg 24) showing Indicative Future Development Intersections as they affect WLT land, and which has subsequently been agreed with AT. The MLR provides the best opportunity for most of the precinct area to access the wider road network, but that access will be provided through certain points under a controlled environment. There will be no vehicle access from individual sites to the MLR	Disallow
	1.3	Oppose	WLT does not agree that the 'main' entrance to the precinct area south of the MLR should be from Matakana Road rather than the MLR, however as referenced in Appendix B (pg 24), this plan does show a southern Matakana Road access point that further serves the subdivision. WLT also supports the indicative collector/local road layout and MLR access points shown on Precinct Plan 3 of the Plan Change. The MLR provides the best opportunity for most of the precinct area to access the wider road network, but that access will be provided through certain points under a controlled environment WLT land has been severed in half, to accommodate safe access, AT have agreed to access points from Matakana Rd and the MLR. There will be no vehicle access from individual sites to the MLR.	Disallow
	1.4	Oppose	WLT does not agree that a pedestrian and cycle underpass under the MLR would be appropriate.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
2. Michael George Cronin Email: cronin.mg@gmail.com	2.1	Oppose	WLT does not agree that the Plan Change should be declined. The Plan Change has been developed to closely align with the final Warkworth Structure Plan adopted by the Council on 4 June 2019. Where there are slight differences WLT supports the provisions in the Plan Change for the reasons set out in the supporting documents.	Disallow
	2.2	Oppose	The Plan Change provides more than sufficient community green space within the precinct area. The precinct provisions relating to the special landscape areas and walkway and cycleway network are closely aligned to the Structure Plan and provide extensive open spaces and walking and cycling trails that follow the main streams in the precinct area.	Disallow
	2.3	Oppose	The Plan Change provides pedestrian and cycle linkages throughout the precinct area that will provide high quality walking and cycling infrastructure to minimise the need to use private vehicles for trips within the precinct area and connect to the wider network.	Disallow
	2.4	Oppose	Provision of a school in the precinct plans would not be consistent with the Structure Plan. Decisions as to the appropriate location for schools are for the Ministry of Education to make (using its designation powers).	Disallow
3. New Zealand Transport Agency (c/o Evan Keating) Email: Evan.Keating@nzta.govt.nz	3.1	Oppose	WLT supports the submission point that the Plan Change be accepted with amendments, but it does not agree with all of the amendments proposed by NZTA.	Disallow
	3.2	Oppose	Insufficient analysis has been provided as to why the additional objective sought by NZTA is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	3.3	Support	Submission point supports Plan Change.	Allow
	3.4	Support	WLT agrees with the request that all references to "Sandspit Link Road" be replaced with "Matakana Link Road".	Allow
	3.5	Support	Submission point supports Plan Change.	Allow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	3.6	Oppose	<p>The Plan Change provisions provide sufficient clarity that road junctions with the MLR servicing the precinct will be limited in number to three. This is based on WLT's understanding that the previous second access to Goatley Holdings' property immediately adjacent to the Stellan Trust land is not proceeding. If we understand this correctly then WLT would agree to the removal of the notation of this accessway from Precinct Plan 3.</p> <p>For the avoidance of doubt, WLT has an offset intersection as shown on the attached Appendix B (pg 24) which for the purposes of this further submission, is considered one of 3 of the 3 intersections referred to. These access points have been agreed by AT as part of the MLR hearings to be safe access points.</p>	Disallow
	3.7	Oppose	Insufficient information has been provided by NZTA as to why the requested amendment to the matters of discretion for subdivision to include traffic generation is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	3.8	Oppose	Insufficient information has been provided by NZTA as to why the requested amendment to the matters of discretion for the Indoor Recreation Facility to include traffic generation is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	3.9	Support in part	<p>WLT strongly opposes the proposed amendment to the assessment criteria for vacant lot subdivision requiring staging so that titles for new sites in the part of the precinct relying on access to the MLR are not issued prior to the MLR becoming operational. This will cause undue delay and is inefficient, inappropriate and not justified from an effects perspective. It is the occupation of the dwelling on the site that should be delayed until the MLR is operational, not the issue of the title.</p> <p>However, WLT accepts that the use of the term “homes” in the Plan Change could be unclear as it is not defined in the AUP. It also agrees that the assessment criteria could be strengthened and that the heading should be changed to “Subdivision” rather than “Vacant Lot Subdivision”. Dwelling is defined in the Unitary Plan</p> <p>It proposes that the wording be amended to “<i>the staging of any part of the precinct, including any residential or business zoned site, relying on access of the MLR is such that completed homes are not <u>no dwellings</u> are occupied prior to the MLR becoming operational</i>”</p>	Allow in part
	3.10	Oppose	Insufficient information has been provided by NZTA as to why the requested amendment to the assessment criteria for subdivision is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	3.11	Oppose	Insufficient information has been provided by NZTA as to why the requested amendment to the assessment criteria for subdivision is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	3.12	Oppose	A comprehensive transport assessment was provided as part of the Plan Change application and provides sufficient information on which to base an assessment of the Plan Change under s32 of the RMA.	Disallow
4. Middle Hill Ltd (as trustee for the Tyne Trust) (c/o Hamish Firth, Mt Hobson Group) Email: hamish@mhg.co.nz	4.1	Support in part	WLT supports the submission point that the Plan Change be accepted with modification, but it does not agree with the amendments proposed by Middle Hill Ltd.	Allow in part
	4.2	Support	Submission point supports Plan Change.	Allow
	4.3	Support	Submission point supports Plan Change.	Allow
	4.4	Oppose	A rule requiring that the precinct be developed concurrently or after the Western Link Road is not necessary or appropriate and is not justified on an effect's basis. This development is reliant on the MLR but places no reliance on the Western Link Road. It is therefore unnecessary to require in some way that the Western Link Road be built concurrently with the MLR.	Disallow
	4.5	Oppose	It is not clear from the submission what Middle Hill's specific concerns are, and what amendments to the precinct provisions would address those concerns. Determination of the level of adverse effects is a matter for the resource consent stage. The advice that WLT has obtained demonstrates that the network will cope with the traffic generated by this Plan Change. This is within the application and was also part of the MLR assessment that the roading networks and Structure Plan aspirations aligned.	Disallow
	4.6	Oppose	It is not clear from the submission what Middle Hill's specific concerns are, and what amendments to the precinct provisions would address those concerns. The advice that WLT has obtained demonstrates that the network will cope with the traffic generated by this Plan Change.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	4.7	Oppose	A provision requiring contributions be made for the completion of the wider strategic network is not appropriate and is not a relevant matter for the purposes of this Plan Change. The Plan Change land is not reliant on, and therefore will have no bearing on, the Western Link Road, and so a provision requiring a contribution is not required or appropriate.	Disallow
	4.8	Oppose	WLT accepts that the staging of development within Warkworth North should be related to the provision of key infrastructure, including the completion of Stage 1 of the MLR. The Plan Change already includes a staging provision in the assessment criteria for vacant lot subdivision that requires the MLR to be operational before dwellings in the part of the precinct relying on access to the MLR are occupied. That is sufficient. Insufficient analysis has been provided as to why a provision preventing any development prior to the Western Link Road also being completed is necessary or appropriate and how it would meet the tests set out in s32 of the RMA.	Disallow
5. Auckland Transport Email: katherine.dorofaeff@at.govt.nz	5.1	Oppose	WLT does not agree that a revised transport assessment with methodology and content being agreed with AT and NZTA, and consequential changes to the precinct provisions and zoning is necessary or appropriate. A comprehensive transport assessment has been provided as part of the Plan Change application and this is fully adequate and appropriate. It has been prepared to the applicable standards. In addition to the significant transport evidence provided as part of the MLR to ensure capacity was enabled.	Disallow
	5.3	Support	WLT agrees with the request that all references to "Sandspit Link Road" be replaced with "Matakana Link Road".	Allow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	5.4	Oppose	The Plan Change provisions provide sufficient clarity that road junctions with the MLR servicing the precinct will be limited in number to three. This is based on WLT's understanding that the previous second access to Goatley Holdings' property immediately adjacent to the Stellan Trust land is not proceeding. If we understand this correctly then WLT would agree to the removal of the notation of this accessway from Precinct Plan 3. WLT are entirely dependent on the access points demonstrated to this land.	Disallow
	5.5	Oppose	Insufficient analysis has been provided as to why the additional objectives and policies sought by AT are necessary or appropriate and how they meet the tests set out in s32 of the RMA.	Disallow
	5.6	Support	WLT agrees with AT's proposed amendments to Objective 4 so that it reads " <i>Create an accessible residential development with <u>safe and integrated vehicle, walking and cycling connections</u></i> ".	Allow
	5.7	Oppose	Insufficient analysis has been provided as to why AT's proposed amendments to Policy 7 which relates to the walking and cycling network is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	5.8	Oppose	Reference to the term "major indoor recreation facility" should be retained in the Plan Change as that is the term used in the Warkworth Structure Plan.	Disallow
	5.9	Support	WLT agrees with AT's proposed amendments to Policy 10 which relates to avoiding direct vehicle access from individual sites onto the MLR.	Allow
	5.10	Support	WLT agrees with the request that the heading to the activity table should be amended to refer to all zones.	Allow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	5.11	Oppose	Insufficient information has been provided by AT as to whether it is standard practice across the AUP to identify which activities are regional plan activities, and if it is not standard practice, why this is appropriate for this precinct. It would not be appropriate to make this amendment because many of the Regional Plan controls are volumetric based rather than activity based, so it is not possible to predetermine whether or not an activity will trigger a requirement for regional consents.	Disallow
	5.12	Oppose	Insufficient analysis has been provided by AT as to why the amendment to the activity table to provide for vehicle crossings to the MLR as a non-complying activity is necessary or appropriate and how it meets the tests set out in s32 of the RMA. RD criteria can determine safe access.	Disallow
	5.13	Oppose	Insufficient analysis has been provided by AT as to why the amendment to the activity table to replace activity A7 with an activity description and rules that apply to all subdivision is necessary or appropriate. The proposed wording is sufficiently clear.	Disallow
	5.14	Oppose	Insufficient analysis has been provided by AT as to why the amendment to activity A9 in the activity table is necessary or appropriate. The proposed wording is sufficiently clear.	Disallow
	5.15	Oppose	Insufficient analysis has been provided by AT as to why the amendment to the activity table to clarify the activity status for subdivision that does not comply with Precinct Plan 3 is necessary or appropriate. The proposed wording is sufficiently clear.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	5.16	Oppose	Insufficient analysis has been provided by AT as to why the Plan Change rule providing that restricted discretionary activities (RDAs) should be processed on a non-notified basis (unless special circumstances apply) should not apply to subdivisions or the recreation facility. It is appropriate that these activities be treated in the same manner as the other RDAs in this precinct. This is also standard approach in other precincts in the AUP. If there is anything unusual or out of the ordinary about an application, then the special circumstances test will trigger notification.	Disallow
	5.17	Oppose	Insufficient analysis has been provided by AT as to why the amendment to insert the proposed wording after the heading IXXX.6 Standards is necessary. The proposed wording is sufficiently clear.	Disallow
	5.18	Support	WLT agrees with AT's proposed amendment to the Limited Access Standard.	Allow
	5.19	Support	WLT agrees with AT's proposed amendment to the matters of discretion to refer to "Subdivision" (rather than Vacant Lot Subdivision as currently proposed).	Allow
	5.20	Support	WLT agrees with AT's proposed amendment to the matters of discretion for subdivision to delete (b) (Location of the facility) and (c) (building scale).	Allow
	5.21	Support	WLT agrees with AT's proposed amendment to the matters of discretion for subdivision to insert "the design and operation of any intersection with the Matakana Link Road"	Allow
	5.22	Oppose	Insufficient analysis has been provided by AT as to why the requested amendment to the matters of discretion to delete the reference to "indoor" when describing the recreation facility is necessary or appropriate and how it meets the tests set out in s32 of the RMA. "Indoor recreation facility" should be retained in the Plan Change as that is the term used in the Warkworth Structure Plan.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	5.23	Oppose	Insufficient analysis has been provided by AT as to why the requested amendment to the matters of discretion for the Indoor Recreation Facility to insert references to “ <i>Transport, including access, parking and traffic generation</i> ” is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	5.24	Support	WLT agrees with AT’s requested amendment to the introductory sentence of the assessment criteria.	Allow
	5.25	Support in part	WLT agrees that the assessment criteria should be amended to apply to “Subdivision” rather than “Vacant lot subdivision”. However, WLT does not agree to AT’s proposal to delete the three criteria and replace them with a rule regarding Limited Access. Insufficient analysis has been provided by AT as to why that amendment is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Allow in part
	5.26	Oppose	Insufficient analysis has been provided by AT as to why the deletion of the assessment criteria relating to greenways and its replacement with a new rule is necessary or appropriate and how it would meet the tests set out in s32 of the RMA.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	5.27	Support in part	<p>WLT strongly opposes the proposed amendment to the assessment criteria for vacant lot subdivision requiring staging so dwellings are not to be occupied prior to the MLR becoming operational. This will cause undue delay and is inefficient, inappropriate and not justified from an effects perspective. A blanket staging rule is unnecessary because a number of homes can be built on land which does not have or require any access onto the MLR (some sites only front Clayden and Matakana Road).</p> <p>However, WLT accepts that the use of the term “homes” in the Plan Change could be unclear as it is not defined in the AUP. It also agrees that the assessment criteria could be strengthened and that the heading should be changed to “Subdivision” rather than “Vacant Lot Subdivision”.</p> <p>Instead it proposes that the wording be amended to <i>“the staging of any part of the precinct, including any residential or business zoned site, relying on access of the MLR is such that completed homes are not no dwellings are occupied prior to the MLR becoming operational”</i></p>	Allow in part
	5.28	Oppose	Insufficient analysis has been provided by AT as to why deletion of the indicative cross sections from the assessment criteria for subdivision is necessary or appropriate and how it meets the tests set out in s32 of the RMA. The indicative cross sections should remain.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	5.29	Oppose	<p>Insufficient analysis has been provided by AT as to why the requested amendment to the assessment criteria and new rule are necessary or appropriate and how it meets the tests set out in s32 of the RMA.</p> <p>In particular WLT does not agree that a rule requiring separated cycle facilities to be provided in the collector roads should be included in the Plan Change. This amendment would force a rear laneway typology for much of the precinct area which is not appropriate, efficient or effective. It will not result in a good resource management outcome. This a matter to be determined at resource consent stage.</p>	Disallow
	5.30	Oppose	<p>Insufficient information has been provided by AT as to why the new assessment criteria it has proposed for subdivision are necessary or appropriate and how they would meet the tests set out in s32 of the RMA.</p> <p>In particular, WLT considers that the proposed assessment criteria requiring that the proposed intersection will “not have adverse effects on the function of the surrounding transport network” is an inappropriately high threshold and fails to recognise that one of the functions of the MLR is to provide access to the precinct area by providing controlled intersections at certain locations.</p>	Disallow
	5.31	Oppose	<p>Insufficient information has been provided by AT as to why the requested amendments to the assessment criteria for the Indoor Recreation Facility are necessary or appropriate and how they meet the tests set out in s32 of the RMA.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	5.33	Oppose	Insufficient information has been provided by AT as to why the requested amendments to the heading and legend of Precinct Plan 3 are necessary or appropriate and how they meets the tests set out in s32 of the RMA. Some parts of the Indicative Greenway Route shown on Precinct Plan 3 will be comprised of tracks along the stream, constructed to regional park track standards, rather than walkways constructed to AT path standards. In addition the term "Greenway Route" is consistent with the terminology used in the Structure Plan.	Disallow
	5.34	Support	WLT supports a staggered intersection arrangement and considers that the identification of the easternmost access point with a single asterisk would still accommodate a staggered intersection. For clarity Precinct Plan 3 could be amended by inserting a notation on the plan at the access point and providing an accompanying reference in the legend " <i>Access from the north and south intersections may be offset up to 100m</i> ".	Allow
	5.35	Oppose	Insufficient information has been provided by AT as to what additional provisions are being sought to require large scale developments not involving subdivision to provide the infrastructure shown in Precinct Plan 3 and whether those provisions are necessary or appropriate and if they would meet the tests set out in s32 of the RMA.	Disallow
	5.36	Oppose	WLT does not agree that provisions should be included in the Plan Change limiting direct vehicle access from sites fronting cycle facilities on the collector road. This amendment would force a rear laneway typology for much of the plan change area which is not appropriate, efficient or effective. It will not result in a good resource management outcome, particularly for sites within proximity to the stream valleys. Insufficient information has been provided by the submitter as to why provisions to this effect would be necessary or appropriate and how they would meet the tests set out in s32 of the RMA.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	5.37	Oppose	Insufficient analysis has been provided by AT as to why the requested amendments to the precinct plan to clarify the nature of pedestrian access at certain locations is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
7. Auckland Council (c/o Celia Davison) Email: celia.davison@aucklandcouncil.govt.nz	7.1	Support in part	WLT supports the submission point that the Plan Change be accepted with amendments, but it does not agree with all of the amendments proposed by the Council.	Allow in part
	7.2	Oppose	It is not necessary or appropriate for amendments to the Plan Change to be made to achieve the outcomes sought by the Council, for the reasons set out in this further submission.	Disallow
	7.6	Oppose	The Council seeks the green network be the same as the Structure Plan (no reasons given). The proposal follows the Structure Plan. It places greater emphasis on the two main tributaries lesser emphasis on ephemeral watercourses. It integrates green network, open space, and walking routes. This is part of the exercise to resolve the best outcomes for both green networks and a quality urban design.	Disallow
	7.8	Oppose	Insufficient information has been provided by the Council as to what additional provisions are being sought “to achieve ecological and biodiversity enhancements” and “relevant regional policy statement outcomes”. It is not clear from the submission what the Council’s specific concerns are, and what amendments to the precinct provisions would address those concerns.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	7.9	Oppose	<p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to complete the policy cascade”. The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices.</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>Warkworth Land Company (WLC) has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLT's view the provisions proposed in that submission adequately address the issues. .WLT support the WLC process on this matter.</p>	Disallow
	7.10	Oppose	<p>The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to address stormwater management outcomes” of the stormwater management plan included in the Plan Change application.</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>Warkworth Land Company (WLC) has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLT's view the provisions proposed in that submission adequately address the issues.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	7.11	Oppose	<p>The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to address stormwater management outcomes to better reflect the policy directives” of the RPS.</p> <p>It is not clear from the submission what the Council’s specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>Warkworth Land Company (WLC) has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLT’s view the provisions proposed in that submission adequately address the issues.</p>	Disallow
	7.12	Oppose	<p>The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to address stormwater management outcomes for the entire plan change area to determine whether there are any constraints to the proposed zones”.</p> <p>It is not clear from the submission what the Council’s specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>Warkworth Land Company (WLC) has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLT’s view the provisions proposed in that submission adequately address the issues.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	7.13	Oppose	<p>The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to implement a treatment train approach”. The Plan Change already adopts a treatment train approach.</p> <p>It is not clear from the submission what the Council’s specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>Warkworth Land Company (WLC) has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLT’s view the provisions proposed in that submission adequately address the issues.</p>	Disallow
	7.14	Oppose	<p>The Plan Change applies the SMAF1 control to the precinct area. This will mean that the onsite full detention and retention controls of the AUP will apply to all new development within the precinct. It is not clear from the submission what the Council’s specific concerns are with the Plan Change’s approach, and what amendments to the precinct provisions would address those concerns.</p> <p>Warkworth Land Company (WLC) has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLT’s view the provisions proposed in that submission adequately address the issues.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	7.15	Oppose	<p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to address potential stream bank erosion” in addition to the SMAF 1 control.</p> <p>It is not clear from the submission what the Council’s specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>Warkworth Land Company (WLC) has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLT’s view the provisions proposed in that submission adequately address the issues.</p>	Disallow
	7.16	Oppose	<p>The Plan Change does not propose to alter the AUP provisions as they relate to the streams in the precinct area and it is anticipated that future resource consent applications will need to address the relevant riparian matters as set out in the Unitary plan for all zones.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought to address riparian planting.</p> <p>It is not clear from the submission what the Council’s specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	Disallow
	7.17	Oppose	<p>Precinct Plan 2 outlines the indicative locations of the stormwater ponds, which form part of the treatment train process. It is not clear from the submission what the Council’s specific concerns are with the Plan Change’s approach, and what amendments to the precinct provisions would address those concerns.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	7.18	Oppose	The Plan Change includes a rule limiting the area of high-contaminant roofing, spouting, cladding or external architectural features to 5m ² . The Council has requested that the efficacy of this standard be “further evaluated” and that an alternative or amendment be developed. It is not clear from the submission what the Council’s specific concerns are with the Plan Change’s approach, and what amendments to the precinct provisions would address those concerns. It is also not clear why this precinct is distinctly different to require additional controls (outside of the Unitary Plan section E4) or what the High contaminant threshold is.	Disallow
	7.19	Oppose	The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices. This includes the requirement in Chapter E19 for stormwater quality treatment for high-use roads that see 5,000 vehicles per day and for car parks that support 30+ parking spaces. It is not clear from the submission what the Council’s specific concerns are, and what additional provisions addressing road (and other impervious surfaces) treatment would address those concerns.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	7.20	Oppose	<p>Notwithstanding that the three trees at 245 Matakana Road meet the Council's scoring system for notable trees, they should not be scheduled for the following reasons:</p> <p>Evidence lodged with the Plan Change application from an arboricultural expert concluded¹ that the trees are not worthy of protection.</p> <ul style="list-style-type: none"> - There has already been a very significant impact on WLT land for public projects, with a substantial land take and normal access significantly constrained. It is unreasonable to expect a landowner to also have three trees that are not worthy of protection scheduled on their remaining land. - The scheduling of these trees would render WLT's interest in its remaining land incapable of reasonable use for the purposes of s85 of the Resource Management Act 1991. - The time at which the trees should have been scheduled was during the Proposed Auckland Unitary Plan process and again within a recent update. 	Disallow
	7.21	Oppose	<p>Insufficient information has been provided by the Council as to what additional provisions are being sought "to complete the policy cascade".</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	Disallow

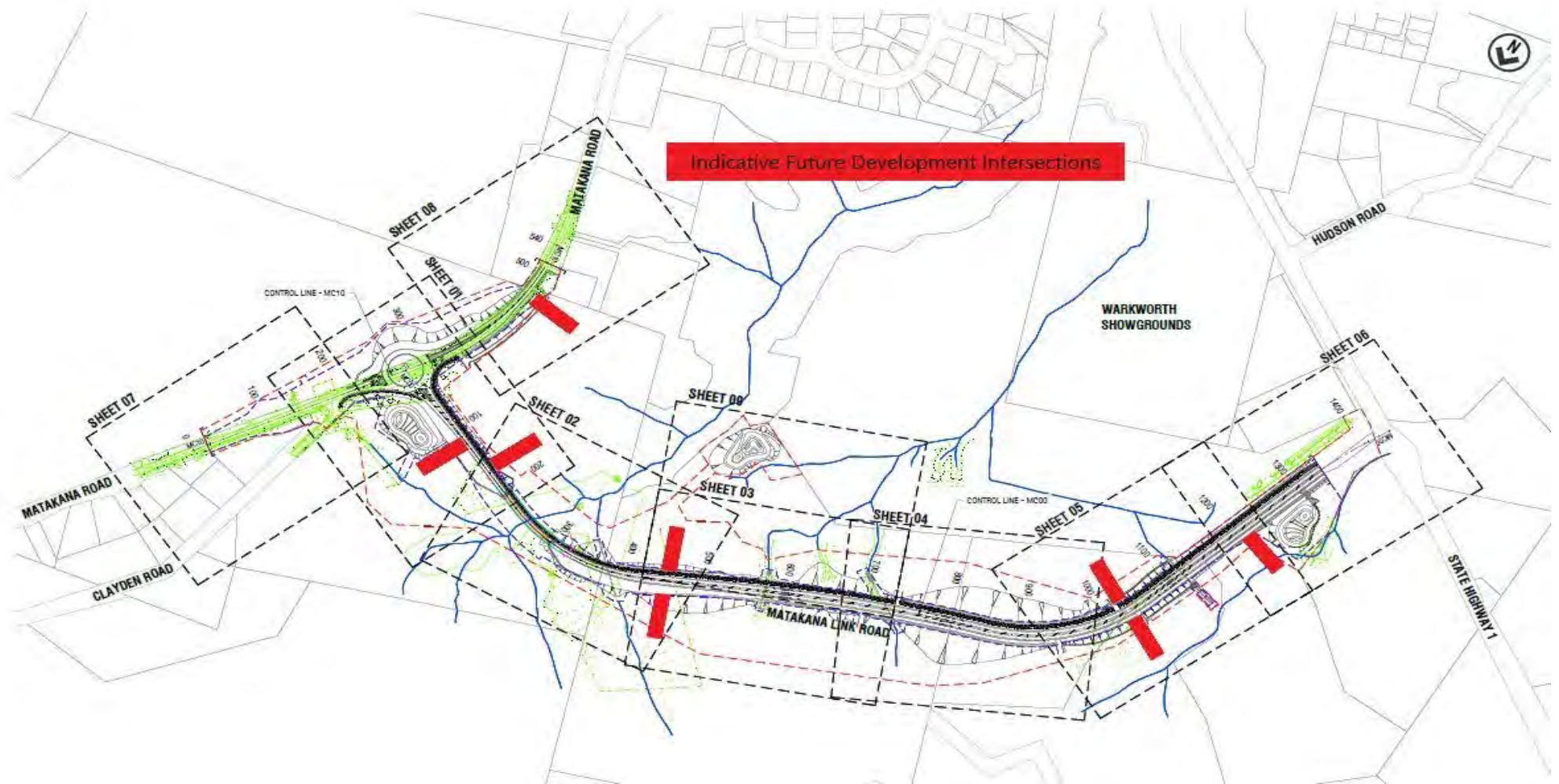
¹ PC 40 Attachment Q – Arborist Report by Craig Webb

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	7.22	Oppose	The AUP has extensive provisions relating to the protection of streams. The precinct-specific changes proposed in the Plan Change are necessary and appropriate in the context of this Plan Change. A restrictive discretionary activity status is proposed with broad matters of discretion and assessment criteria that give the Council full powers to assess any application.	Disallow
	7.23	Oppose	Insufficient information has been provided by the Council as to what additional provisions are being sought to create implementation mechanisms for the proposed standards. It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.	Disallow
	7.24	Support	WLT agrees with the request that the heading to the activity table should be amended to refer to all zones.	Allow
	7.25	Oppose	The approach of the Plan Change to assess compliance with the precinct plans is sufficiently clear and appropriate. It is not clear from the submission what the Council's specific concerns with this approach are.	Disallow
	7.26	Oppose	It is not clear from the submission what the Council's specific concerns with the language used in the Plan Change are, and what amendments to the precinct provisions would address those concerns.	Disallow
	7.27	Oppose	It is not clear from the submission what the Council's specific concerns with the Special Information Requirements are, and what amendments to the precinct provisions would address those concerns	Disallow
	7.28	Oppose	Insufficient information has been provided by the Council as to whether it is standard practice across the AUP to identify which activities are regional plan activities, and if it is not standard practice, why this is appropriate for this precinct.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
	7.29	Oppose	While WLT is not generally opposed to the use of existing AUP terms and naming conventions, it is not clear what amendments to the precinct provisions would address the Council's concerns.	Disallow
	7.30	Oppose	While WLT is not generally opposed to the consistent use of terminology, beyond the two examples given it is not clear what amendments to the precinct provisions would address the Council's concerns.	Disallow
	7.31	Oppose	Insufficient information has been provided by the Council as to what additional provisions are being sought to create consistent recognition of SEAs and land subject to Trusts. The WLT understanding is that QEII land is appropriately shown on the precinct plan 2, but in any case, WLT land is not subject to any QEII covenant. The AUP clearly identifies what is allowed to be carried out within a SEA (within overlay D9). It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.	Disallow
	7.32	Oppose	Insufficient information has been provided by the Council as to what additional provisions are being sought to address utilities and transport infrastructure within land with high natural values. It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.	Disallow
	7.34	Oppose	WLT opposes this submission point seeking consequential amendments for the reasons set out elsewhere in this further submission.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
9. Goatley Holdings Limited (c/o Burnette O'Connor, The Planning Collective) Email: burnette@thepec.co.nz	9.1	Oppose	The Plan Change should be accepted, rather than being declined in part as sought by the submitter.	Disallow
10. Skywork Helicopters Limited (c/o Burnette O'Connor, The Planning Collective) Email: burnette@thepec.co.nz	10.1	Oppose	The Plan Change should be accepted, rather than being declined as sought by the submitter.	Disallow

APPENDIX B – INDICATIVE FUTURE DEVELOPMENT INTERSECTIONS



Source: Auckland Transport – {filename: "Indicative Future Development Intersections_For Discussion_20190822"}

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 40 (PRIVATE)
WARKWORTH – CLAYDEN ROAD
Clause 8 of Schedule 1, Resource Management Act 1991**

To: Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Attention: Planning Technician

By email: unitaryplan@aklc.govt.nz

Name of further submitter: White Light Trust Limited (**WLT**)

1. This is a further submission in relation to two late submissions by the Ministry of Education and QEII National Trust on Proposed Plan Change 40 (Private) Warkworth – Clayden Road (**Plan Change**).
2. This further submission is made in addition to the further submissions lodged by WLT on 14 May 2020.
3. WLT has an interest in the Plan Change that is greater than the interest the general public has because it is one of the five applicants for the Plan Change.
4. Attached to this further submission is a table setting out the following details (see **Attachment A**):
 - (a) the original submissions to which this further submission relates;
 - (b) the particular part of the original submissions to which this further submission relates;
 - (c) whether WLT supports or opposes the original submission;
 - (d) the reasons for the support/opposition; and
 - (e) whether WLT seeks that original submission be allowed or disallowed.
5. WLT wishes to be heard in support of its further submission.

DATED at Auckland this 12th day of June 2020

Deborah Steel
White Light Trust Limited

Address for service of further submitter:

245 Matakana Rd,
Warkworth 0985

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
12. Ministry of Education Email: jess.rose@beca.com	12.1	Support	Submission point supports Plan Change.	Allow
	12.2	Support in part	Submission point is not technically “on the plan change” but nevertheless WLT agrees to liaise with the Ministry and provide updates regarding the development of the Plan Change area as requested.	Allow in part
	12.3	Support	Submission point supports Plan Change.	Allow
13. QEII National Trust Email: mlucas@geii.org.nz	13.1	Oppose	WLT does not agree that the QEII covenanted land should be rezoned to a less intensive residential zoning. The proposed zoning is appropriate and necessary to provide for growth in Warkworth North. The Plan Change provisions, together with the Auckland-wide provisions that apply (in particular chapters D9 and E15) and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated. Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the Significant Ecological Area (SEA) overlay. The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within an SEA as a Discretionary Activity).	Disallow
	13.2	Oppose	WLT does not agree that the land adjacent to the QEII covenanted land should be rezoned to a less intensive residential zoning.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
			<p>The proposed zoning is appropriate and necessary to provide for growth in Warkworth North. The relevant landowners have already accepted the restriction on the developable area of their land imposed by the covenant and should not have to reduce the development potential of their remaining land that has not been covenanted.</p> <p>The Plan Change provisions, together with the Auckland-wide provisions (in particular chapter E15) and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated.</p> <p>The total area of covenanted and significant bush shown on the Precinct Plan 2, which is afforded protection in the precinct provisions, is greater than the total area of land that falls within the Significant Ecological Area Overlay that applies. Hence, a greater level of protection is afforded to existing vegetation and bush in the proposed precinct area than would otherwise apply under the Auckland-wide provisions.</p>	
	13.3	Oppose	<p>In the absence of an indication of support from the current landowners of the two “key hole” areas, WLT does not agree that these areas should be rezoned to “Protection areas (not for development)”. The relevant landowners have already accepted the restriction on the developable area of their land imposed by the covenant and unless they should agree they should not have to reduce the development potential of their remaining land that has not been covenanted.</p> <p>The Plan Change provisions, together with the Auckland-wide provisions (in particular chapter E15) and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
			<p>The total area of covenanted and significant bush shown on the Precinct Plan 2, which is afforded protection in the precinct provisions, is greater than the total area of land that falls within the Significant Ecological Area Overlay that applies. Hence, a greater level of protection is afforded to existing vegetation and bush in the proposed precinct area than would otherwise apply under the Auckland-wide provisions.</p>	
	13.4	Oppose	<p>WLT does not agree that an additional objective regarding indigenous biodiversity is necessary or appropriate. Part of the QEII covenanted land within the precinct is already a Significant Ecological Area (SEA) and the Auckland-wide provisions relating to SEAs will apply. The Auckland-wide provisions in chapter E15 will also be relevant to development outside the SEA.</p> <p>Introduction of an additional objective when this matter is adequately covered by the Auckland-wide provisions will cause unnecessary duplication and is not necessary or appropriate.</p> <p>The Plan Change provisions, together with the Auckland-wide provisions in chapter D9 and E15 and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated. In particular Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the SEA overlay.</p> <p>The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
			land) than the Auckland-wide provisions (which provide for removal of vegetation within an SEA as a Discretionary Activity).	
	13.5	Oppose	<p>WLT does not agree that this additional policy regarding indigenous biodiversity is necessary or appropriate. Part of the QEII covenanted land within the precinct is already a Significant Ecological Area (SEA) and the Auckland-wide provisions relating to SEAs will apply. The Auckland-wide provisions in chapter E15 will also be relevant to development outside the SEA.</p> <p>Introduction of an additional policy when this matter is covered by the Auckland-wide provisions will cause unnecessary duplication and is not necessary or appropriate.</p> <p>The Plan Change provisions, together with the Auckland-wide provisions in chapters D9 and E15 that will apply and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated. In particular Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the SEA overlay.</p> <p>The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within an SEA as a Discretionary Activity).</p>	Disallow
	13.6	Support in part	The Submitter has sought the inclusion of two additional matters of discretion for vacant lot subdivision.	Allow in part

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLT support or opposition	WLT seeks that the whole (or part) of the submission be allowed or disallowed
			<p>WLT does not agree that the additional matter of discretion relating to management of pest plants and animals is necessary or appropriate. Much of the QEII covenanted land is already a Significant Ecological Area (SEA) and the Auckland-wide provisions relating to SEAs will apply. It would be unnecessary duplication to include an additional matter of discretion in the precinct provisions.</p> <p>In addition Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the SEA overlay. The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within an SEA as a Discretionary Activity).</p> <p>There are other non regulatory methods that the cooperating landowners would be prepared to explore with the QEII Trust. In addition, WLT does agree that the provisions that relate to stormwater should be strengthened and supports the inclusion of “stormwater management” as an additional matter of discretion for subdivision.</p>	
	13.7	Oppose	<p>WLT does not agree that amendments to the zoning or precinct provisions are necessary or appropriate. The Plan Change provisions, together with the Auckland-wide provisions that will apply and the restrictions in the covenant, will provide appropriate protection and ensure that any adverse effects on the covenanted land are avoided, remedied or mitigated.</p>	Disallow

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 40 (PRIVATE)
WARKWORTH – CLAYDEN ROAD
Clause 8 of Schedule 1, Resource Management Act 1991**

To: Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Attention: Planning Technician

By email: unitaryplan@aklc.govt.nz

Name of further submitter: Warkworth Land Company (**WLC**)

1. This is a further submission in opposition to submissions on Proposed Plan Change 40 (Private) Warkworth – Clayden Road (**Plan Change**).
2. WLC has an interest in the Plan Change that is greater than the interest the general public has because it is one of the five applicants for the Plan Change.
3. WLC also made an original submission on the Plan Change relating to the stormwater provisions (original submitter number 11).
4. Attached to this further submission is a table setting out the following details (see **Attachment A**):
 - (a) the original submissions to which this further submissions relates;
 - (b) the particular part of the original submissions to which this further submission relates;
 - (c) whether WLC supports or opposes the original submission;
 - (d) the reasons for the support/opposition; and
 - (e) whether WLC seeks that original submission be allowed or disallowed.
5. WLC wishes to be heard in support of its further submission.

DATED at Auckland this 14th day of May 2020



W S Loutit / S J Mitchell
Counsel for Warkworth Land Company

Address for service of further submitter:

Simpson Grierson
Level 27, 88 Shortland Street
Private Bag 92518
Auckland
Attention: Bill Loutit / Sarah Mitchell
Email: bill.loutit@simpsongrierson.com / sarah.mitchell@simpsongrierson.com
Telephone: 09 977 5256

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
1. Warkworth Area Liaison Group (c/o Roger Williams) Email: ropeworth@gmail.com	1.1	Support in part	WLC supports the submission point that the plan modification be accepted with modification, but it does not agree with the amendments proposed by the submitter.	Allow in part
	1.2	Oppose	WLC does not agree that the Clayden Road intersection should be realigned, or that it should be the main entry and exit point to the precinct area. It supports the indicative collector/local road layout and MLR access points shown on Precinct Plan 3 of the Plan Change. The MLR provides the best opportunity for most of the precinct area to access the wider road network, but that access will be provided through certain points under a controlled environment. There will be no vehicle access from individual sites to the MLR	Disallow
	1.3	Oppose	WLC does not agree that the main entrance to the precinct area south of the MLR should be from Matakana Road rather than the MLR. It supports the indicative collector/local road layout and MLR access points shown on Precinct Plan 3 of the Plan Change. The MLR provides the best opportunity for most of the precinct area to access the wider road network, but that access will be provided through certain points under a controlled environment There will be no vehicle access from individual sites to the MLR.	Disallow
	1.4	Oppose	WLC does not agree that a pedestrian and cycle underpass under the MLR would be appropriate.	Disallow
2. Michael George Cronin Email: cronin.mg@gmail.com	2.1	Oppose	WLC does not agree that the Plan Change should be declined. The Plan Change has been developed to closely align with the final Warkworth Structure Plan adopted by the Council on 4 June 2019. Where there are slight differences WLC supports the provisions in the Plan Change for the reasons set out in the supporting documents.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	2.2	Oppose	The Plan Change provides more than sufficient community green space within the precinct area. The precinct provisions relating to the special landscape areas and walkway and cycleway network are closely aligned to the Structure Plan and provide extensive open spaces and walking and cycling trails that follow the main streams in the precinct area.	Disallow
	2.3	Oppose	The Plan Change provides pedestrian and cycle linkages throughout the precinct area that will provide high quality walking and cycling infrastructure to minimise the need to use private vehicles for trips within the precinct area, and connect to the wider network.	Disallow
	2.4	Oppose	Provision of a school in the precinct plans would not be consistent with the Structure Plan. Decisions as to the appropriate location for schools are for the Ministry of Education to make (using its designation powers).	Disallow
	2.5	Oppose	The submitter has sought that roundabouts be implemented on intersections with the MLR rather than traffic lights. WLC has reached agreement with Auckland Transport that the two main intersection connections to the MLR from the precinct area should be light controlled rather than roundabouts, subject to appropriate safety audits in relation to detailed intersection design. Notwithstanding this, the Plan Change does not specify the form of intersection and it is not necessary for it do so. As stated in the transport assessment that accompanied the Plan Change the details of the intersection will be determined at the time of the subsequent resource consent application.	Disallow
	2.6	Oppose	The area of land to be zoned Neighbourhood Centre is large enough to provide local retail and servicing functions to the residents of the precinct and to provide a level of service to passing traffic on the MLR. It does not need to be bigger.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	2.7	Oppose	Rezoning the small block of light industrial zoned land within the precinct area to residential is the most appropriate way to give effect to Warkworth North's growth requirements. It is not suitable for light industrial use for a number of reasons including the alignment of the MLR, road access constraints and topography. There is sufficient light industrial zoned land outside of the precinct area. It will be more efficient and effective to zone this land for residential uses, for which the land is better suited.	Disallow
3. New Zealand Transport Agency (c/o Evan Keating) Email: Evan.Keating@nzta.govt.nz	3.1	Support in Part	WLC supports the submission point that the Plan Change be accepted with amendments, but it does not agree with all of the amendments proposed by NZTA.	Allow in Part
	3.2	Oppose	Insufficient analysis has been provided as to why the additional objective sought by NZTA is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	3.3	Support	Submission point supports Plan Change.	Allow
	3.4	Support	WLC agrees with the request that all references to "Sandspit Link Road" be replaced with "Matakana Link Road".	Allow
	3.5	Support	Submission point supports Plan Change.	Allow
	3.6	Oppose	The Plan Change provisions provide sufficient clarity that road junctions with the MLR servicing the precinct will be limited in number to three. This is based on WLC's understanding that the previous second access to Goatley Holdings' property immediately adjacent to the Stellan Trust land is not proceeding. If we understand this correctly then WLC would agree to the removal of the notation of this accessway from Precinct Plan 3.	Disallow
	3.7	Oppose	Insufficient information has been provided by NZTA as to why the requested amendment to the matters of discretion for subdivision to include traffic generation is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	3.8	Oppose	Insufficient information has been provided by NZTA as to why the requested amendment to the matters of discretion for the Indoor Recreation Facility to include traffic generation is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	3.9	Support in part	<p>WLC strongly opposes the proposed amendment to the assessment criteria for vacant lot subdivision requiring staging so that titles for new sites in the part of the precinct relying on access to the MLR are not issued prior to the MLR becoming operational. This will cause undue delay and is inefficient, inappropriate and not justified from an effects perspective. It is the occupation of the dwelling on the site that should be delayed until the MLR is operational, not the issue of the title.</p> <p>However, WLC accepts that the use of the term “homes” in the Plan Change could be unclear as it is not defined in the AUP. It also agrees that the assessment criteria could be strengthened and that the heading should be changed to “Subdivision” rather than “Vacant Lot Subdivision”.</p> <p>It proposes that the wording be amended to “<i>the staging of any part of the precinct, including any residential or business zoned site, relying on access to the MLR is such that completed homes are not <u>no dwellings</u> are occupied prior to the MLR becoming operational</i>”</p>	Allow in part
	3.10	Oppose	Insufficient information has been provided by NZTA as to why the requested amendment to the assessment criteria for subdivision is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	3.11	Oppose	Insufficient information has been provided by NZTA as to why the requested amendment to the assessment criteria for subdivision is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	3.12	Oppose	A comprehensive transport assessment was provided as part of the Plan Change application and provides sufficient information on which to base an assessment of the Plan Change under s32 of the RMA.	Disallow
4. Middle Hill Ltd (as trustee for the Tyne Trust) (c/o Hamish Firth, Mt Hobson Group) Email: hamish@mhg.co.nz	4.1	Support in part	WLC supports the submission point that the Plan Change be accepted with modification, but it does not agree with the amendments proposed by Middle Hill Ltd.	Allow in part
	4.2	Support	Submission point supports Plan Change.	Allow
	4.3	Support	Submission point supports Plan Change.	Allow
	4.4	Oppose	A rule requiring that the precinct be developed concurrently or after the Western Link Road is not necessary or appropriate and is not justified on an effects basis. This development is reliant on the MLR but places no reliance on the Western Link Road. It is therefore unnecessary to require in some way that the Western Link Road be built concurrently with the MLR.	Disallow
	4.5	Oppose	It is not clear from the submission what Middle Hill's specific concerns are, and what amendments to the precinct provisions would address those concerns. Determination of the level of adverse effects is a matter for the resource consent stage. The advice that WLC has obtained demonstrates that the network will cope with the traffic generated by this Plan Change.	Disallow
	4.6	Oppose	It is not clear from the submission what Middle Hill's specific concerns are, and what amendments to the precinct provisions would address those concerns. The advice that WLC has obtained demonstrates that the network will cope with the traffic generated by this Plan Change.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	4.7	Oppose	A provision requiring contributions be made for the completion of the wider strategic network is not appropriate and is not a relevant matter for the purposes of this Plan Change. The Plan Change land is not reliant on, and therefore will have no bearing on, the Western Link Road, and so a provision requiring a contribution is not required or appropriate.	Disallow
	4.8	Oppose	WLC accepts that the staging of development within Warkworth North should be related to the provision of key infrastructure, including the completion of Stage 1 of the MLR. The Plan Change already includes a staging provision in the assessment criteria for vacant lot subdivision that requires the MLR to be operational before dwellings in the part of the precinct relying on access to the MLR are occupied. That is sufficient. Insufficient analysis has been provided as to why a provision preventing any development prior to the Western Link Road also being completed is necessary or appropriate and how it would meet the tests set out in s32 of the RMA	Disallow
5. Auckland Transport Email: katherine.dorofaeff@at.govt.nz	5.1	Oppose	WLC does not agree that a revised transport assessment with methodology and content being agreed with AT and NZTA, and consequential changes to the precinct provisions and zoning is necessary or appropriate. A comprehensive transport assessment has been provided as part of the Plan Change application and this is fully adequate and appropriate. It has been prepared to the applicable standards.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	5.2	Oppose	The precinct plan boundary should not be amended as sought by AT until the land to be included in the MLR has been acquired and vested. WLC needs to preserve the planning use rights that flow from this access until the road is vested. Otherwise resource consents will default from restricted discretionary activity to non-complying. That would distort the subdivision and development controls of Plan Change 40.	Disallow
	5.3	Support	WLC agrees with the request that all references to "Sandspit Link Road" be replaced with "Matakana Link Road".	Allow
	5.4	Oppose	The Plan Change provisions provide sufficient clarity that road junctions with the MLR servicing the precinct will be limited in number to three. This is based on WLC's understanding that the previous second access to Goatley Holdings' property immediately adjacent to the Stellan Trust land is not proceeding. If we understand this correctly then WLC would agree to the removal of the notation of this accessway from Precinct Plan 3.	Disallow
	5.5	Oppose	Insufficient analysis has been provided as to why the additional objectives and policies sought by AT are necessary or appropriate and how they meet the tests set out in s32 of the RMA.	Disallow
	5.6	Support	WLC agrees with AT's proposed amendments to Objective 4 so that it reads " <i>Create an accessible residential development with <u>safe and integrated vehicle, walking and cycling connections</u></i> ".	Allow
	5.7	Oppose	Insufficient analysis has been provided as to why AT's proposed amendments to Policy 7 which relates to the walking and cycling network is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	5.8	Oppose	Reference to the term "major indoor recreation facility" should be retained in the Plan Change as that is the term used in the Warkworth Structure Plan.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	5.9	Support	WLC agrees with AT's proposed amendments to Policy 10 which relates to avoiding direct vehicle access from individual sites onto the MLR.	Allow
	5.10	Support	WLC agrees with the request that the heading to the activity table should be amended to refer to all zones.	Allow
	5.11	Oppose	Insufficient information has been provided by AT as to whether it is standard practice across the AUP to identify which activities are regional plan activities, and if it is not standard practice, why this is appropriate for this precinct. It would not be appropriate to make this amendment because many of the Regional Plan controls are volumetric based rather than activity based, so it is not possible to predetermine whether or not an activity will trigger a requirement for regional consents.	Disallow
	5.12	Oppose	Insufficient analysis has been provided by AT as to why the amendment to the activity table to provide for vehicle crossings to the MLR as a non-complying activity is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	5.13	Oppose	Insufficient analysis has been provided by AT as to why the amendment to the activity table to replace activity A7 with an activity description and rules that apply to all subdivision is necessary or appropriate. The proposed wording is sufficiently clear.	Disallow
	5.14	Oppose	Insufficient analysis has been provided by AT as to why the amendment to activity A9 in the activity table is necessary or appropriate. The proposed wording is sufficiently clear.	Disallow
	5.15	Oppose	Insufficient analysis has been provided by AT as to why the amendment to the activity table to clarify the activity status for subdivision that does not comply with Precinct Plan 3 is necessary or appropriate. The proposed wording is sufficiently clear.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	5.16	Oppose	Insufficient analysis has been provided by AT as to why the Plan Change rule providing that restricted discretionary activities (RDAs) should be processed on a non-notified basis (unless special circumstances apply) should not apply to subdivisions or the recreation facility. It is appropriate that these activities be treated in the same manner as the other RDAs in this precinct. This is also standard approach in other precincts in the AUP. If there is anything unusual or out of the ordinary about an application then the special circumstances test will trigger notification.	Disallow
	5.17	Oppose	Insufficient analysis has been provided by AT as to why the amendment to insert the proposed wording after the heading IXXX.6 Standards is necessary. The proposed wording is sufficiently clear.	Disallow
	5.18	Support	WLC agrees with AT's proposed amendment to the Limited Access Standard.	Allow
	5.19	Support	WLC agrees with AT's proposed amendment to the matters of discretion to refer to "Subdivision" (rather than Vacant Lot Subdivision as currently proposed).	Allow
	5.20	Support	WLC agrees with AT's proposed amendment to the matters of discretion for subdivision to delete (b) (Location of the facility) and (c) (building scale).	Allow
	5.21	Support	WLC agrees with AT's proposed amendment to the matters of discretion for subdivision to insert "the design and operation of any intersection with the Matakana Link Road"	Allow
	5.22	Oppose	Insufficient analysis has been provided by AT as to why the requested amendment to the matters of discretion to delete the reference to "indoor" when describing the recreation facility is necessary or appropriate and how it meets the tests set out in s32 of the RMA. "Indoor recreation facility" should be retained in the Plan Change as that is the term used in the Warkworth Structure Plan.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	5.23	Oppose	Insufficient analysis has been provided by AT as to why the requested amendment to the matters of discretion for the Indoor Recreation Facility to insert references to <i>“Transport, including access, parking and traffic generation”</i> is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
	5.24	Support	WLC agrees with AT’s requested amendment to the introductory sentence of the assessment criteria.	Allow
	5.25	Support in part	WLC agrees that the assessment criteria should be amended to apply to “Subdivision” rather than “Vacant lot subdivision”. However, WLC does not agree to AT’s proposal to delete to the three criteria and replace them with a rule regarding Limited Access. Insufficient analysis has been provided by AT as to why that amendment is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Allow in part
	5.26	Oppose	Insufficient analysis has been provided by AT as to why the deletion of the assessment criteria relating to greenways and its replacement with a new rule is necessary or appropriate and how it would meet the tests set out in s32 of the RMA.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	5.27	Support in part	<p>WLC strongly opposes the proposed amendment to the assessment criteria for vacant lot subdivision requiring staging so dwellings are not to be occupied prior to the MLR becoming operational. This will cause undue delay and is inefficient, inappropriate and not justified from an effects perspective. A blanket staging rule is unnecessary because a number of homes can be built on land which does not have or require any access onto the MLR (some sites only front Clayden and Matakana Road).</p> <p>However, WLC accepts that the use of the term “homes” in the Plan Change could be unclear as it is not defined in the AUP. It also agrees that the assessment criteria could be strengthened and that the heading should be changed to “Subdivision” rather than “Vacant Lot Subdivision”.</p> <p>Instead it proposes that the wording be amended to “<i>the staging of any part of the precinct, including any residential or business zoned site, relying on access of the MLR is such that completed homes are not no dwellings are occupied prior to the MLR becoming operational</i>”</p>	Allow in part
	5.28	Oppose	Insufficient analysis has been provided by AT as to why deletion of the indicative cross sections from the assessment criteria for subdivision is necessary or appropriate and how it meets the tests set out in s32 of the RMA. The indicative cross sections should remain.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	5.29	Oppose	<p>Insufficient analysis has been provided by AT as to why the requested amendment to the assessment criteria and new rule are necessary or appropriate and how it meets the tests set out in s32 of the RMA.</p> <p>In particular WLC does not agree that a rule requiring separated cycle facilities to be provided in the collector roads should be included in the Plan Change. This amendment would force a rear laneway typology for much of the precinct area which is not appropriate, efficient or effective. It will not result in a good resource management outcome. This a matter to be determined at resource consent stage.</p>	Disallow
	5.30	Oppose	<p>Insufficient information has been provided by AT as to why the new assessment criteria it has proposed for subdivision are necessary or appropriate and how they would meet the tests set out in s32 of the RMA.</p> <p>In particular, WLC considers that the proposed assessment criteria requiring that the proposed intersection will “not have adverse effects on the function of the surrounding transport network” is an inappropriately high threshold and fails to recognise that one of the functions of the MLR is to provide access to the precinct area by providing controlled intersections at certain locations.</p>	Disallow
	5.31	Oppose	<p>Insufficient information has been provided by AT as to why the requested amendments to the assessment criteria for the Indoor Recreation Facility are necessary or appropriate and how they meet the tests set out in s32 of the RMA.</p>	Disallow
	5.32	Oppose	<p>WLC does not agree that the indicative stormwater ponds should be deleted from the precinct plans, given that it is still to be determined whether the stormwater ponds will serve both the MLR and residential development enabled by the Plan Change, or solely the MLR. In case it is the former it is appropriate that they be shown on the precinct plans.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	5.33	Oppose	Insufficient information has been provided by AT as to why the requested amendments to the heading and legend of Precinct Plan 3 are necessary or appropriate and how they meets the tests set out in s32 of the RMA. Some parts of the Indicative Greenway Route shown on Precinct Plan 3 will be comprised of tracks along the stream, constructed to regional park track standards, rather than walkways constructed to AT path standards. In addition the term "Greenway Route" is consistent with the terminology used in the Structure Plan.	Disallow
	5.34	Support	WLC supports a staggered intersection arrangement and considers that the identification of the easternmost access point with a single asterisk would still accommodate a staggered intersection. For clarity Precinct Plan 3 could be amended by inserting a notation on the plan at the access point and providing an accompanying reference in the legend " <i>Access from the north and south intersections may be offset up to 100m</i> ".	Allow
	5.35	Oppose	Insufficient information has been provided by AT as to what additional provisions are being sought to require large scale developments not involving subdivision to provide the infrastructure shown in Precinct Plan 3 and whether those provisions are necessary or appropriate and if they would meet the tests set out in s32 of the RMA.	Disallow
	5.36	Oppose	WLC does not agree that provisions should be included in the Plan Change limiting direct vehicle access from sites fronting cycle facilities on the collector road. This amendment would force a rear laneway typology for much of the plan change area which is not appropriate, efficient or effective. It will not result in a good resource management outcome, particularly for sites within proximity to the stream valleys. Insufficient information has been provided by the submitter as to why provisions to this effect would be necessary or appropriate and how they would meet the tests set out in s32 of the RMA.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	5.37	Oppose	Insufficient analysis has been provided by AT as to why the requested amendments to the precinct plan to clarify the nature of pedestrian access at certain locations is necessary or appropriate and how it meets the tests set out in s32 of the RMA.	Disallow
7. Auckland Council (c/o Celia Davison) Email: celia.davison@aucklandcouncil.govt.nz	7.1	Support in part	WLC supports the submission point that the Plan Change be accepted with amendments, but it does not agree with all of the amendments proposed by the Council.	Allow in part
	7.2	Oppose	It is not necessary or appropriate for amendments to the Plan Change to be made to achieve the outcomes sought by the Council, for the reasons set out in this further submission.	Disallow
	7.3	Oppose	<p>The landscape effects of the Plan Change have been specifically assessed and reported on as part of the application.</p> <p>The proposed precinct's development density and maximum permitted height(s) for upper slopes are appropriate and no amendments are necessary to them because:</p> <ul style="list-style-type: none"> - The AUP identifies the ridgeline as the edge of the urban area. - No transition is necessary as the ridge provides a strong boundary between countryside living and urban environments. - The ridge is not a significant landscape feature and has low visibility from other parts of Warkworth. - The Structure Plan would achieve the same outcome as the Plan Change provisions – a suburban landscape with a treed ridgeline. It would not in any event achieve the outcomes suggested by the Council. <p>The approach adopted by the Plan Change will have urban design benefits, by retaining the natural form of the ridge as a natural boundary and as a significant amenity for the neighbourhood.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	7.4	Oppose	The Council seeks that the indicative open space on Precinct Plan 1 be more consistent with the Structure Plan. However, the Plan Change follows the Structure Plan, except that it ties the main natural features into a more integrated open space network (streams, bush, ridge, Showgrounds). The Plan Change will achieve a better outcome than the open space shown on the Structure Plan.	Disallow
	7.5	Oppose	The Council seeks that the walking/cycling routes be the same as the Structure Plan including “additional indicative greenway routes” (no reasons given). The Plan Change follows the Structure Plan except it will provide four rather than three pedestrian connections to the ridge and a more integrated network. It includes two routes that follow greenways along streams, one that follows the ridge and its western end, and one that provides useful access to the western end of the unformed legal road. The Plan Change will provide superior outcomes to the Structure Plan. It will amplify the amenities of the Showgrounds and paths to the town centre through Kōwhai Park.	Disallow
	7.6	Oppose	The Council seeks the green network be the same as the Structure Plan (no reasons given). The proposal follows the Structure Plan. It places greater emphasis on the two main tributaries and lesser emphasis on ephemeral watercourses. It integrates green network, open space, and walking routes. This is part of the exercise to resolve the best outcomes for both green networks and a quality urban design.	Disallow
	7.7	Oppose	The Plan Change already requires a 6m Special Landscape Yard for those properties adjacent to light industrial land. This will provide adequate screening. The 20m-30m landscape buffer between residential and light industrial zoning sought by the Council is in excess of the buffers between such zones elsewhere in the AUP.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	7.8	Oppose	<p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to achieve ecological and biodiversity enhancements” and “relevant regional policy statement outcomes”.</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	Disallow
	7.9	Oppose	<p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to complete the policy cascade”. The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices.</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>WLC has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLC's view the provisions proposed in that submission adequately address the issues.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	7.10	Oppose	<p>The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to address stormwater management outcomes” of the stormwater management plan included in the Plan Change application.</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>WLC has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLC's view the provisions proposed in that submission adequately address the issues.</p>	Disallow
	7.11	Oppose	<p>The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to address stormwater management outcomes to better reflect the policy directives” of the RPS.</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>WLC has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLC's view the provisions proposed in that submission adequately address the issues.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	7.12	Oppose	<p>The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to address stormwater management outcomes for the entire plan change area to determine whether there are any constraints to the proposed zones”.</p> <p>It is not clear from the submission what the Council’s specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>WLC has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLC’s view the provisions proposed in that submission adequately address the issues.</p>	Disallow
	7.13	Oppose	<p>The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought “to implement a treatment train approach”. The Plan Change already adopts a treatment train approach.</p> <p>It is not clear from the submission what the Council’s specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>WLC has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLC’s view the provisions proposed in that submission adequately address the issues.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	7.14	Oppose	<p>The Plan Change applies the SMAF1 control to the precinct area. This will mean that the onsite full detention and retention controls of the AUP will apply to all new development within the precinct. It is not clear from the submission what the Council's specific concerns are with the Plan Change's approach, and what amendments to the precinct provisions would address those concerns.</p> <p>WLC has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in WLC's view the provisions proposed in that submission adequately address the issues.</p>	Disallow
	7.15	Oppose	<p>Insufficient information has been provided by the Council as to what additional provisions are being sought "to address potential stream bank erosion" in addition to the SMAF1 control.</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p> <p>WLC has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters and in our view the provisions proposed in that submission adequately address the issues.</p>	Disallow
	7.16	Oppose	<p>The Plan Change does not propose to alter the AUP provisions as they relate to the streams in the precinct area and it is anticipated that future resource consent applications will need to address the relevant riparian matters.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought to address riparian planting.</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	7.17	Oppose	Precinct Plan 2 outlines the indicative locations of the stormwater ponds, which form part of the treatment train process. It is not clear from the submission what the Council's specific concerns are with the Plan Change's approach, and what amendments to the precinct provisions would address those concerns.	Disallow
	7.18	Oppose	The Plan Change includes a rule limiting the area of high-contaminant roofing, spouting, cladding or external architectural features to 5m ² . The Council has requested that the efficacy of this standard be "further evaluated" and that an alternative or amendment be developed. It is not clear from the submission what the Council's specific concerns are with the Plan Change's approach, and what amendments to the precinct provisions would address those concerns.	Disallow
	7.19	Oppose	The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices. This includes the requirement in Chapter E19 for stormwater quality treatment for high-use roads that see 5,000 vehicles per day and for car parks that support 30+ parking spaces. It is not clear from the submission what the Council's specific concerns are, and what additional provisions addressing road (and other impervious surfaces) treatment would address those concerns.	Disallow
	7.20	Oppose	Notwithstanding that the three trees at 245 Matakana Road meet the Council's scoring system for notable trees, the advice that WLC has received from its arboricultural expert is that the trees are not worthy of protection. The scheduling of these trees may also have implications for the delivery of the MLR.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	7.21	Oppose	Insufficient information has been provided by the Council as to what additional provisions are being sought “to complete the policy cascade”. It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.	Disallow
	7.22	Oppose	The AUP has extensive provisions relating to the protection of streams. The precinct-specific changes proposed in the Plan Change are necessary and appropriate in the context of this Plan Change. A restrictive discretionary activity status is proposed with broad matters of discretion and assessment criteria that give the Council full powers to assess any application.	Disallow
	7.23	Oppose	Insufficient information has been provided by the Council as to what additional provisions are being sought to create implementation mechanisms for the proposed standards. It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.	Disallow
	7.24	Support	WLC agrees with the request that the heading to the activity table should be amended to refer to all zones.	Allow
	7.25	Oppose	The approach of the Plan Change to assess compliance with the precinct plans is sufficiently clear and appropriate. It is not clear from the submission what the Council's specific concerns with this approach are.	Disallow
	7.26	Oppose	It is not clear from the submission what the Council's specific concerns with the language used in the Plan Change are, and what amendments to the precinct provisions would address those concerns.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	7.27	Oppose	It is not clear from the submission what the Council's specific concerns with the Special Information Requirements are, and what amendments to the precinct provisions would address those concerns	Disallow
	7.28	Oppose	Insufficient information has been provided by the Council as to whether it is standard practice across the AUP to identify which activities are regional plan activities, and if it is not standard practice, why this is appropriate for this precinct.	Disallow
	7.29	Oppose	While WLC is not generally opposed to the use of existing AUP terms and naming conventions, it is not clear what amendments to the precinct provisions would address the Council's concerns.	Disallow
	7.30	Oppose	While WLC is not generally opposed to the consistent use of terminology, beyond the two examples given it is not clear what amendments to the precinct provisions would address the Council's concerns.	Disallow
	7.31	Oppose	Insufficient information has been provided by the Council as to what additional provisions are being sought to create consistent recognition of SEAs and land subject to Trusts. It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.	Disallow
	7.32	Oppose	Insufficient information has been provided by the Council as to what additional provisions are being sought to address utilities and transport infrastructure within land with high natural values. It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.	Disallow
	7.33	Support	WLC supports the realignment of the rural urban boundary in the manner proposed by the Council.	Allow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	7.34	Oppose	WLC opposes this submission point seeking consequential amendments for the reasons set out elsewhere in this further submission.	Disallow
9. Goatley Holdings Limited (c/o Burnette O'Connor, The Planning Collective) Email: burnette@thepec.co.nz	9.1	Oppose	The Plan Change should be accepted, rather than being declined in part as sought by the submitter.	Disallow
	9.2	Oppose	<p>The zoning pattern proposed by the Plan Change is the most appropriate way to achieve the wider regional and precinct objectives of managing and providing for growth in Warkworth. The zoning is largely consistent with the Warkworth Structure Plan and will deliver the scale and form of development envisaged by the Structure Plan. The part of the precinct area that is adjacent to the submitter's land is no longer suitable for light industrial development due to the alignment of the MLR, road access constraints and topography, but is considered suitable for residential development.</p> <p>A buffer between the adjacent industrial activities on the submitter's land and residential activities in the precinct area is not an efficient use of resources and is not necessary from an effects perspective. The Plan Change already includes mechanisms which will adequately address reverse sensitivity effects. These include a requirement for a no complaints covenant on the properties being rezoned from industrial to residential, the introduction of a noise measurement line for the purposes of helicopter operations on the submitter's land and a special landscape yard of 6m to provide a setback from the adjacent industrial land.</p> <p>These measures will ensure that the industrial land (which is currently largely vacant and undeveloped) can perform its function of providing employment and economic activity within the northern Warkworth area.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	9.3	Oppose	<p>Further controls to address reverse sensitivity effects would not be an efficient use of resources and are not necessary from an effects perspective.</p> <p>The Plan Change already includes mechanisms which will adequately address reverse sensitivity effects. These include a requirement for a no complaints covenant on the properties being rezoned from industrial to residential, the introduction of a noise measurement line for the purposes of helicopter operations on the submitters' land and a special landscape yard of 6m to provide a setback from the adjacent industrial land.</p> <p>These measures will ensure that the industrial land (which is currently largely vacant and undeveloped) can perform its function of providing employment and economic activity within the northern Warkworth area.</p>	Disallow
10. Skywork Helicopters Limited (c/o Burnette O'Connor, The Planning Collective) Email: burnette@thepec.co.nz	10.1	Oppose	The Plan Change should be accepted, rather than being declined as sought by the submitter.	Disallow
	10.2	Oppose	<p>The zoning pattern proposed by the Plan Change is the most appropriate way to achieve the wider regional and precinct objectives of managing and providing for growth in Warkworth. The zoning is largely consistent with the Warkworth Structure Plan and will deliver the scale and form of development envisaged by the Structure Plan. Rezoning the part of the precinct area affected by noise generated by the Submitter's operations to "non-residential or other compatible uses" is not necessary from an effects perspective.</p> <p>The Plan Change already includes mechanisms which will adequately address reverse sensitivity effects. These include a requirement for a no complaints covenant on the properties being rezoned from industrial to residential, the introduction of a noise measurement line for the purposes of the Submitter's helicopter operations and a</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
			<p>special landscape yard of 6m to provide a setback from the adjacent industrial land. These measures will ensure that any reverse sensitivity effects on the Submitter's helicopter operations can be effectively controlled.</p>	
	10.3	Oppose	<p>Further controls to address reverse sensitivity effects would not be an efficient use of resources and are not necessary from an effects perspective. In particular WLC does not support the inclusion of a provision requiring mechanical ventilation in all dwellings. The Plan Change already includes mechanisms which will adequately address reverse sensitivity effects. These include a requirement for a no complaints covenant on the properties being rezoned from industrial to residential, the introduction of a noise measurement line for the purposes of helicopter operations on the submitters' land and a special landscape yard of 6m to provide a setback from the adjacent industrial land. These measures will ensure that any reverse sensitivity effects on the Submitter's helicopter operations can be effectively controlled</p>	Disallow

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 40 (PRIVATE)
WARKWORTH – CLAYDEN ROAD
Clause 8 of Schedule 1, Resource Management Act 1991**

To: Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Attention: Planning Technician

By email: unitaryplan@aklc.govt.nz

Name of further submitter: Warkworth Land Company (**WLC**)

1. This is a further submission in relation to two late submissions by the Ministry of Education and QEII National Trust on Proposed Plan Change 40 (Private) Warkworth – Clayden Road (**Plan Change**).
2. This further submission is made in addition to the further submissions lodged by WLC on 14 May 2020.
3. WLC has an interest in the Plan Change that is greater than the interest the general public has because it is one of the five applicants for the Plan Change.
4. WLC also made an original submission on the Plan Change relating to the stormwater provisions (original submitter number 11).
5. Attached to this further submission is a table setting out the following details (see **Attachment A**):
 - (a) the original submissions to which this further submission relates;
 - (b) the particular part of the original submissions to which this further submission relates;
 - (c) whether WLC supports or opposes the original submission;
 - (d) the reasons for the support/opposition; and
 - (e) whether WLC seeks that original submission be allowed or disallowed.
6. WLC wishes to be heard in support of its further submission.

DATED at Auckland this 12th day of June 2020



W S Loutit / S J Mitchell
Counsel for Warkworth Land Company

Address for service of further submitter:

Simpson Grierson
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Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
12. Ministry of Education Email: jess.rose@beca.com	12.1	Support	Submission point supports Plan Change.	Allow
	12.2	Support in part	Submission point is not technically “on the plan change” but nevertheless WLC agrees to liaise with the Ministry and provide updates regarding the development of the Plan Change area as requested.	Allow in part
	12.3	Support	Submission point supports Plan Change.	Allow
13. QEII National Trust Email: mlucas@geii.org.nz	13.1	Oppose	WLC does not agree that the QEII covenanted land should be rezoned to a less intensive residential zoning. The proposed zoning is appropriate and necessary to provide for growth in Warkworth North. The Plan Change provisions, together with the Auckland-wide provisions that apply (in particular chapters D9 and E15) and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated. Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the Significant Ecological Area (SEA) overlay. The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within an SEA as a Discretionary Activity).	Disallow
	13.2	Oppose	WLC does not agree that the land adjacent to the QEII covenanted land should be rezoned to a less intensive residential zoning.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
			<p>The proposed zoning is appropriate and necessary to provide for growth in Warkworth North. The relevant landowners have already accepted the restriction on the developable area of their land imposed by the covenant and should not have to reduce the development potential of their remaining land that has not been covenanted.</p> <p>The Plan Change provisions, together with the Auckland-wide provisions (in particular chapter E15) and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated.</p> <p>The total area of covenanted and significant bush shown on the Precinct Plan 2, which is afforded protection in the precinct provisions, is greater than the total area of land that falls within the Significant Ecological Area Overlay that applies. Hence, a greater level of protection is afforded to existing vegetation and bush in the proposed precinct area than would otherwise apply under the Auckland-wide provisions.</p>	
	13.3	Oppose	<p>In the absence of an indication of support from the current landowners of the two “key hole” areas, WLC does not agree that these areas should be rezoned to “Protection areas (not for development)”. The relevant landowners have already accepted the restriction on the developable area of their land imposed by the covenant and unless they should agree they should not have to reduce the development potential of their remaining land that has not been covenanted.</p> <p>The Plan Change provisions, together with the Auckland-wide provisions (in particular chapter E15) and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated.</p> <p>The total area of covenanted and significant bush shown on the Precinct Plan 2, which is afforded protection in the precinct</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
			provisions, is greater than the total area of land that falls within the Significant Ecological Area Overlay that applies. Hence, a greater level of protection is afforded to existing vegetation and bush in the proposed precinct area than would otherwise apply under the Auckland-wide provisions.	
	13.4	Oppose	<p>WLC does not agree that an additional objective regarding indigenous biodiversity is necessary or appropriate.</p> <p>Part of the QEII covenanted land within the precinct is already a Significant Ecological Area (SEA) and the Auckland-wide provisions relating to SEAs will apply. The Auckland-wide provisions in chapter E15 will also be relevant to development outside the SEA.</p> <p>Introduction of an additional objective when this matter is adequately covered by the Auckland-wide provisions will cause unnecessary duplication and is not necessary or appropriate.</p> <p>The Plan Change provisions, together with the Auckland-wide provisions in chapter D9 and E15 and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated. In particular Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the SEA overlay.</p> <p>The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within an SEA as a Discretionary Activity).</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	13.5	Oppose	<p>WLC does not agree that this additional policy regarding indigenous biodiversity is necessary or appropriate. Part of the QEII covenanted land within the precinct is already a Significant Ecological Area (SEA) and the Auckland-wide provisions relating to SEAs will apply. The Auckland-wide provisions in chapter E15 will also be relevant to development outside the SEA.</p> <p>Introduction of an additional policy when this matter is covered by the Auckland-wide provisions will cause unnecessary duplication and is not necessary or appropriate.</p> <p>The Plan Change provisions, together with the Auckland-wide provisions in chapters D9 and E15 that will apply and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated. In particular Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the SEA overlay.</p> <p>The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within an SEA as a Discretionary Activity).</p>	Disallow
	13.6	Support in part	<p>The Submitter has sought the inclusion of two additional matters of discretion for vacant lot subdivision.</p> <p>WLC does not agree that the additional matter of discretion relating to management of pest plants and animals is necessary or appropriate. Much of the QEII covenanted land is already a Significant Ecological Area (SEA) and the</p>	Allow in part

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
			<p>Auckland-wide provisions relating to SEAs will apply. It would be unnecessary duplication to include an additional matter of discretion in the precinct provisions.</p> <p>In addition Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the SEA overlay. The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within an SEA as a Discretionary Activity).</p> <p>There are other non regulatory methods that the cooperating landowners would be prepared to explore with the QEII Trust. In addition, WLC does agree that the provisions that relate to stormwater should be strengthened and supports the inclusion of "stormwater management" as an additional matter of discretion for subdivision.</p>	
	13.7	Oppose	<p>WLC does not agree that amendments to the zoning or precinct provisions are necessary or appropriate. The Plan Change provisions, together with the Auckland-wide provisions that will apply and the restrictions in the covenant, will provide appropriate protection and ensure that any adverse effects on the covenanted land are avoided, remedied or mitigated.</p>	Disallow

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 40 (PRIVATE)
WARKWORTH – CLAYDEN ROAD
Clause 8 of Schedule 1, Resource Management Act 1991**

To: Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Attention: Planning Technician

By email: unitaryplan@aklc.govt.nz

Name of further submitter: Warkworth Land Company (**WLC**)

1. This is a further submission in relation to a late submission by the Mahurangi Community Sport & Recreation Collective on Proposed Plan Change 40 (Private) Warkworth – Clayden Road (**Plan Change**).
2. This further submission is made in addition to the further submissions lodged by WLC on 14 May and 12 June 2020.
3. WLC has an interest in the Plan Change that is greater than the interest the general public has because it is one of the five applicants for the Plan Change.
4. WLC also made an original submission on the Plan Change relating to the stormwater provisions (original submitter number 11).
5. Attached to this further submission is a table setting out the following details (see **Attachment A**):
 - (a) the original submission to which this further submission relates;
 - (b) the particular part of the original submission to which this further submission relates;
 - (c) whether WLC supports or opposes the original submission;
 - (d) the reasons for the support/opposition; and
 - (e) whether WLC seeks that original submission be allowed or disallowed.
6. WLC wishes to be heard in support of its further submission.

DATED at Auckland this 24th day of July 2020



W S Loutit / S J Mitchell
Counsel for Warkworth Land Company

Address for service of further submitter:

Simpson Grierson
Level 27, 88 Shortland Street
Private Bag 92518
Auckland
Attention: Bill Loutit / Sarah Mitchell
Email: bill.loutit@simpsongrierson.com / sarah.mitchell@simpsongrierson.com
Telephone: 09 977 5256

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
15. Mahurangi Community Sport & Recreation Collective Email: mahusport@gmail.com	15.1	Support in part	WLC supports the submission point that the Plan Change be accepted with amendments, but it does not agree with all of the amendments proposed by the Submitter.	Allow in part
	15.2	Oppose	WLC does not agree that the Plan Change should require WLC to consult with the Submitter regarding future recreational use of the Warkworth Show Grounds to align the access points. The road alignment shown on Precinct Plan 9.3, while indicative only, best aligns with the planned indoor recreational facility within the precinct area, for which a resource consent application has already been lodged. This alignment has been carefully located following extensive discussions relating to the Matakana Link Road. It is the optimal location for the Link Road.	Disallow
	15.3	Oppose	WLC does not agree that it is necessary or appropriate to require no-complaints covenants across the entire precinct area in relation to light and noise generated by the Warkworth Show Grounds. There is no evidence that this would be necessary or that reverse sensitivity effects are likely, particularly given that some of the activities to which the Submitter refers are hypothetical "further proposed developments" rather than existing activities. No information has been provided regarding the levels of light and noise currently emitted from the site and the likely effects on future residents in the precinct area.	Disallow
	15.4	Oppose	WLC does not agree that it is necessary or appropriate to require screening planting along the part of the precinct boundary that is adjacent to the Warkworth Show Grounds Northern and North-eastern borders. The part of the Show Grounds that is immediately adjacent to the precinct area is currently undeveloped and any future developments in this part of the Show Grounds are currently unconsented. No information has been provided regarding the levels of light and noise currently emitted from the site and the likely effects on future residents in the precinct area. In addition, there is no evidence that screening planting would mitigate any adverse visual effects. The submission also fails to acknowledge that there	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
			may be advantages to having residential land uses adjacent to the Show Grounds, including for CPTED (crime prevention) and overlooking reasons.	
	15.5	Oppose	It is not necessary or appropriate for the Plan Change provisions to require that the Northern Arena endorse the provisions, or provide for a “secondary option” to be taken up by the Council or Warkworth Community should the Northern Arena not proceed. A resource consent application has been lodged for the Northern Arena that is consistent with and reflects the proposed Plan Change provisions. This is the Northern Arena’s preferred location.	Disallow
	15.6	Oppose	WLC does not agree that it is necessary or appropriate for the Plan Change provisions to include a specific mitigation plan for stormwater in the parts of the precinct adjacent to the Warkworth Show Grounds. The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices. WLC has lodged a submission that proposes amendments to the stormwater provisions in consultation with representatives of Healthy Waters. WLC believes that these amended stormwater provisions may go some way to meeting the Submitter’s concerns. The provisions ensure that stormwater will be a key consideration during the decision making process on any future subdivision resource consent application.	Disallow
	15.7	Oppose	Insufficient information has been provided by the Submitter as to what provisions are sought to “direct consultation and contribution to address issues to ensure the current use and future development of the WWSG”. In any event, WLC does not agree that such provisions would be necessary or appropriate.	Disallow

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 40 (PRIVATE)
WARKWORTH – CLAYDEN ROAD
Clause 8 of Schedule 1, Resource Management Act 1991**

To: Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

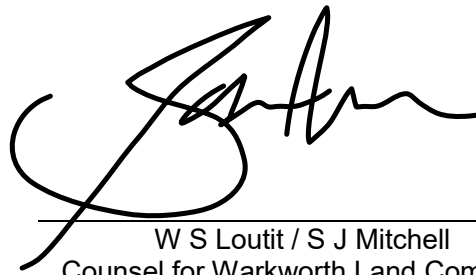
Attention: Planning Technician

By email: unitaryplan@aklc.govt.nz

Name of further submitter: Warkworth Land Company (**WLC**)

1. This is a further submission in relation to submissions lodged after Proposed Plan Change 40 (Private) Warkworth – Clayden Road (**Plan Change**) was re-notified on 2 July 2020.
2. This further submission is made in addition to the further submissions lodged by WLC on 14 May, 12 June and 24 July 2020.
3. WLC has an interest in the Plan Change that is greater than the interest the general public has because it is one of the five applicants for the Plan Change.
4. WLC also made an original submission on the Plan Change relating to the stormwater provisions (original submitter number 11).
5. Attached to this further submission is a table setting out the following details (see **Attachment A**):
 - (a) the original submissions to which this further submission relates;
 - (b) the particular parts of the original submissions to which this further submission relates;
 - (c) whether WLC supports or opposes the original submissions;
 - (d) the reasons for the support/opposition; and
 - (e) whether WLC seeks that original submissions be allowed or disallowed.
6. WLC wishes to be heard in support of its further submission.

DATED at Auckland this 6th day of August 2020



W S Loutit / S J Mitchell
Counsel for Warkworth Land Company

Address for service of further submitter:

Simpson Grierson
Level 27, 88 Shortland Street
Private Bag 92518
Auckland
Attention: Bill Loutit / Sarah Mitchell
Email: bill.loutit@simpsongrierson.com / sarah.mitchell@simpsongrierson.com
Telephone: 09 977 5256

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
16. Warkworth Hockey Turf Charitable Trust Email: brett_illingworth@hotmail.com	16.1	Support in part	WLC supports the submission point that the Plan Change be accepted with amendments, but it does not agree with the amendments proposed by the Submitter.	Allow in part
	16.2	Oppose	<p>WLC does not agree that it is necessary or appropriate for the Plan Change to provide for a buffer zone around the whole Warkworth Showgrounds with a requirement for a "no complaints covenant" that relates to hours of usage and light spillage from the Warkworth Showgrounds hockey turf.</p> <p>There is no evidence that this is necessary or that reverse sensitivity effects are likely, particularly given that the second turf is proposed only. No information has been provided regarding the levels of light currently emitted from the site and the likely effects on future residents in the precinct area.</p> <p>There are sports fields with night lighting all over Auckland operating successfully in residential areas. The Auckland Unitary Plan sets appropriate controls on light spill which, if complied with, manage effects effectively. In addition, because WLC's land is elevated, light spill is able to be more easily controlled.</p>	Disallow
17. Stellan Trust Email: shanehartley@tnp.co.nz	17.1	Support in part	WLC supports the submission point that the Plan Change be accepted with amendments, but it does not agree with the amendments proposed by the Submitter.	Allow in part
	17.2	Oppose	WLC does not agree that any amendments to the Plan Change provisions are required to ensure that any adverse traffic effects that would compromise the subdivision and development of all of the Light Industry Zone served by the two intersections on Matakana Link Road (MLR) are avoided and/or mitigated	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
			<p>WLC supports the MLR access points shown on Precinct Plan 3 of the Plan Change as these are the locations that have been agreed with Auckland Transport (AT). As stated in the transport assessment that accompanied the Plan Change the details of the intersections will be determined at the time of the subsequent resource consent application. The assessment criteria included in the Precinct provisions will ensure the effects on the function of the surrounding transport network (including the MLR) are considered at that time.</p> <p>However, if the industrial land owners reach an agreement with AT to relocate the first intersection beyond State Highway 1, WLC would be comfortable with that change.</p>	
18. Warkworth A&P Society Email: webster.m-p@xtra.co.nz	18.1	Oppose	WLC does not agree that the Plan Change should be declined and does not agree with the amendments proposed by the Submitter in the alternative.	Disallow
	18.2	Oppose	<p>WLC does not agree that it is necessary or appropriate for the Plan Change to include a requirement that all titles include a “reverse sensitivity clause” to ensure the future of the Warkworth Showgrounds is not compromised.</p> <p>There is no evidence that a requirement of this nature, such as a clause requiring registration of a no-complaints covenant, is necessary or that reverse sensitivity effects are likely. No information has been provided regarding the levels of light or noise currently emitted from the site and the likely effects on future residents in the precinct area.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
19. Warkworth Properties (2010) Limited Email: dallan@ellisgould.co.nz / adevine@ellisgould.co.nz	19.1	Support in part	WLC supports the submission point that the Plan Change be accepted with amendments, but it does not agree with all of the amendments proposed by the Submitter.	Allow in part
	19.2	Support	The Submitter has sought that Precinct Plans 1 and 3 be amended to show the Matakana Link Road / State Highway 1 intersection in the location shown in Annexure B. WLC understands that the location shown in Annexure B has been agreed between the New Zealand Transport Agency, Auckland Transport and the relevant landowners. On that basis WLC agrees that the Precinct Plan should be amended to reflect the new alignment of the intersection.	Allow
	19.3	Oppose	<p>While WLC agrees that stormwater management within the catchment should be coordinated, WLC does not agree that it is necessary or appropriate to make amendments to the Plan Change to incorporate provisions requiring stormwater management that complements the Submitter's resource consent and does not generate any adverse effects on the Submitter's site.</p> <p>WLC has lodged a submission that proposes amendments to the stormwater provisions. This was done in consultation with representatives of Healthy Waters. In WLC's view the provisions set out in that submission adequately address the issues raised by this Submitter.</p>	Disallow
	19.4	Oppose	WLC does not agree that any other orders, relief or other consequential amendments are appropriate or necessary to address the matters outlined in this submission.	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
20. Grant Reddell Email: northwood.dev@xtra.co.nz	20.1	Oppose	WLC does not agree that the Plan Change should be declined.	Disallow

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 40 (PRIVATE)
WARKWORTH – CLAYDEN ROAD
Clause 8 of Schedule 1, Resource Management Act 1991**

To: Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Attention: Planning Technician

By email: unitaryplan@aklc.govt.nz

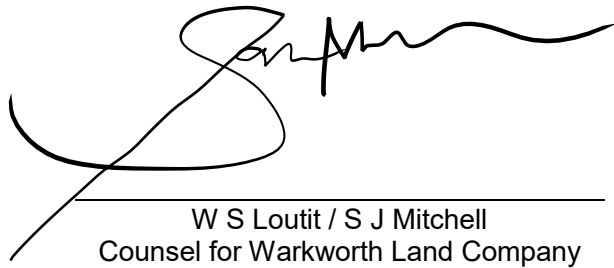
Name of further submitter: Warkworth Land Company (**WLC**)

1. This is a replacement further submission in relation to submissions by the Mahurangi Community Sport & Recreation Collective, Warkworth Hockey Turf Charitable Trust and Warkworth A&P Society on Proposed Plan Change 40 (Private) Warkworth – Clayden Road (**Plan Change**).
2. WLC hereby:
 - (a) withdraws its further submissions previously lodged¹ on the submissions identified in paragraph 1 above; and
 - (b) replaces them with this further submission.
3. WLC continues to support and rely on its other further submissions lodged on 14 May, 12 June and 6 August 2020 in relation to other submissions on the Plan Change. No changes should be made to these further submissions.
4. WLC has an interest in the Plan Change that is greater than the interest the general public has because it is one of the five applicants for the Plan Change.
5. WLC also made an original submission on the Plan Change relating to the stormwater provisions (original submitter number 11).

¹ WLC lodged a further submission on the Mahurangi Community Sport & Recreation Collective submission on 24 July 2020, and a further submission on the Warkworth Hockey Turf Charitable Trust and Warkworth A&P Society's submissions on 6 August 2020.

6. Attached to this further submission is a table setting out the following details (see **Attachment A**):
- (a) the original submissions to which this further submission relates;
 - (b) the particular parts of the original submissions to which this further submission relates;
 - (c) whether WLC supports or opposes the original submissions;
 - (d) the reasons for the support/opposition; and
 - (e) whether WLC seeks that original submissions be allowed or disallowed.
7. WLC wishes to be heard in support of its further submission.

DATED at Auckland this 14th day of August 2020



W S Loutit / S J Mitchell
Counsel for Warkworth Land Company

Address for service of further submitter:

Simpson Grierson
Level 27, 88 Shortland Street
Private Bag 92518
Auckland
Attention: Bill Loutit / Sarah Mitchell
Email: bill.loutit@simpsongrierson.com / sarah.mitchell@simpsongrierson.com
Telephone: 09 977 5256

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
15. Mahurangi Community Sport & Recreation Collective	15.1	Support in part	WLC supports the submission point that the Plan Change be accepted with amendments, but it does not agree with all of the amendments proposed by the Submitter.	Allow in part
Email: mahusport@gmail.com	15.2	Support	<p>WLC acknowledges that it is appropriate to ensure that access points from the Plan Change area into the Warkworth Showgrounds are limited in number and are in locations that are suitable in light of activities taking place at the Warkworth Show Grounds and within the Plan Change area.</p> <p>Precinct Plan 9.3 shows one access point between the Warkworth Show Grounds and the Plan Change area, a proposed public walkway on the eastern part of the Plan Change area which connects into the stream valley.</p> <p>The road alignment shown in Precinct Plan 9.3 is indicative only. WLC anticipates that a second access point that aligns with the planned indoor recreational facility within the precinct area (for which a resource consent application has already been lodged) would also be appropriate.</p>	Allow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	15.3	Support in part	<p>WLC agrees that it is appropriate to require no-complaints covenants in relation to light and noise generated by the Warkworth Show Grounds.</p> <p>However it considers that these covenants should be required for properties between the Warkworth Show Grounds and the Mixed Housing Urban zoned land to the north of the Matakana Link Road only, rather than the entire Plan Change area as sought by the Submitter.</p> <p>In addition, WLC also considers that it would be appropriate for the Plan Change to be amended to require the installation of mechanical ventilation devices in properties between the Warkworth Show Grounds and the Mixed Housing Urban zoned land to the north of the Matakana Link Road.</p>	Allow in part
	15.4	Oppose	<p>WLC does not agree that it is necessary or appropriate to require screening planting along the part of the precinct boundary that is adjacent to the Warkworth Show Grounds Northern and North-eastern borders. It is unlikely screening planting would mitigate adverse visual effects (if any) given the topography of the area.</p> <p>WLC also considers that there may be advantages to having residential land uses adjacent to the Show Grounds, including for CPTED (crime prevention) and overlooking reasons.</p>	Disallow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	15.5	Oppose	<p>It is not necessary or appropriate for the Plan Change provisions to require that the Northern Arena endorse the provisions, or provide for a “secondary option” to be taken up by the Council or Warkworth Community should the Northern Arena not proceed.</p> <p>A resource consent application has been lodged for the Northern Arena that is consistent with and reflects the proposed Plan Change provisions. This is the Northern Arena’s preferred location.</p>	Disallow
	15.6	Support in Part	<p>The Plan Change adopts the Auckland-wide provisions to ensure best practice stormwater practices and for this reason WLC does not agree that it is necessary or appropriate for the Plan Change provisions to include a specific mitigation plan for stormwater in the parts of the precinct adjacent to the Warkworth Show Grounds.</p> <p>WLC has lodged a submission that proposes amendments to the stormwater provisions in consultation with representatives of Healthy Waters. WLC believes that these amended stormwater provisions may go some way to meeting the Submitter’s concerns. The provisions ensure that stormwater will be a key consideration during the decision making process on any future subdivision resource consent application. WLC supports in part this submission to the extent that the changed provisions put forward by WLC go some way to addressing these matters.</p>	Allow in part

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
	15.7	Support in part	WLC acknowledges that the Warkworth Show Grounds is an important community facility for the Warkworth community. It considers that requirements for no-complaints covenants and mechanical ventilation within parts of the Plan Change area are appropriate to address potential reverse sensitivity issues but does not consider that any further provisions, including direct consultation requirements, would be necessary or appropriate if housing complies with the standards. Where housing does not meet the standards on no complaints covenants or ventilation, then the affected stakeholders on the showgrounds should be consulted.	Allow in part
16. Warkworth Hockey Turf Charitable Trust Email: brett_illingworth@hotmail.com	16.1	Support	WLC supports the submission point that the Plan Change be accepted with amendments.	Allow
	16.2	Support	WLC agrees that it is appropriate to create a “buffer zone” around the Warkworth Show Grounds by requiring no-complaints covenants in relation to light and noise generated by the Warkworth Show Grounds, including noise and light spillage from the hockey turf. It considers these covenants should be required for properties between the Warkworth Show Grounds and the Mixed Housing Urban zoned land to the north of the Matakana Link Road. In addition, WLC also considers that it would be appropriate for the Plan Change to be amended to require the installation of mechanical ventilation devices in properties between the Warkworth Show Grounds and the Mixed Housing Urban zoned land to the north of the Matakana Link Road	Allow

Name and number of original submitter	Original submission point number/s	Support or Oppose	Reasons for WLC support or opposition	WLC seeks that the whole (or part) of the submission be allowed or disallowed
18. Warkworth A&P Society Email: webster.m-p@xtra.co.nz	18.1	Oppose	WLC does not agree that the Plan Change should be declined and does not agree with all of the amendments proposed by the Submitter in the alternative.	Disallow
	18.2	Support in part	<p>WLC agrees that it is appropriate to require no-complaints covenants in relation to light and noise generated by the Warkworth Show Grounds. However it considers that these covenants should be required for properties between the Warkworth Show Grounds and the Mixed Housing Urban zoned land to the north of the Matakana Link Road only, rather than the entire Plan Change area as sought by the Submitter.</p> <p>In addition, WLC also considers that it would be appropriate for the Plan Change to be amended to require the installation of mechanical ventilation devices in properties between the Warkworth Show Grounds and the Mixed Housing Urban zoned land to the north of the Matakana Link Road.</p>	Allow in part

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 40 (WARKWORTH – CLAYDEN ROAD)
UNDER THE RESOURCE MANAGEMENT ACT (RMA) 1991**

Form 6

Clause 8 of Schedule 1 of the Act

14 May 2020

To: Auckland Council

Submitter Name: Middle Hill Ltd (as trustee for the Tyne Trust)

Address: 63 State Highway 1, Warkworth

This further submission is made on behalf of Middle Hill Ltd (as trustee for the Tyne Trust), the owners of 48.8 hectares of land located opposite State Highway 1, Warkworth. Middle Hill conditionally supports Proposed Plan Change 40 (**PC40**), subject to the relief sought in its primary submission (number 4) and these further submissions.

The main concern of the submitter is traffic effects, and the impacts of generation of movements from the PC40 area on the wider network. The submitter also seeks to ensure the construction of the Western Link Road (**WLR**) in a timely manner to avoid, remedy, and mitigate those effects.

Those parts of submissions that are supported and opposed are outlined in the table below, and by reference to the numbering in the Auckland Council Summary of Submissions Requested.

Relief requested

Submission Point	Support/Oppose	Reasons	Relief Sought
1. Warkworth Area Liaison Group			
1.4 – park and ride in the showgrounds	Oppose	The showgrounds should be retained for recreational use There is already a park and ride site indicated on the Planning Maps for Plan Change 25 (PC25) to the South of SH1 and near the proposed WLR The PC25 site is closer to the Town Centre on the Stubbs land, as approved in the Decision on PC25	Disallow any park and ride facility on the showgrounds
2. Michael George Cronin			
2.5 implement roundabouts rather than traffic lights	Oppose	The appropriate stage to determine the form of intersection control is at the consenting stage and not as an inclusion in a plan change	Disallow specific reference to roundabouts

3. New Zealand Transport Agency			
3.1 Accept the plan with amendments	Support	The NZTA submission is properly concerned with traffic generation effects, impacts on the wider network and therefore impacts on the submitters site	That the amendments sought be allowed in general terms, and subject to the more specific points below
3.2 adding reference to the safety and efficiency of the surrounding network	Support	The additional wording for the objective will better manage wider adverse traffic effects	Allow the amendment
3.7 adding traffic generation as a discretionary activity criterion	Support	The Council needs to be able to decline, or impose conditions, on resource consent applications, that would cause adverse traffic generation effects	Allow the amendment
3.8 adding traffic generation as a discretionary activity criterion	Support	The Council needs to be able to decline, or impose conditions on resource consent applications, that would cause adverse traffic generation effects	Allow the amendment
3.10 adding safe and efficient operation of the surrounding transport network to the subdivision assessment criteria	Support	As above and the assessment criteria should reflect the matters of discretion as above.	Allow the amendment
3.11 adding safe and efficient operation of the surrounding transport network to the assessment criteria	Support	As above and the assessment criteria should reflect the matters of discretion as above	Allow the amendment
5. Auckland Transport			
5.1 revised transport assessment requested	Support	The current assessment does not sufficiently outline impacts on the wider network	Allow the request
5.4 additional objectives about the planning, co-ordination, and timing of transport investment	Support	The requested new objectives will better manage adverse traffic effects on the submitter and the wider network	Allow the amendment
5.23 adding traffic generation to matters of discretion	Support	As above, Council needs consenting discretion regarding the adverse	Allow the amendment

		effects of activities that generate high traffic movements	
5.26 vesting of walkways and cycleways	Support	These facilities are necessary for good accessibility and amenity In the neighbouring PC25 area it is intended that these accessways are vested so this provision is appropriate for AUP consistency	Allow the amendment
5.30 transport assessment and safety audit to assess impacts on the surrounding network	Support	This new assessment criterion is appropriate to avoid, remedy and mitigate potential adverse traffic effects on the wider network, including the submitters land	Allow the amendment
5.33 adding reference to transport network	Support	For the reasons above	Allow the amendment

The submitter and/or its agents wish to be heard in support of this further submission.

DATED this 14th day of May 2020



Peter Fuller
Counsel for Middle Hill Limited

Counsel's address for service:

Peter Fuller
LLB, MPlan, DipEnvMgt, BHortSc
Barrister
P O Box 106215
Auckland City 1143
021 635 682
peter.fuller@quaychambers.co.nz

Planner's address for service:

Hamish Firth
Mt Hobson Group
PO Box 37964
Parnell
Auckland 115109 950 5110
Hamish@mhg.co.nz

The following customer has submitted a Unitary Plan online further submission.

Contact details

Full name of person making a further submission: Yi Zhang

Organisation name:

Full name of your agent:

Email address: anson@kpconsultants.co.nz

Contact phone number: 0211638827

Postal address:
12 Moa Road
Point Chevalier
Auckland 1022

Submission details

This is a further submission to:

Plan modification number: Plan Change 40

Plan modification name: PC 40 (Private) Warkworth - Clayden Road

Original submission details

Original submitters name and address:
David and Christine Pinker
139 Clayden Road

Submission number: 14.1

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:
Point number 14.2

The reasons for my or our support or opposition are:
We are the owner of Lot 3 DP 492431- next door neighbor of 139 Clayden road.

In our opinion, the whole area should be rezoned to single house including 139 Clayden road, our site, 43 Clayden road etc.

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:
Allow for 139 clayden road to rezone to single house zone. However, our site (lot 3 DP 492431) should be rezoned to single house zone too.

Submission date: 29 June 2020

Attend a hearing

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:
Our site (Lot 3 DP 492431) has included in this private plan changes.

However, due to the lock down, we did not make our submission for the private plan changes.

We have also contacted our planner (Simon from Sentinel planning), Architect & civil Engineer (from Key prospect consultants Ltd).

We believe the upstream catchment should be rezoned to single house. We would also ask the extension of public WW line at lot boundary (original submitter) in order to support upstream development (e.g., our site).

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Further Submission in support of, or opposition to, a notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6



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

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

For office use only Further Submission No:
Receipt Date:

Further Submitter details

Full Name or Name of Agent (if applicable)

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

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

[Mahurangi Community Sport and Recreation Collective Incorporated](#)

Address for service of Further Submitter

[PO Box 58](#)
[Warkworth 0941](#)

Telephone:

[021-645-129](tel:021-645-129)

Fax/Email:

mahusport@gmail.com

Contact Person: (Name and designation, if applicable)

[Nicola Jones - Board Member](#)

Scope of Further Submission

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number	40 (Private)
Plan Change/Variation Name	Warkworth - Clayden Road

I support : Oppose (tick one) the submission of:

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number

Point-Number

[see attached](#)

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The reasons for my support / opposition are:

[see attached](#)

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) see attached

of the original submission be **allowed**

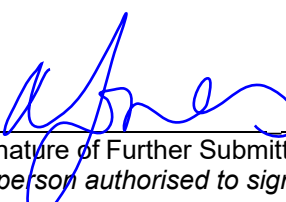
disallowed

subject to amendments as per attached

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



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

19-8-2020

Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

We represent all the clubs and groups that utilise the Warkworth Showgrounds for sport and recreational purposes (3,000+ users plus general public). Warkworth Showgrounds is the adjacent property to the south of this proposed plan change so we are affected neighbours.

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Mahurangi Community Sport & Recreation Collective (MCSRC) has an interest greater than the public generally as the main representative organisation responsible for activities at the Warkworth Showgrounds land (land adjacent/on the southern boundary to the plan change). The Warkworth A&P Society have a 100-year encumbrance on the Showgrounds land which is owned by Auckland Council, of which they then lease back to the clubs that are part of MCSRC. All sport and recreational activities and development at the Warkworth Showgrounds is managed, delivered and overseen by MCSRC. We are effectively acting as a landowner representative given that Council as a land owner has not submitted to the Plan Change.

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

19 August 2020

To Whom It May Concern

Further to our submission to the Proposed Plan Change 40 (Private) Warkworth dated 2 April 2020, please find attached further submissions in response to the latest completed notification process for which submissions closed on 30 July 2020.

Mahurangi Community Sport & Recreation Collective (MCSRC) has an interest greater than the public generally as the main representative organisation responsible for activities at the Warkworth Showgrounds land (land adjacent/on the southern boundary to the plan change). The Warkworth A&P Society have a 100-year encumbrance on the Showgrounds land which is owned by Auckland Council, of which they then lease back to the clubs that are part of MCSRC. All sport and recreational activities and development at the Warkworth Showgrounds is managed, delivered and overseen by MCSRC. We are effectively acting as a landowner representative given that Council as a land owner has not submitted to the Plan Change.

We also represent the wider community interest as it is the main sporting facility for Warkworth, now and into the future. As the Warkworth population is forecast to grow to ~25,000 people by 2030, and the Showgrounds facilities are the only currently established and funded sports and recreation facility in Warkworth other than the racquet ball clubs (tennis and squash) by Shoemith Domain, it is more important than ever that this space is protected for wide community use.

We understand the driver for the plan change because Council has identified the surrounding land as Future Urban and remain open to discussions with the developers to resolve our issues, but not at the expense of a central, important and history-bound community facility already in operation and with future plans for growth and development.

We look forward to being heard on these matters at the future hearing.

Regards

A handwritten signature in blue ink that reads "Jones".

Nicola Jones
Board Member

Sub #	Sub Point		Summary	Further Submission
2	2.7	Michael George Cronin	Retain the live Light Industrial zoning in the plan change subject area.	MCSRC supports this outcome or other outcomes that achieve the relief sought in its submission. The standards for noise and lighting that apply in a Light Industrial zone are less restrictive than those in a residential zone which would further protect/enable the activities at the Warkworth Showgrounds.
11	11.2	Warkworth Land Company	Amend IXXX.3 Policies in the precinct provisions to include:(12) Manage the effects of stormwater runoff through a series of controls and measures which assist in retaining high water quality and minimising or mitigating sedimentation and erosion	MCSRC supports this outcome or other outcomes that achieves the relief sought in its submission. With a bike and skate park development planned for the adjacent hillside, it is imperative that no stormwater run-off from this neighbouring development ends up on our site. This would hinder the proposed development and add unnecessary costs to the community to manage stormwater not associated with MCSRC activities.
11	11.3	Warkworth Land Company	Amend IXXX.7.1(1) Matters of discretion to include:(f) Stormwater management	MCSRC supports this outcome or other outcomes that achieves the relief sought in its submission. The matters of discretion for the Recreation Facility should also include Stormwater management. The proposal only has this Matter of discretion relating to vacant lot subdivision. This could also be added as a relevant matter for specific consideration in relation to the interface with Warkworth Showgrounds.
11	11.4	Warkworth Land Company	Amend IXXX.7.2(1)(a) Assessment Criteria to include:(xvii) The cumulative effect of the approach to stormwater management is in accordance with an approved SMP and achieves a "treatment train" process which mitigates urban stormwater quality issues and controls runoff.	MCSRC supports this outcome or other outcomes that achieves the relief sought in its submission. The provisions need to be amended to clarify that stormwater needs to be managed to avoid effects on adjoining land including at the time of subdivision and land development i.e. from impervious areas such as car parks.
14	14.1	David and Christine Pinker	Amend the zoning of 139 Clayden Road from Large Lot zone to Single House zone.	MCSRC does not support this outcome. The relief sought will potentially increase residential development on the elevated land that will overlook the Showgrounds. This will potentially exacerbate reverse sensitivity effects relating to the use of the flood lighting.

Sub #	Sub Point		Summary	Further Submission
14	14.2	David and Christine Pinker	Amend Precinct Plan 1 to apply the subdivision control area to the subject site	As above. This would enable creation of 1000m ² residential sites which increases our exposure to complaints.
16	16.2	Warkworth Hockey Charitable Trust	Include a buffer zone around the whole Showgrounds Complex with a "no complaints covenant" protecting the hours of useage and light spillage from the showgrounds.	MCSRC supports this outcome or other outcomes that achieves the relief sought in its submission but requires the "no complaints" covenant to not only be on titles but also included at the plan level for further protection i.e. specific and appropriate Issues, Objectives, Policies, Rules, Matters of Discretion and related Assessment Criteria.
18	18.2	Warkworth A&P Society - Penny Webster c/- Malcolm Webster	Include a 'no complaints covenant' on all titles to ensure the future use of the Showgrounds is not compromised.	MCSRC supports this outcome or other outcomes that achieves the relief sought in its submission but requires the "no complaints" covenant to not only be on titles but also included at the plan level for further protection i.e. specific and appropriate Issues, Objectives, Policies, Rules, Matters of Discretion and related Assessment Criteria.
19	19.3	Warkworth Properties (2010) Ltd c/- Douglas Allan and Alex Devine	Ensure the plan change incorporates stormwater provisions that:(i) complement the stormwater management on the submitters site pursuant to the submitter's resource consent(ii) Do not generate adverse effects on the submitters site(iii) Are consistent with the approach adopted in the balance of the catchment and in particular in respect of the SH1 widening and MLR designations	MCSRC supports this outcome or other outcomes that achieves the relief sought in its submission

Further Submission in support of, or opposition to, a notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6



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

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

For office use only Further Submission No:
Receipt Date

Further Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

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

[Warkworth Hockey Turf Charitable Trust](#)

Address for service of Further Submitter

Telephone:

[09-425-9148](tel:09-425-9148)

Fax/Email:

brett_illingworth@hotmail.com

Contact Person: (Name and designation, if applicable)

[Brett Illingworth - Chairman](#)

Scope of Further Submission

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number	40 (Private)
Plan Change/Variation Name	Warkworth - Clayden Road

I support : Oppose (tick one) the submission of:

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number Point-Number

[see attached](#)

--	--

The reasons for my support / opposition are:

[see attached](#)

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) see attached

of the original submission be **allowed**
disallowed



subject to amendment of conditions as per attached

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

B. Mungworth
Signature of Further Submitter
(or person authorised to sign on behalf of further submitter)

19-8-2020

Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one



I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

Warkworth Hockey Turf Charitable Trust represents all the interests of hockey teams and clubs based in the Warkworth area. This is a fast-growing club gaining respect from regional hockey bodies, with support to push ahead and develop for future expected growth.



I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Warkworth Hockey Turf Charitable Trust has an interest greater than the general public as the subdivision will potentially have a huge impact on operating hours, the ability to run games and the building of the second Hockey Turf allowed for in the Warkworth Showgrounds future development plan. Our ability to provide the required games and growth to which our council lease specifies will be put in jeopardy.

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

Brett Illingworth
Warkworth Hockey Turf Charitable Trust
Email: brett_illingworth@hotmail.com
Ph 09 425 9148

19th August 2020

To Whom it may concern

Further to our submission to the proposed Plan Change 40 (private) Warkworth dated 21/07/2020 please find our further submission in response to the latest complete notification process for which submissions close 30th July 2020.

Warkworth Hockey Turf Charitable Trust has an interest greater than the general public as the subdivision will potentially have a huge impact on operating hours, the ability to run games and the building of the second Hockey Turf allowed for in the Warkworth Showgrounds future development plan. Our ability to provide the required games and growth to which our council lease specifies will be put in jeopardy.

We have a 10 by 10 year lease with the Council.

This Turf facility cost approximately \$1.8 million to build in March 2015 with funding from Auckland Council, many private individuals, Grants and many thousands of hours of volunteers time.

We have built at the Showgrounds as it has allowed us future proofing of our Sport and interaction with all other sports involved in this Showgrounds facility. It is a vitally important space for all the community and wider community to enjoy. This needs to be protected in all future plans and from developments.

As in our submission 21/07/2020 we asked for the whole Showgrounds facility to have a "no complaints covenant's put over all proposed titles.

Our submission 19/08/2020. We believe a "No Complaints Covenant's is not going far enough and must be included at "Plan level" for the protection of this community asset.

Regards,

Brett Illingworth,
Warkworth Hockey Turf Charitable Trust Chairmen

Sub #	Sub Point		Summary	Further Submission
2	2.7	Michael George Cronin	Retain the live Light Industrial zoning in the plan change subject area.	WHT supports this outcome or other outcomes that achieve the relief sought in its submission. The standards for noise and lighting that apply in a Light Industrial zone are less restrictive than those in a residential zone which would further protect/enable the activities at the Warkworth Showgrounds.
11	11.2	Warkworth Land Company	Amend IXXX.3 Policies in the precinct provisions to include:(12) Manage the effects of stormwater runoff through a series of controls and measures which assist in retaining high water quality and minimising or mitigating sedimentation and erosion	WHT supports this outcome or other outcomes that achieves the relief sought in its submission. With a bike and skate park development planned for the adjacent hillside, it is imperative that no stormwater run-off from this neighbouring development ends up on our site. This would hinder the proposed development and add unnecessary costs to the community to manage stormwater not associated with Mahurangi Sport & Recreation Collective's activities.
11	11.3	Warkworth Land Company	Amend IXXX.7.1(1) Matters of discretion to include:(f) Stormwater management	WHT supports this outcome or other outcomes that achieves the relief sought in its submission. The matters of discretion for the Recreation Facility should also include Stormwater management. The proposal only has this Matter of discretion relating to vacant lot subdivision. This could also be added as a relevant matter for specific consideration in relation to the interface with Warkworth Showgrounds.
11	11.4	Warkworth Land Company	Amend IXXX.7.2(1)(a) Assessment Criteria to include:(xvii) The cumulative effect of the approach to stormwater management is in accordance with an approved SMP and achieves a "treatment train" process which mitigates urban stormwater quality issues and controls runoff.	WHT supports this outcome or other outcomes that achieves the relief sought in its submission. The provisions need to be amended to clarify that stormwater needs to be managed to avoid effects on adjoining land including at the time of subdivision and land development i.e. from impervious areas such as car parks.
14	14.1	David and Christine Pinker	Amend the zoning of 139 Clayden Road from Large Lot zone to Single House zone.	The relief sought will potentially increase residential development on the elevated land that will overlook the Showgrounds. This will potentially exacerbate reverse sensitivity effects relating to the use of the flood lighting.
14	14	David and Christine Pinker	Amend Precinct Plan 1 to apply the subdivision control area to the subject site	As above. This would enable creation of 1000m ² residential sites.

15	15.2	Mahurangi Community Sport & Recreation Collective	Give consideration to the access points to the Warkworth showgrounds, taking into account the future development of the park. For example, access points should not be in the middle of the proposed bike and skate park on the northern part of the Warkworth showgrounds.	WHT supports this outcome or other outcomes that achieves the relief sought in its submission. WHT supports only one access point at the north eastern boundary and one potential access point from the proposed recreation facility. No other public access points should be allowed.
15	15.3	Mahurangi Community Sport & Recreation Collective	Provide reverse sensitivity "no complaints covenant area" across Precinct Plan 1 for both light and noise (relating to recreational use of the Warkworth showgrounds)	WHT supports this outcome or other outcomes that achieves the relief sought in its submission but requires the "no complaints" covenant to not only be on titles but also included at the plan level for further protection i.e. specific and appropriate Issues, Objectives, Policies, Rules, Matters of Discretion and related Assessment Criteria.
15	15.4	Mahurangi Community Sport & Recreation Collective	Provide increased screening bordering the north and north-eastern borders of the Warkworth showgrounds to mitigate the visual impacts of the plan change area when viewed from the Warkworth showgrounds and the noise and light from the use of the showgrounds.	WHT supports this outcome or other outcomes that achieve the relief sought in its submission.
15	15.5	Mahurangi Community Sport & Recreation Collective	Provide endorsement from Northern Arena including assessment of height restrictions and size of site. Provide secondary option for council or Warkworth community should Northern Arena not take this up, both provisions subject to time.	WHT supports this outcome or other outcomes that achieve the relief sought in its submission.
18	18.2	Warkworth A&P Society - Penny Webster c/- Malcolm Webster	Include a 'no complaints covenant' on all titles to ensure the future use of the Showgrounds is not compromised.	WHT supports this outcome or other outcomes that achieves the relief sought in its submission but requires the "no complaints" covenant to not only be on titles but also included at the plan level for further protection i.e. specific and appropriate Issues, Objectives, Policies, Rules, Matters of Discretion and related Assessment Criteria.
19	19.3	Warkworth Properties (2010) Ltd c/- Douglas Allan and Alex Devine	Ensure the plan change incorporates stormwater provisions that:(i) complement the stormwater management on the submitters site pursuant to the submitter's resource consent(ii) Do not generate adverse effects on the submitters site(iii) Are consistent with the approach adopted in the balance of the catchment and in particular in respect of the SH1 widening and MLR designations	WHT supports this outcome or other outcomes that achieves the relief sought in its submission

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 40 (PRIVATE) WARKWORTH – CLAYDEN
ROAD
Clause 8 of Schedule 1, Resource Management Act 1991**

To: Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Attention: Planning Technician

By email: unitaryplan@aklc.govt.nz

Name of further submitter: Northern Arena

1. This is a further submission regarding the Mahurangi Community Sport and Recreation Collective's submission on Proposed Plan Change 40 (Private) Warkworth – Clayden Road (**Plan Change**).
2. Northern Arena has an interest in the Plan Change that is greater than the interest that the general public has because its proposed development (for which it has lodged a resource consent application) will be located within the Plan Change area.
3. This further submission relates to submission point 15.5. The Northern Arena opposes the relief sought in that part of the submission and seeks that that part of the submission be disallowed. It is not necessary for the precinct provisions to require that the Northern Arena endorse the provisions. The Northern Arena supports the precinct provisions and the resource consent application it has lodged for the Northern Arena is consistent with the provisions. The location shown on the precinct plans is the Northern Arena's preferred location.
4. Northern Arena wishes to be heard in support of its further submission. It does not wish to present a joint case with other submitters at the hearing.

20 August 2020

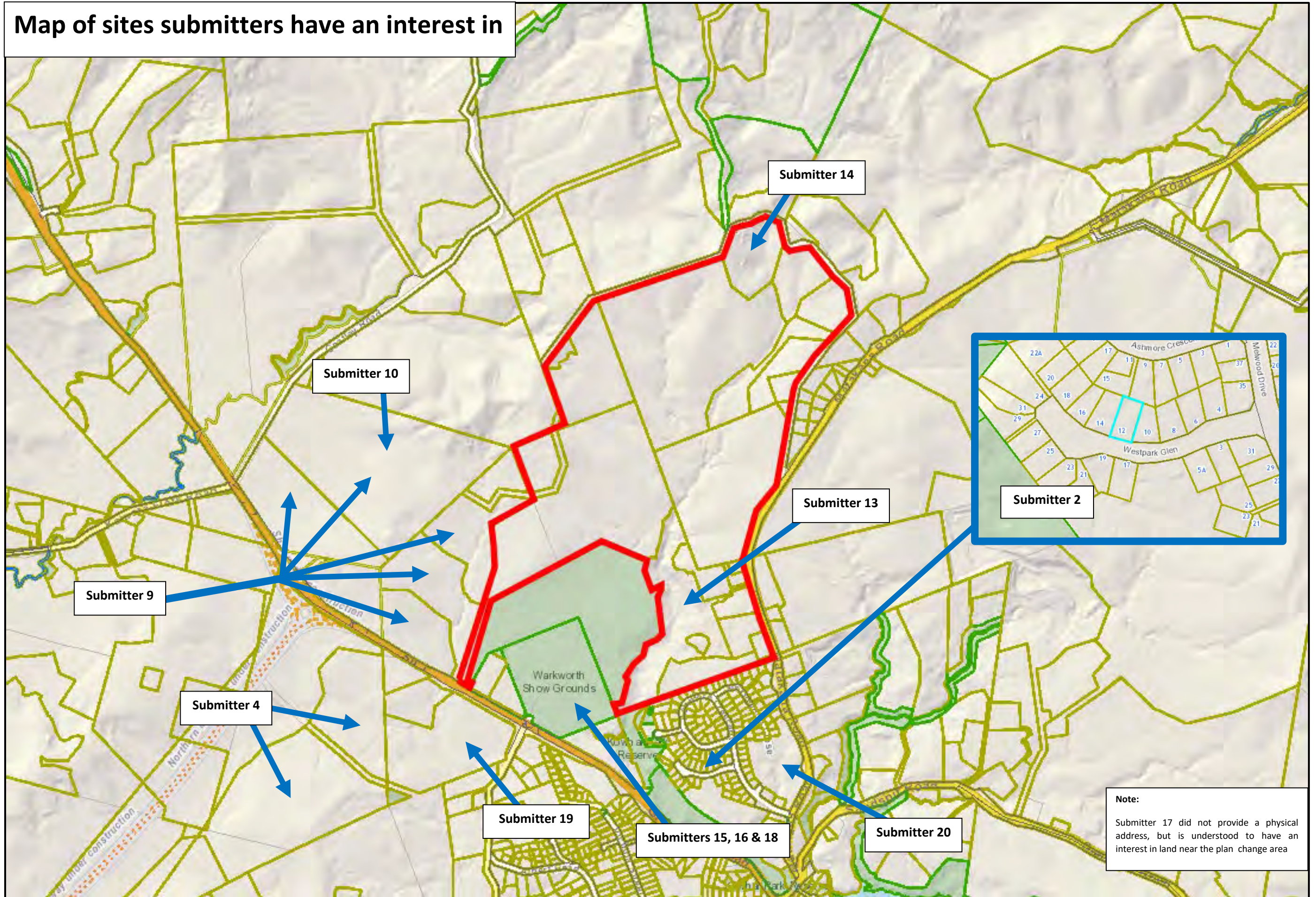


Matthew Saunders
Director
Northern Arena
a 8 Polarity Rise, Silverdale 0932
p +64 (0)9 421 9700
m +64 (0)21 728 633

APPENDIX 5

MAP OF SUBMITTERS SITES

Map of sites submitters have an interest in



APPENDIX 6
LOCAL BOARD VIEWS

Local board views on private plan change 40: Warkworth - Clayden Road

Petra Burns – Planner and Holly Stevens – Graduate Planner were in attendance via electronic link for this item.

Resolution number RD/2020/107

MOVED by Member D Hancock, seconded by Chairperson P Pirrie:

That the Rodney Local Board:

- a) provide the following local board views on Private Plan Change 40 Warkworth – Clayden Road by Warkworth Land Company, White Light Trust Limited, Kaurilands Trust Limited, Rob Mills and P & L Richards:**
 - i) supports the application for Plan Change 40 to make provision for additional land needed for further growth in Warkworth**
 - ii) supports well-planned growth and sustainable development**
 - iii) expresses concerns that the light industrial zoned land currently in the area just north of the Warkworth Showgrounds is being proposed to be converted to residential, as the light industrial zoned land provides ongoing opportunities for residents to live and work in the local area providing for sustainable development**
 - iv) requests the provision of pedestrian footpaths and cycle ways in all areas of the development, including connections to State Highway 1, access to the Warkworth Showgrounds, the proposed Park and Ride at 80 Great North Road, Warkworth, along Matakana Link Road, and along Matakana Road and to make sure that they are consistent with the Greenways Plan**
 - v) requests that the impacts of increased traffic to central Warkworth is avoided and the associated design to achieve this is incorporated into the final decision on the plan change, such as enabling the easy access to public transport through multiple bus stops, and easy access to the proposed Park and Ride at 80 Great North Road**
 - vi) requests that the water supply and waste water is planned and managed in a sustainable manner**
 - vii) seek that restrictive legal covenants are applied to all properties within the proposed plan change area to ensure that as development progresses around the existing recreational and industrial land uses, landowners, residents and occupiers are unable to raise reverse sensitivity issues to include but not limited to noise and lighting**
 - viii) seek the sustainable management of stormwater runoff and that all development within the plan change area utilise Low Impact Design and these areas become demonstration sites for the technologies within Auckland**

- ix) request that the open space provisions is evenly distributed across the plan change area, taking account of the neighbouring Warkworth Showgrounds and other existing and planned open space
- b) appoint Member D Hancock and/or Member B Houlbrooke to speak to the local board views at a hearing on Private Plan Change 40.

CARRIED

APPENDIX 7
COUNCIL'S SPECIALIST ASSESSMENTS

Memorandum

Date: 26th August 2020

To: **Petra Burns** - Auckland Council Planner
From: **Gavin Donaldson** - Specialist Unit Arborist

Subject: **Private Plan Change 40: Warkworth – Clayden Road
Arboricultural Assessment.**

1.0 Introduction

1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to adverse effects upon trees and vegetation protected under the provisions of the Auckland Unitary Plan. I have seventeen years experience in regulatory and consenting (protected trees and vegetation) with North Shore and Auckland Council and my qualifications include a Diploma in Arboriculture (with distinction) from the Waikato Institute of Technology (2001) and a Graduate Diploma in Rural Studies from Massey University (2013) majoring in Environmental Science and Natural Resource Management.

1.2 In writing this memo, I have reviewed the following documents:

- Arboricultural report by Craig Webb Consultant Arborist dated 24th February 2020
- Updated proposed Precinct Provisions version v32 dated 20 August 2020.
- Further Submission Goatley Holdings Limited dated 13th May 2020

2.0 Key Arboricultural Issues

The proposed plan change is supported by an Arborist report compiled by Craig Webb Consultant Arborist for the Applicant. This purpose of this report is to identify any trees suitable for inclusion in the schedule of Notable trees that may be implicated in the proposed plan change.

The tree assessment from Craig Webb has identified three trees that reached the score threshold for inclusion as Notable trees, these being two pin Oak (*Quercus palustris*) and one Oriental sweet gum (*Liquidambar orientalis*) all growing at 245 Matakana Road. These trees are sited in locations where their retention is achievable during a subsequent land use development.

The tree report also notes that an assessment was made of “native trees within the forest clad gully through the centre of the site”, with the conclusion that these “have not been considered to have attributes that warrant consideration for scheduling as individual specimen trees.” This observation does not appear to have considered that the AUP format allows for the inclusion of significant groups of trees as Notable, however, as many of these trees are adjacent to a stream they are protected under E15.4.1 (A16) of the AUP.

The tree report concludes with a recommendation that “if the trees are retained and protected, sufficient space must be provided for them during any future subdivision of land. Arboricultural input would be required for any decisions made in relation to land-use and development in the vicinity of the trees. Similarly, safe and healthy retention of native trees within the forest area requires that they are given adequate space in the design and layout of future subdivision schemes.”

Having undertaken a site visit and viewed the trees at 245 Matakana Road, I am able to concur with this recommendation.

3.0 Applicant’s assessment

Craig has expressed his opinion in the report introduction that “the AUP ‘Guidelines for Nominating a Notable Tree for Evaluation’ is impractical, highly subjective and not supported by arboricultural best practices for tree evaluation.”

The AUP Notable Tree Evaluation method was developed with considerable input from qualified Arborists, Landscape, Heritage and Planning specialists from within Council and the private sector. The criteria and method was extensively discussed and analysed during the PAUP hearings, subject to submissions at that time, and have been ratified as appropriate and acceptable by that process.

The tree report from Craig Webb makes a further comment that the three trees at 245 Matakana Road “could be considered for nomination as notable trees, however, they are not considered to be worthy of inclusion on a list of the region’s most important trees” and...

“The trees do not display exceptional qualities that make them worthy of being notable trees, due to them being either average examples of a very common species (pin oaks) or poorly structured, though rare (Oriental sweet gum).”

I do not agree with this on the basis that the trees meet the required criteria to be included as Notable trees under the provisions of the AUP, and the purpose of the tree report was to identify any trees capable of inclusion in the schedule of Notable trees that may be implicated in the proposed plan change. The tree report achieves this purpose, having identified the three trees at 245 Matakana Road using the approved AUP format for assessing Notable trees.

I therefore support the inclusion of these trees in the Schedule of Notable trees of the AUP.

4.0 Submissions

I have read through the additional submission from Goatley Holdings Limited and wish to add my support to the submission by Celia Davidson (FS1 item 7.7) regarding buffer planting.

As regards the Precinct Provisions, the version dated 20 August 2020 includes a proposed 'all zones' table which allows for the removal or alteration of vegetation within bush areas protected by covenant and also within areas of 'significant' bush. I cannot support this proposal as there is no clarification of the term 'significant' bush.

Notwithstanding this, there is no rule or activity status within the AUP that covers the removal or alteration of vegetation protected by way of a covenant, as these covenants are imposed under s221 of the RMA, and depending upon the wording, to undertake removal or alteration of vegetation within covenanted bush would usually require a s127 application. Therefore, to create an activity table and standards for vegetation alteration or removal within covenanted areas and significant bush is neither practical nor reasonable.

One example of particular concern is A6 from the proposed 'all zones' table which reads.. "Vegetation alteration or removal for routine operation, maintenance and repair of existing tracks and proposed indicative greenway routes as shown on Precinct Plan 3 within the covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2." – these activities are proposed to be listed a Permitted Activity.

This is perhaps an attempt to emulate similar rules for significant ecological areas (SEA) listed in chapter E15 of the AUP, however these come with specific standards and limitations and do not make provision for undefined activities listed as 'proposed' or 'indicative'. Such a rule as that suggested at A6 in the proposed 'all zones' table should not be permitted, given that under E15 of the AUP an 'indicative greenway route' would fall into the category 'not otherwise provided for' which is a Discretionary Activity.

5.0 Recommendations

It is my recommendation that the three trees at 245 Matakana Road are listed as Notable trees in the AUP schedule as a part of this plan change and the rules of chapter 15 of the AUP are incorporated into the Precinct Provisions to ensure that future development does not compromise the existing trees and vegetation in the natural environment.



Senior Specialist Arborist -Earth Stream & Trees Unit

Regulatory Services - Auckland Council

Memo - Development Engineering Assessment

Application: WBS - D.002199.01

Site address: Warkworth Nth to Clayden Rd

Private Plan change Pt Allot 97 Psh Mauhurangi State Hwy 1, Warkworth (North of Show Grounds)

To	Planner <i>Petra Burns</i>
From	Engineer <i>Steve Cavanagh</i>
Date	8 th of June 2020, updated: (Note text colour for additions) 10 th of September 2020.
Proposal	Soft Lodgement for Private Plan change to subdivide farmland to the north of the existing Warkworth Showgrounds.
Applicant's name	<i>Warkworth Land Company Limited</i>
Reports & Information	<p>Reports and information considered as part of assessment.</p> <ul style="list-style-type: none"> • <i>Transport Assessment by Traffic Planning Consultants (TPC);</i> • <i>Infrastructure Report by Maven;</i> • <i>Stormwater Management Plan by Maven;</i> • <i>Geotechnical assessment by CMW.</i> <p>Note: The above reports reviewed in brief only as they are covered by other Council appointed Specialists eg::</p> <ul style="list-style-type: none"> • <i>Healthy Waters for Flooding and Stormwater quality (Iresh Jayawardena);</i> • <i>Geotechnical & Geological Practice Lead, Engineering & Technical Services(Ross Roberts);</i> • <i>Traffic – Progressive Transport (Martin Peake);</i> • <i>Plans.</i> <p>These reports (from the bulk Earthworks land use consent application) have been covered in more detail:</p> <p>From Earthworks application:</p> <ul style="list-style-type: none"> • <i>Earthworks Management Plan by Maven Associates.</i> • <i>Geotechnical investigation, report by CMW Geosciences AKL2018-0228AF Rev 1</i> • <i>AEE by Tatico.</i> • <i>Traffic management report by Traffic Planning Consultants, Reference 18161 dated the 20th of September 2019.</i>
Asset Groups	<p>For the purpose of this memo, these include:</p> <ul style="list-style-type: none"> • <i>Auckland Transport (AT)/ NZTA;</i> • <i>Watercare Services Limited(WSL);</i> • <i>Auckland Council Healthy Waters.</i>
Site Visit	<input checked="" type="checkbox"/> 16th of August 2019

Engineering suitability for proposed use:

Transport	
Parking	This is not applicable at this stage. The proposed lot sizes and shape profiles look to generally comply with the Unitary plan requirements.
Access & Rooding infrastructure	<p>The proposed Matakana Link Road will be constructed in conjunction with the completion of the realignment of State Highway one (Puhoi to Warkworth stage) and is the jurisdiction of Auckland Transport and NZTA.</p> <p>Matakana Link Road is to be directly off State Highway one and traverses the land Northeast to Matakana Road. The proposal will require the construction of intersections along the proposed Link Road to create a roading network for the creation of new sites. I understand all roads are to be vested in AT, and there is no requirement for privately owned rights of way. The grades have been queried and it is advised that they meet the general requirements of AT. Note it is Council Policy to limit individual private ways to no more than ten sites. Vehicle crossings would be by individual application to AT the time of building consent. The general road layout would be assessed by Auckland Councils Regulatory Engineers under Engineering Approval, generated by Resource Consent conditions. The approved plans would require acceptance by AT. Issues related to Construction of road pavement, footpaths, drainage etc. would be covered at that time. AT will be required to give their approval in principal for the proposed roading network.</p> <p>The road network proposed was by way of intersections off the Matakana Link Road. It is recommended that these intersections be constructed in conjunction with the formation of the Matakana Link Road to avoid future significant disturbance particularly to road users.</p> <p>I understand the Matakana Link Road is to commence Construction at the end of this year.</p> <p>I note that there is a paper road within the potential subdivision area. This would require a Road "Stopping" which includes the public notification by Gazetting.</p>
Traffic Effects	<p>The TPC report covers access and traffic issues both externally (NZTA state highway) and internally (AT). I have no issues with the report however approval in principle from AT would be recommended.</p> <p>I have queried the grades and been advised that the proposed grades for roads and driveways will meet the AT standards and the requirements of the UP.</p>
Earthworks	S
Erosion control & Management	Earthworks assessment will be provided by other Specialists. Note I have provided conditions under the current Bulk Earthworks Land Use Consent recently applied for by the same applicant.
Geotech, Soils & Ground Stability	<p>Geotechnical investigation, report by CMW Geosciences AKL2018-0228AF Rev 1</p> <p>Mahurangi Limestone geology was identified on the site and the report concludes that the soils are slightly to moderately expansive and not classified as "good ground". The Geotechnical report considers that provided the recommendations are followed the earthworks can be established as proposed in the various plans and reports provided.</p> <p>This is to be also covered off by Councils appointed Specialists.</p>
Services	Summary of effects – what, where, how
Stormwater and Flooding	There is a complex network of overland flowpaths. The analysis and methods for protection of these will be covered by other specialists. It is anticipated there will be various forms of mitigation provided for the proposed roading (by way of (Regulatory) Engineering Approval); and the individual lots (likely by way of Consent notice) to be enacted at time of building consent. Any large infrastructure e.g. ponds or Wetlands created for Stormwater attenuation would be vested in Auckland Council or Auckland Transport. I note there is Flooding downstream and from previous experience there are issues related to the infrastructure near the outlet to the Coastal environment(Namely Mahurangi Inlet) . The Specialists involved are aware of these issues.

Wastewater	<p>By WSL. I have discussed in brief with WSL Development and Commercial Relations Manager (Ilze Gotelli).. I understand there are some concerns about WSL access to the new link to construct discharge facilities (pump station) and the timing of the completion of the piped system conveying effluent to the treatment plant in Snells Beach (some 5km away ATCF).</p> <p>The general network as required for subdivision would be constructed under Engineering Approval and as accepted by WSL.</p> <p>A Submission from Watercare Services Limited (WSL) has been submitted to Council, dated 1st of April 2020 (signed by Ilze Gottelli).</p> <p>In short they demonstrate that both water and wastewater services will be available but subject to programming of the works required. These are principally in four areas:</p> <ol style="list-style-type: none"> 1. Completion of the rising main from Warkworth Hamatana Road Snells Beach 2. Construction of Connection from Showgrounds to the pump station near Lucy Moore Mem. Park. 3. Upgrading of the Hamatana treatment facilities 4. Completion of the Outfall from Hamatana to Martins Bay (currently under construction). <p>Some indication of timing is given in the submission, however from experience these can be open ended due to other factors, most notably at present economic constraints. Provided the Applicant is fully aware and in acceptance of the situation and can stage and programme their works around these constraints, I would see no major concerns in the provision being made for Wastewater services. As noted in the Submission the applicant will be responsible to provide reticulation within the confines of the proposed subdivision and to the pump station in the Warkworth Showgrounds. These works would need to be completed prior to issue of 224c for the subdivision.</p> <p>So in summary my view would be that the Applicant should be made fully aware of this, and they are then better informed to look at their timeframes, e.g. design, RC, tender and construction phases.</p>
Water Supply	<p>I have queried who funds the reservoir And has the position etc. been established?</p> <p>The general network as required for subdivision would be constructed under Engineering Approval and as accepted by WSL.</p> <p>Subsequent to the above, and noting the WSL Submission (outlined in the wastewater section above), the following key components are:</p> <ol style="list-style-type: none"> 1. The relatively recent Sanderson Rd bore has capacity for the proposed subdivision. 2. To reticulate the subdivision a reservoir is required further north on Matakana Rd (ETA 2024). 3. A limited number of new lots can be serviced with existing network. 4. Provision for firefighting provision will need to be addressed under consent. <p>Again, provided the Applicant understands and accepts fully the timing of these infrastructure upgrades as being completed prior to any connections made and hence the issue of section 224c. then the subdivision could proceed although producing any titles would be some time away.</p>
Other	<p>Power and Telephone: I have also requested comment from the Power and Telephone service providers to enable early input in infrastructure design. The suppliers have requested further detail. This should be left to Consent Stage.</p>

Memo

To: Petra Burns, Planner, Plans and Places, Chief Planning Office, Auckland Council
From: Derek Foy, Associate Director
Date: 25 August 2020
Re: Clayden Road Private Plan Change Economic Review

Introduction

The purpose of this memo is to review the economic merits of the Clayden Road Private Plan Change (“PPC40”), and to review submissions and further submissions on the application that raise economic issues. The review is intended to assist the Council to identify any outstanding economics issues and provide an opinion on them.

Documents reviewed

The application contained the following economic assessments which I have reviewed and provide comment on:

- “Warkworth: Market Analysis September 2018”, Colliers International, September 2018 (“the Colliers report”)
- “WLC Private Plan Change Economic Response to Council Questions”, Property Economics, October 2019 (“the PE report”).

I have also reviewed other relevant application material and the submissions and further submissions lodged, including the Tattico planning report.¹

Structure

This memo first provides a brief overview of PPC40, then summarises and responds to the Colliers report. Subsequent sections are structured by key topic, and under each topic I discuss the key issues identified in the PE and Colliers reports, issues not identified that I consider require consideration, and other relevant discussion and conclusions as to matters identified.

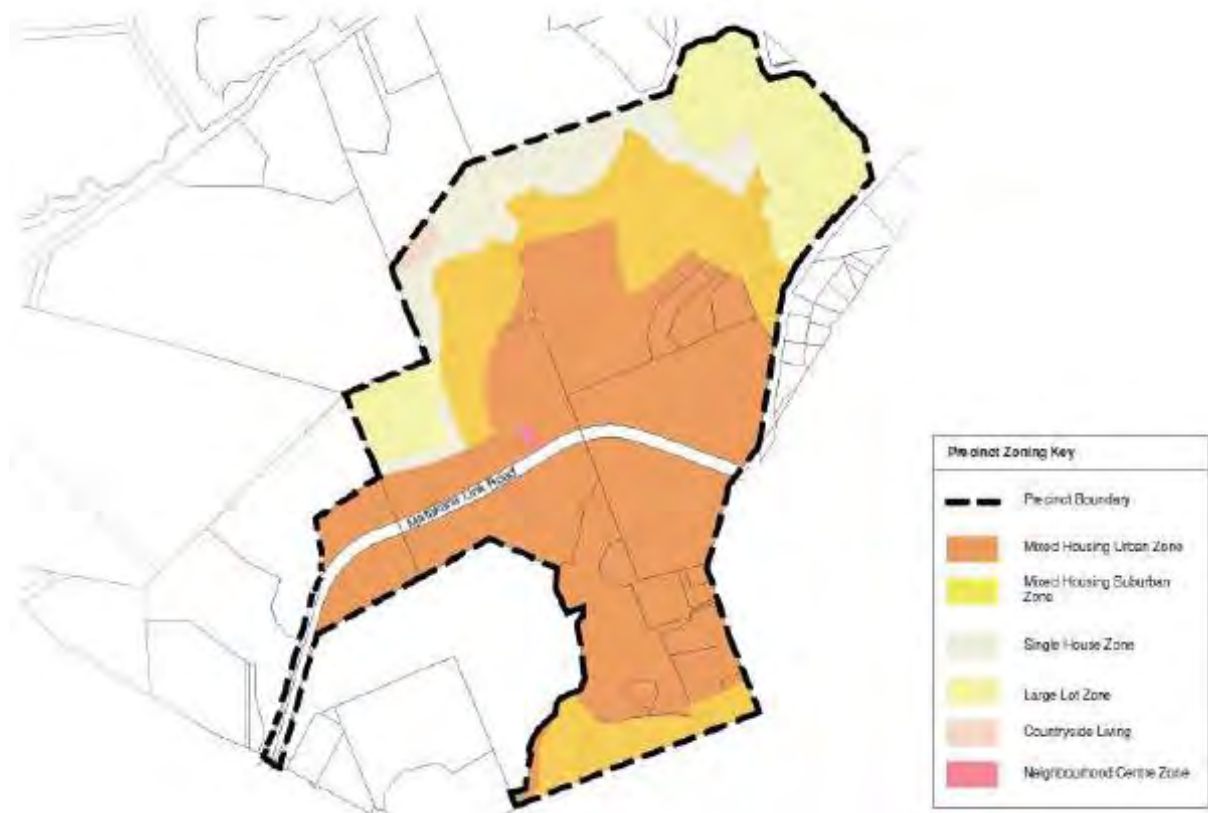
¹ “Warkworth Clayden Road Plan Change Request to Auckland Unitary Plan. Planning Report including section 32 assessment”, Tattico, 15 October 2019

Private Plan Change 40 overview

The application seeks to rezone approximately 102ha of land that is currently zoned for Future Urban and Business - Light Industry zone ("BLIZ") to a mixture of residential zones with a small supporting neighbourhood centre.

There will be approximately 1,000-1,100 residential lots enabled by PPC40, providing capacity for approximately 13-15% of the growth in additional dwellings expected in Warkworth over the next 30 years.² The neighbourhood centre is intended to be a small centre (indicatively around six shops³) providing for the day to day retail and services needs of nearby households. The neighbourhood centre is anticipated by the Warkworth Structure Plan, and it is concluded in the application to be unlikely to generate significant adverse effects on other centres in close proximity, including the Warkworth town centre. The proposed location for the neighbourhood centre is in a different location than anticipated by the Structure Plan, and the applicant has provided a range of reasons for the proposed location which I discuss later.

Figure 1: Clayden Road Proposed Private Plan Change



² Based on approximately 7,500 dwellings projected in Warkworth over that time

³ PE report, p3

Colliers report

The Colliers report primarily makes a business case for the development of residential properties in Warkworth and provides advice about the likely annual sales rates and composition that would be attractive to the market. It also estimates the likely economic impact of residential development and construction activity within the PPC40 area.

I agree with Colliers' conclusions that PPC40 would generate positive economic effects for Warkworth, through stimulating construction activity, which Colliers estimate to be \$577m.⁴ However, I consider that much of that economic activity would be likely to occur within Auckland somewhere if PPC40 did not proceed, and so the expenditure represents a transfer of activity within the region, rather than a net addition to regional economic activity. In my opinion, the vast majority of all PPC40 dwellings would accommodate households that would wish to live in Auckland somewhere even if PPC40 did not proceed, with very few of the proposed dwellings likely to induce net additional household growth in Auckland over and above what is projected. The result of that transfer effect would be that the effect assessed by Colliers significantly overstates the net additional economic activity stimulated, although the activity would still be positive.

Of that additional activity, some will flow to local companies, some to companies located elsewhere in Auckland, and some to non-Auckland or overseas companies, as recognised by Colliers (p27). Colliers estimate that additional induced economic stimulation in the area to be around \$220m. The magnitude of that effect is not important for the purposes of this plan change, and I agree that the effect of PPC40 would be positive for the local construction industry, with positive flow on economic effects.

Residential land supply benefits

Further to the Colliers report's discussion of the economic benefits of PPC40, the PE report provides additional assessment of those benefits. I agree with PE's assessment of those benefits, which include:

- that the area is serviced and available to accommodate growth, and so will avoid the need to find additional residential capacity in other areas that are not as capable of accommodating growth at present.
- promoting increased residential density with a range of flow-on benefits including reduced time spent travelling, environment and social benefits.

I also agree with the assessments of Colliers and PE that the proposal is appropriately sized in relation to current and projected demand for residential land.

⁴ p6 and p27

Main economics issues

There are two main economics issues arising from the application:

- The effects of locating the neighbourhood centre on the Matakana Link Road, rather than at the intersection of the Matakana Link Road and Matakana Road.
- The effects of the loss of BLIZ land within the PPC40 area.

Those are addressed in the next two sections.

Neighbourhood centre location

The Warkworth Structure Plan envisaged that a small neighbourhood centre would be provided at the intersection of the Matakana Link Road and Matakana Road. The location of that centre was intended to provide access to day to day goods for both households living in the PPC40 area as well as households that will establish to the east of Matakana Road (intended to be one of the last parts of the FUZ that will be developed) where an additional neighbourhood centre is unlikely.

The planner's report provides two reasons for proposing to shift the location of the neighbourhood centre to a more central location within the PPC40 area, including:

- The current landowners of 245 Matakana Rd believe that a neighbourhood centre will not be economically feasible on their site due to transport access restrictions, including no provision for full intersection access, and only left-in and left-out turns being proposed.
- Warkworth Land Company (the landowner to the immediate west of the parcel at 245 Matakana Rd) is willing to develop a neighbourhood centre in the proposed location and has made provision for a full access light-controlled intersection at that point.

The PE report does not provide an assessment of the proposed neighbourhood centre location, but provides an opinion that the centre proposed is an appropriate size and would not undermine the role and function to the Warkworth town centre. I agree with PE's opinions on that matter. The Colliers report did not address this issue.

In my opinion, it would be preferable for the neighbourhood centre to be located as indicated in the Warkworth Structure Plan on Matakana Rd, in order to provide better accessibility to future households developed to the east of Matakana Rd and north of the river. From my assessment for the Warkworth Structure Plan it is unlikely that two neighbourhood centres would be required in the area, so having one centrally located centre would be appropriate to service the PPC40 area and area east of Matakana Rd. Additionally, it was assumed in the Warkworth Structure Plan that a location at the intersection of Matakana Link Rd and Matakana Rd would make the centre more accessible than if it were to be located nearer the centre of what is now the PPC40 area.

Nevertheless, I recognise that the transport accessibility and safety restrictions now identified could lead to negative outcomes for the centre, by being difficult to access for passing trade. These traffic constraints were not apparent when the Warkworth Structure Plan was being developed, and assuming these constraints are as the applicant suggests, I agree that the location proposed can accommodate a neighbourhood centre that will appropriately provide for the local PPC40 catchment. Further, total dwelling yield in the PPC40 area is now proposed to be slightly greater than was anticipated in the Warkworth Structure Plan, which increases the viability of the centre being located centrally within the PPC40 area.

I agree with PE that it is important to provide for a neighbourhood centre to service the PPC40 area, and that the presence of a centre in the proposed location is preferable to the alternate outcome of no centre. However, I do not consider that the reluctance of the landowner (of the parcel where the Warkworth Structure Plan indicated a neighbourhood centre) to establish a centre on their land should be an influence on the location of the centre, as retention of ownership and intent to develop should not be the main influence on long-term urban form outcomes.

Loss of Light Industry Land

The second main economic issue is that the proposed plan change will result in the loss of 5.1176ha of BLIZ land⁵ to a mixture of residential and roading, although provision for a Northern Arena type of pool-based community facility is also discussed⁶. The PE assessment estimates that loss of industrial land would be equivalent to 3.6747ha⁷, which presumably takes into account use of some of the 5.1176ha area for the Matakana Link Road.

I am aware that following discussion with several submitters the applicant has proposed to modify the extent of the BLIZ initially proposed. The amendment would retain a 3m wide strip of land around part of the western boundary of the PPC40 area to manage reverse sensitivity and other effects. That amendment would have no material effects on BLIZ land supply, and would potentially, depending on the configuration of that land, not provide any BLIZ land able to be occupied by industrial activities, because of the narrow dimensions of the strip.

The key issue with the loss of BLIZ land relates to the loss of employment opportunities to meet the employment per household targets at a township level that the Warkworth Structure Plan aims to provide. The Council's pre-application feedback in response to preliminary reviews of the economic assessment requested additional information on the degree to which PPC40 would be consistent with contributing towards the employment targets. The Colliers report does not provide any analysis regarding this aspect.

The PE assessment discusses the likely effects of the reduction of Light Industry zoned land in this location, and concentrates on the impact of losing 3.6747ha of land from Warkworth's live-zoned BLIZ stocks, which

⁵ PT LOT 1 DP 61693

⁶ Tattico report, p48

⁷ PE report, p6

PE states is a reduction of 7% of vacant BLIZ land, or of 4% reduction of total BLIZ land. PE also identifies that additional industrial land is identified in the Warkworth Structure Plan to be created elsewhere in the 1,000ha Future Urban Zone, of which 27ha is proposed to be zoned for BLIZ and a further 37ha for Business - Heavy Industry zone. According to PE's estimates, including those additional areas there would be 117ha of vacant industrial land, which they state to be a significant quantity, and from which they conclude that loss of 3.6ha will not have significant effects on the supply of industrial land within Warkworth.

According to PE's estimates, Warkworth will require just over 40ha of serviced land for industrial uses in the next 20 years. My assessment for the Warkworth Structure Plan concluded that a range of between 0 and 57ha (net) of industrial land (in addition to current live-zoned BLIZ land) would be required to meet that demand, and so from my assessment it is possible that the Structure Plan (estimated⁸ to be 33ha net) has provided for more industrial land than will be required. However, it is important to understand that the provision for industrial land in the Warkworth Structure Plan was set so as to avoid potential future undersupply of industrial land, acknowledging that it becomes difficult to convert other uses to industrial once land is developed, and so is conservative in that regard. For that reason, it is important that the amount of industrial land planned for in the Structure Plan is provided for.

However, in the case of PPC40 there are genuine and specific reasons that justify the loss of the operative BLIZ zoning. I am informed by a communication⁹ between Council planning officers and Auckland Transport that the access difficulties described in the application are genuine and would be very difficult to overcome. Those reasons¹⁰ include that:

- The Matakana Link Road will effectively sever the BLIZ in the PPC40 area from the rest of the live-zoned BLIZ land.
- The northern block of BLIZ land is not accessible from the MLR because of the alignment of the MLR and retaining walls along its edge. Access would instead need to be gained from further east along the Matakana Link Road, through a residential zone, which is stated to be a poor planning outcome. An alternative access point from the west through land owned by Goatley Holdings may be problematic, and potentially not feasible, and would require agreement from Goatley Holdings.
- The southern block of BLIZ land could be accessed off the Matakana Link Road, however, to do so would require substantial intersection upgrades for the benefit of only a small area of BLIZ. This block is also targeted for the 'Northern Arena' site.

⁸ Based on gross to net conversion assumptions in the WSP

⁹ Summarised in a 1 April 2020 email exchange between Diana Bell (Team Leader, Integrated Networks Division, Consent Planning, AT) and Ryan Bradley (Principal Planner, North, West and Islands Planning, Plans and Places, Auckland Council)

¹⁰ Tattico report, p35

Taking into account the reasons put forward by the applicant, my opinion is that the zones proposed in PPC40 for the live-zoned BLIZ land are appropriate, and justified, and note that there are mitigating reasons as to the loss of BLIZ, including:

- Alternative use of some of the land for a proposed Northern Arena complex (Figure 2) which will generate some employment
- Constraints that would isolate BLIZ land in the PPC40 area from the adjacent BLIZ land to the west, reducing the practicality of industrial activities on the land
- Some employment on the proposed residential land (home-based occupations).

Figure 2: BLIZ land in PPC40 area and location of Northern Arena



In terms of the impact on achieving the employment targets set out in the Warkworth Structure Plan, I estimate that approximately 135 jobs could be provided on that 3.6ha of BLIZ land, if regional targets of 37 jobs/ha are achieved. The conversion of that BLIZ land to residential uses would therefore represent, at that average employment density, a loss of employment capacity within Warkworth of 135 jobs. However:

- The proposed Northern Arena facility might provide around 80 jobs in place of the foregone industrial employment, assuming a similar development to the Northern Arena in Silverdale,¹¹ which is a reasonable assumption absent any detailed concept plans for the proposed leisure facility. I note, however, that at present there is no guarantee that a Northern Arena complex will establish on the land.

¹¹ Using Statistics New Zealand 2019 Business Directory estimates of employment for Northern Arena Silverdale

- On the c.2ha BLIZ land north of the Matakana Link Rd dwellings would accommodate some home-based employment. At an average dwelling density of say 15 dwellings per ha (net), this c.2ha area might yield 30 dwellings, and 10-15 home-based workers.

In total then around 80-90 jobs might be created on the BLIZ part of the PPC40 area under the proposed zoning (if the Northern Arena proceeds), resulting in a net loss of employment capacity of 45-55 jobs.

In my opinion, the applicant has presented a strong rationale for re-zoning the BLIZ land to other uses based primarily on transport access, safety, reverse sensitivity and additional transport costs, and the isolated nature of the pocket of industrial land. I agree that the loss of this land would be unlikely to generate significant economic effects through reducing Warkworth's employment capacity, even if the identified Northern Arena complex does not establish.

I note that the genuine and specific reasons that in my opinion justify the loss of the BLIZ land would distinguish the current application from future applications that might seek to convert the Warkworth Structure Plan's industrial zones to other zones, and the current application should not serve as precedent that supports any such conversion.

Submissions

The submissions that raised matters relevant to this economic assessment were submissions 2 (Michael Cronin), 9 (Goatley Holdings Ltd) and 10 (Skywork Helicopters Ltd). Two main topics were raised in the submissions:

- The appropriate size of the proposed Neighbourhood Centre zone.
- The appropriate zoning for the part of the Plan Change area currently live zoned BLIZ.

Figure 3: Summary of points raised in submissions, and response to them

Matter	Submission point	Further submission point	My response
Neighbourhood Centre size	2.6 (Michael Cronin): the proposed Neighbourhood Centre is too small	<p>FS3 (Auckland Transport): opposes the submission on the grounds that the size and scale of the centre needs to be consistent with its role of providing residents with frequent retail and service needs.</p> <p>FS5 (Warkworth Land Company): opposes the submission for similar reasons to FS3, and states that the centre does not need to be bigger than proposed in PPC40.</p>	<p>I disagree with submission point 2.6, and agree with FS3 and FS5.</p> <p>From assessment I completed for the Warkworth Structure Plan, a significant retail presence is not required for a centre servicing the local catchment north of the current SH1 and west of Matakana Rd. A centre of 1,000-1,500m² land area is an appropriate size, and would yield a centre of around 300-600m² gross floor area, which is similar to or larger than the average Auckland neighbourhood centre of 330m² GFA. That 300-600m² would provide for 3-6 stores of 100m² each, which would allow for the establishment of, for example, a dairy, chemist, bakery and takeaways as listed in FS3, which represents a fairly typical neighbourhood centre composition. For other retail and service needs alternative retail supply is not far away, including at the established Town Centre and the proposed Local Centre in the PPC25 area (Warkworth North).</p>
BLIZ zoning	2.7 (Michael Cronin): the BLIZ is required to support employment growth and is contrary to “the wishes of the Community and the	FS1 (Goatley Holdings Ltd), supports the submission, and provides no reasons for that support.	<p>I disagree with submission point 2.7 and agree with FS1.</p> <p>While I acknowledge that the loss of BLIZ land would reduce Warkworth’s employment</p>

Matter	Submission point	Further submission point	My response
	recently developed Community Plan”.	<p>FS2 (Skywork Helicopters Ltd): supports the submission, and provides no reasons for that support.</p> <p>FS5 (Warkworth Land Company): opposes the submission on the grounds that a residential zoning is the most appropriate way to give effect to growth needs, that the area of land is unsuitable for industrial use due to the alignment of the MLR, road access and topography and that there is sufficient industrial zoned land outside of the precinct area.</p>	capacity the reduction would only be very small in scale, given the partial offset of home-based employment and the potential Northern Arena complex, the relatively small area of BLIZ affected, and the amount of live-zoned BLIZ provided for elsewhere in Warkworth. My response is predicated on the access difficulties being as described in the Tattico report (p35).
BLIZ zoning	9.2 (Goatley Holdings Ltd): the zoning pattern should more appropriately respond to the extent of live-zoned BLIZ land and provide a buffer between industrial activities and more sensitive residential activities	<p>FS2 (Skywork Helicopters Ltd): supports the submission, and provides no reasons for that support.</p> <p>FS5 (Warkworth Land Company): opposes the submission on the grounds that the submitter’s land is no longer suitable for light industry due to the alignment of the MLR, road access, and topography, but is suited to residential development. FS5 states that a buffer is not an efficient use of land, and is not necessary from an effects perspective.</p>	<p>I disagree with submission point 9.2 and FS2, and agree with FS5 insofar as they relate to the amount of BLIZ land, for the reason I provide above in response to submission point 2.7.</p> <p>Insofar as the more core issue identified in relation to submission point 9.2 (reverse sensitivity effects and buffers), I defer to planning experts on the appropriate zoning of the live-zoned BLIZ land, although note the applicant’s point that a no-complaints noise covenant is imposed on the properties rezoned from industrial to residential.</p>

Matter	Submission point	Further submission point	My response
BLIZ zoning	10.2 (Skywork Helicopters Ltd): all land affected by noise generated by Skyworks be zoned for non-residential uses.	<p>FS1 (Goatley Holdings Ltd), supports the submission, and provides no reasons for that support.</p> <p>FS5 (Warkworth Land Company): opposes the submission on the grounds that the zoning pattern proposed in PC40 is the most appropriate way to achieve regional and precinct objectives, is consistent with the Warkworth Structure Plan and non-residential uses are not necessary from an effects perspective.</p>	I disagree with submission point 10.2 and FS1, and agree with FS5, for the reasons I give in response to submission point 9.2.
Employment yield	15.5 (Mahurangi Community Sport and Recreation Collective Incorporated): The potential Northern Arena facility has not been endorsed by Northern Arena management.		I agree with submission point 15.5, and have noted above what I consider to be considerable uncertainty around whether the facility identified by the applicant will establish. If it does not, the employment yield associated with the Arena, that I have described earlier, would not eventuate, decreasing the mitigation of the loss of BLIZ land.

Conclusion

In my opinion there are two key economic issues arising from the PPC40 application, and neither the changed location of the neighbourhood centre from that anticipated in the Warkworth Structure Plan, nor the loss of Business - Light Industry zoned land are likely to result in anything more than minor adverse economic effects. I acknowledge the range of positive effects identified in the Colliers and PE reports, and I support PPC40 on economics grounds.

Memo (technical specialist report to contribute towards Council's section 42A hearing report)

29 June 2020

To: Ryan Bradley, Principal Planner, Auckland Council
Petra Burns, Planner, Auckland Council

From: Mark Lowe, Consultant Freshwater Ecologist, Morphem Environmental

Subject: Private Plan Change – Warkworth: Clayden Road (PC40) – Freshwater Ecology Assessment

1.0 Introduction

- 1.1 Morphem Environmental Limited (Morphum) has been engaged by Auckland Council to provide a technical assessment of the freshwater ecological effects in relation to a proposed private plan change.
- 1.2 The proposed plan change seeks rezoning of approximately 105 ha of land between State Highway 1 and Clayden Road from Future Urban and Business Light Industry to a mix of residential zones, as well as, Rural Countryside Living and Business – Neighbourhood Centre Zone.
- 1.3 This memorandum provides a review and assessment of the application material, as notified, from a freshwater ecological perspective. The adequacy of the supplied information and consistency with the policy direction of the Auckland Unitary Plan: Operative in Part (AUP:OP) is reviewed and assessed. Submissions and further submissions are also reviewed and assessed where they raise matters that relate to matters covered by this technical assessment.
- 1.4 This technical assessment specifically covers potential effects arising from activities in, on, under or over the bed of streams and wetlands, and the provisions of the proposed Plan Change in addressing those potential adverse effects. Assessment of stormwater quality and quantity and the effects of discharge on the freshwater environment are assessed by other Council specialists (Healthy Waters). Assessment of terrestrial Ecology effects is also assessed by other Council specialists (Rue Statham).
- 1.5 In writing this memo, I have reviewed the following documents:
 - Planning Report including section 32 assessment updated to include clause 23 requests: Warkworth Clayden Road: Plan Change Request to Auckland Unitary Plan. Prepared by Tattico Limited. Dated 19 December 2019. (Herein referred to as the 'Planning Report').
 - Letter: Private Plan Change 40: Modified Plan Change Request. Attention Council Officers and Submitters. Prepared by John Duthie. Dated 23 June 2020. Including the modified proposed Precinct Plan.
 - Warkworth Clayden Road Ecology Assessment. Prepared by Freshwater Solutions. Dated 9 October 2019. (Herein referred to as the 'Ecology Report').
 - Memorandum: Warkworth Clayden Road Private Plan Change Request – Clause 23 Ecological Response, Attention John Duthie. Prepared by Freshwater Solutions. Dated 13 December 2019.
 - Stormwater Management Plan: Clayden Road Warkworth. Prepared by Maven Associates. Dated 17 December 2019. (Herein referred to as the 'Stormwater Report').
 - Master planning Analysis. Prepared by A Studio Architects. Date unknown. (Herein referred to as the 'Master Planning Analysis').

- Memorandum: Warkworth Land Company: Clause 23, RMA further information request, Attention Peter Vari and Ryan Bradley. Prepared by Tattico. Dated 18 December 2019. (Herein referred to as the 's23 Response').
- 1.6 The applicant has prepared a Precinct Plan, including planning maps, as part of the application material.
 - 1.7 I have also reviewed the Warkworth Structure Plan prepared by Auckland. Dated June 2019.
 - 1.8 I undertook a site visit on 16 August 2019.

2.0 Key Freshwater Ecology Issues

- 2.1 The key freshwater ecology issues are summarised below, these are discussed further in section 5.
 - 2.1.1 Certainty regarding protection of high ecological value watercourses and watercourses protected by covenants and the consistent application of Precinct Plan provisions:

Some watercourses assessed as having existing high ecological values and subject to existing covenants are not clearly shown as 'retained stream and riparian enhancement' in Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2), including watercourses L1, L3, O, P and Q. While these streams are within existing covenants, for clarity and certainty of the application of the relevant Precinct Plan Provisions it is considered necessary to clearly indicate these watercourses as 'retained stream and riparian enhancement'.
 - 2.1.2 The anticipated watercourse reclamation within the Precinct Plan is inconsistent with the direction of the Warkworth Structure Plan:

The Warkworth Structure Plan seeks that all areas identified as 'Protection Areas (not for development)' are set aside from development including 10 m margins on all permanent and intermittent streams. This is supported by the National Policy Statement for Freshwater Management (NPS-FM), the Regional Policy Statement (RPS) and regional provisions of the AUP:OP. The Precinct Provisions do not adequately provide for this.
 - 2.1.3 Insufficient provision for the active enhancement of watercourses and riparian margins:

The Warkworth Structure Plan seeks that there is active restoration and protection of areas identified as 'Protection Areas (not for development)'. This is supported by the NPS-FM, RPS and regional provisions of the AUP:OP. The Ecology Report also highlights the opportunities for enhancement of freshwater values the active enhancement of riparian margins. It is considered that the Precinct Plan provisions could be strengthened and clarified to achieve the active enhancement of watercourses to be retained.
 - 2.1.4 Stream reclamation being proposed as a restricted discretionary activity:

The applicant has proposed that reclamation of streams and wetlands other than those shown on Precinct Plan IXXX.9.2 as a restricted discretionary activity (IXXX.4.1 (A1)). However, given the strong direction for the retention, enhancement and protection of all intermittent and permanent streams within the Warkworth Structure Plan, as well as, the RPS and AUP:OP the activity status of stream reclamation under the existing AUP framework is considered appropriate. Furthermore, the National Environmental Standards for Freshwater (NES-FW) which became operative (in part) on 3rd September 2020 make stream reclamation discretionary (section 57) and earthworks and diversion and drainage within a natural wetland a prohibited activity (section 53) where not having a separate activity status under sections 38 to 51. Therefore, the proposed activity statuses for A1 (and A2) from the activity table (IXXX.4.1) would be more lenient than the NES-FW, which is not provided for under section 6 of the NES.
- 2.2 There are also additional comments relating to the freshwater ecological assessment provided in section 5 below.

3.0 Applicant's Assessment

- 3.1 The assessment of freshwater values and effects was based on a desktop assessment for parts of the plan change area as presented in figures 2 of the Ecology Report (139 Clayden Road, Lot 3 DP 492431 Clayden Road, 17–19 Clayden Road and 157, 165, 171, 185, 207, 211, 223 Matakana Road).

The applicant considers that this is appropriate and adequate and has concluded that there are no ecologically important areas beyond those already identified or protected within the areas assessed by desktop. From a freshwater ecology perspective this is accepted.

- 3.2 The Ecology Report describes the freshwater environments within the proposed plan change boundaries (Section 7 of the Ecology Report). Noting, that some of this assessment was undertaken by desktop and viewing from neighbouring property boundaries, the descriptions are considered accurate and adequate to undertake an informed assessment of the ecological values of the proposed plan change area.
- 3.3 The Ecology Report assesses several actual or potential freshwater ecological effects as a result of the proposed plan change including means to manage these effects (section 10 of the Ecology report). In summary these are:

3.3.1 Modification and reclamation of natural watercourses and wetlands

Modification and reclamation have the potential to result in loss of habitat for fauna and have adverse effects on downstream hydrology. The Ecology Report proposed to address this effect through offsetting to ensure 'no-net-loss' of overall ecological function and values at the time of resource consenting, as well as, through proposed stormwater design.

3.3.2 Development construction effects

The Ecology Report notes that physical works has the potential to result in fine sediment discharging to downstream watercourses with associated effects on water quality, habitat and fauna. The Ecology Report proposed to address this effect through best practise construction practises and implementation of sediment control measures (determined at resource consenting stage).

3.3.3 Stormwater Effects

The Ecology Report states that the proposed land use change will increase catchment imperviousness and has the potential to alter hydrology and water quality in the downstream environment. The Ecology Report notes groundwater recharge and water quality as key considerations for the plan change. The Ecology Report proposes to address these effects through stormwater design including maintaining natural drainage patterns, stormwater treatment, detention and retention.

- 3.4 The Ecology Report provides comment on the proposed Precinct Plan, noting that the green network is somewhat reduced from that illustrated in the Warkworth Structure Plan due to the steep nature of the site. The Ecology Report concludes that overall the proposed Precinct Plan protects the majority of high value streams and vegetation within the proposed plan change area.

4.0 Statutory Considerations

- 4.1 Key Statutory Considerations relating to the matters of this technical assessment are summarised below. The NPS-FM, RPS and AUP:OP contain provisions that are relevant to the avoidance and management of adverse effects on freshwater systems, and the maintenance and enhancement of freshwater systems through development.
- 4.2 The NPS-FM (2020) includes provisions to safeguard ecological values and maintain or improve water quality, including:
- Freshwater is managed in a way that gives effect to Te Mana o te Wai

- Freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained [...]
 - There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.
 - The loss of river extent and values is avoided to the extent practicable.
 - The habitats of indigenous freshwater species are protected.
- 4.3 The Regional Policy Statement (RPS) includes a range of provisions that seek the loss of freshwater systems is avoided, adverse effects are managed, and enhancement of freshwater systems through development, including (but not limited to):
- B7.3.1(1) Degraded freshwater systems are enhanced.
 - B7.3.1 (2) Loss of freshwater systems is minimised.
 - B7.3.1 (3) The adverse effects of changes in land use on freshwater are avoided, remedied or mitigated.
 - B7.3.2 (1) Integrate the management of subdivision, use and development and freshwater systems by undertaking all of the following [...] avoiding development where it will significantly increase adverse effects on freshwater systems, unless these adverse effects can be adequately mitigated.
 - B7.3.2 (3) Promote the enhancement of freshwater systems identified as being degraded to progressively reduce adverse effects.
 - B7.3.2 (6) Restore and enhance freshwater systems where practicable when development, change of land use, and subdivision occur.
 - B7.4.1 (2) The quality of freshwater and coastal water is maintained where it is excellent or good and progressively improved over time where it is degraded
 - B7.4.2 (5) The adverse effects from changes in or intensification of land use on coastal water and freshwater quality are avoided, remedied or mitigated
 - B7.4.2 (6) Progressively improve water quality in areas identified as having degraded water quality through managing subdivision, use, development and discharges.
- 4.4 It is also noted that the RPS provides for an integrated and balanced approach whereby sustainable use of land and resources to provide for growth and development is allowed for when there is no practicable alternative and adverse effects are managed (B7.3.2 (4) and similarly B7.4.2 (1))
- 4.5 The regional provisions of the AUP:OP include various provisions to maintain and improve freshwater systems, avoid and manage adverse effects and to manage development that affects freshwater systems, including (but not limited to):
- E1.2. (1) Freshwater and sediment quality is maintained where it is excellent or good and progressively improved over time in degraded areas.
 - E1.3 (2) Manage discharges, subdivision, use, and development that affect freshwater systems to maintain or enhance water quality, flows, stream channels and their margins and other freshwater values [...]
 - E3.2 (2) Auckland's lakes, rivers, streams and wetlands are restored, maintained or enhanced.
 - E3.2 (6) Reclamation and drainage of the bed of a lake, river, stream and wetland is avoided, unless there is no practicable alternative.
 - E3.3 (2) Manage the effects of activities in, on, under or over the beds of lakes, rivers, streams or wetlands outside the overlays identified in Policy E3.3(1) by: (a) avoiding where practicable or otherwise remedying or mitigating any adverse effects on lakes, rivers, streams or wetlands; and (b) where appropriate, restoring and enhancing the lake, river, stream or wetland.

- E3.3(3) Enable the enhancement, maintenance and restoration of lakes, rivers, streams or wetlands.

5.0 Assessment of Freshwater Ecology Effects

5.1 The key freshwater ecology concerns as they relate to the proposed Precinct Plan provisions are outlined below. The concern is outlined, and any relief sought included. A summary of this sections is provided in Appendix 1 – Table 1.

5.2 Certainty regarding protection of high ecological value watercourses and watercourses protected by covenants and the consistent application of Precinct Plan provisions:

5.2.1 There is a concern that watercourses with existing protections (covenants and SEA overlays) and assessed as having high ecological values are not shown as 'retained stream and riparian enhancement' in Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2).

5.2.2 Watercourse L1, L2 and part of watercourse L3 are protected by existing covenants (as shown in figure 50 of the Ecology Report). As shown in figure 51 of the Ecology Report the watercourses have been assessed (by desktop and viewing from neighbouring property boundaries) as having moderate ecological value (L1 and L2) and a mixture of ecological values ranging from low to high (L3).

5.2.3 Watercourses L1, L2 and L3 are not fully shown as a 'retained stream and riparian enhancement' in Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2) despite the existing covenants and portion of stream assessed as having high value (L3).

5.2.4 Watercourses K3, O, P and Q are protected by existing covenants (as shown in figure 50 of the Ecology Report) and within a SEA overlay. As shown in figure 51 of the Ecology Report the watercourses have been assessed (by desktop and viewing from neighbouring property boundaries) as having high ecological values. The upper portion of watercourse N has also been assessed as having high ecological values.

5.2.5 Watercourse K3 is shown as 'retained stream and riparian enhancement' in Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2); however, despite the existing high ecological values, existing covenant and SEA, watercourses N, O, P and Q are not shown as retained stream and riparian enhancement'.

5.2.6 It is acknowledged that several of these watercourses are within existing covenants, however, for clarity and certainty of the application of the relevant Precinct Plan Provisions it is considered necessary to clearly indicate these watercourses as 'retained stream and riparian enhancement' in Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2).

5.2.7 Relief Sought:

Include watercourses L1, L2, L3, N, O, P and Q as 'retained stream and riparian enhancement' in Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2) and use symbology that clearly indicates this.

5.3 The anticipated watercourse reclamation within the Precinct Plan is inconsistent with the direction of the Warkworth Structure Plan:

5.3.1 Section 1.9 of the Planning report states: "*The main areas where the plan change request varies from the Structure Plan are [...] some streams identified on the Structure Plan are impacted by development and reclaimed*". The level of stream reclamation anticipated in the Precinct Plan is not consistent with the Warkworth Structure Plan which seeks that all areas identified as 'Protection Areas (not for development)' in the Structure Plan are set aside from development.

5.3.2 The Structure Plan provides a strong direction for the avoidance of watercourses identified on the Structure Plan maps as 'Protection Areas (not for development)', including the following wording (emphasis added):

- *"The Warkworth Structure Plan is built on the foundation of setting aside areas that are important for ecology, stormwater, heritage, and cultural values from any built urban development. These areas have been excluded from the development yield (they are assumed to have no dwellings or businesses on them)".*
- *"The plan change to implement the first stage of the structure plan will need to include specific provisions (not currently in the Auckland Unitary Plan) to ensure that all these areas are set aside from development".*
- *"Protection and enhancement of these areas through a future plan change is essential as the protection of these areas is the foundation on which the Warkworth Structure Plan is built".*

5.3.3 The Structure Plan recognises not only the potential value of intermittent headwater streams, but also the important ecosystem functional values they provide, including those relating to hydrological and biogeochemical processes, these values are understated in the application material.

5.3.4 Relevant statutory considerations are outlined above in section 4. Several of the provisions of the NPS-FM, RPS and AUP:OP relate to seeking the avoidance of reclamation.

5.3.5 Relief Sought:

That the areas identified within the Precinct Plan as 'retained streams and riparian enhancement' are more consistent with the Protection Areas (not for development)' in the Warkworth Structure Plan and the extent of any deviation is considered by the hearing panel.

5.4 Insufficient provision for the active enhancement of watercourses and riparian margins.

5.4.1 The Warkworth Structure Plan seeks that there is active restoration and protection of areas identified as Protection Areas (not for development)'. The Warkworth Structure Plan states:

- *"The green areas allow the creation of continuous 'green corridors' across the growth area which can be restored with riparian planting".*
- *"The Green Network should also be proactively restored (e.g. planting up floodplain areas and riparian margins with appropriate species) if the environmental outcomes sought are to be achieved".*
- *"There are currently limited mechanisms to require the active restoration of these areas (i.e. riparian planting etc). Again, the plan change to implement the first stage of the structure plan will need to include specific provisions to require active restoration measures in these areas".*
- *"Protect and enhance existing bush/natural areas and create ecological corridors linking the Future Urban zone to other ecological areas".*

5.4.2 The Ecology Report states: *"Most of the streams within the WLC site are currently unfenced and lack riparian vegetation" and "a programme of riparian planting would result in an increase in channel shade, woody debris inputs (e.g., potential instream habitat), improve streambank stability, encourage defined channel formation and improve overall ecological values."*

5.4.3 The Ecology Report also states: *"There is significant potential to enhance streams and wetlands within the plan change area through weed control, riparian planting, assigning suitable legal protection (i.e., covenant) and through increasing habitat connectivity and restoration of ecological corridors by minimising piping and reclamation of watercourses".*

- 5.4.4 Relevant statutory considerations are outlined above in section 4. Several of the provisions of the NPS-FM, RPS and AUP:OP relate to seeking the enhancement, maintenance and restoration of freshwater systems, including at the time of development, including land use change.
- 5.4.5 The Precinct Plan includes a policy (IXXX3 (11) to *“manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation to enhance in-stream values and avoid stream bank erosion”*. Policy (15) Requires subdivision and development to protect permanent streams and identified intermittent streams on Precinct Plan 2, while policy (16) seeks to enhance protected streams on Precinct Plan 2 through native planted riparian setbacks. However, it is noted that there does not appear to be a corresponding objective that these policies cascade from.
- 5.4.6 The Precinct Plan includes a Standard [IXXX.5.B] (Residential Subdivision Standard – Stormwater) which has a stated purpose of *“To assist in land stability and the ecology of streams”*. This standard requires: *“At least fifty percent of any riparian yard required under the zone provisions shall be planted in native vegetation”*.
- This standard could be strengthened by making reference to the areas of retained streams and riparian enhancement shown on Precinct Plan 1 (IXXX.9.1).
 - Given the objectives of the Structure Plan, the provisions of the NPS-FM, RPS and AUP:OP, and proposed policies 15 and 16 in the Precinct Plan; it is not clear why only 50% of the riparian yard should require planting. This review recommends that 100% of the riparian yard and areas identified as retained streams and riparian enhancement shown on Precinct Plan 1 (IXXX.9.1) should be planted where this would improve ecological values and not conflict with greenway access.
 - The proposed standard could be strengthened by making reference to the protection of retained streams and riparian margins.
- 5.4.7 The Precinct Plan matters of discretion for modification or reclamation of streams includes ‘riparian planting’ (IXXX7.1(3f)). However, no similar matter of discretion is provided for vacant lot subdivision.
- 5.4.8 The Precinct Plan includes assessment criteria for vacant lot subdivision for the extent to which the greenways shown on Precinct Plan IXXX.9.1 are vested to council at the time of subdivision. It is considered appropriate to also consider land covenants as a means to protect the areas shown as ‘retained stream and riparian enhancement’.
- 5.4.9 The Precinct Plan includes assessment criteria for stream modification and reclamation for the extent to which 10 m native riparian planting along each side of re-aligned streams (IXXX.7.2(3b)). It is noted that this only related to re-aligned streams and not all streams shown as ‘retained stream and riparian enhancement’ where riparian planting would enhance ecological values.
- 5.4.10 As the Precinct Plan is written, it is not clear if riparian enhancement required at the time of subdivision may form offset or compensation actions to address residual adverse effects; this may lead to confusion and inconsistency at later resource consenting stages. If the planting is required at the time of subdivision it may not necessarily be considered additional at the time of consenting. Additionality is a key principle of offsetting sought by national guidance¹ and Appendix 8 of the AUP:OP. The national guidance also outlines that to improve outcomes from environmental compensation actions, the offsetting principles should be followed as much as possible.

¹ Maseyk, F., Usser, G., Kessels, G., Christensen, M., Brown, M. (2018). Biodiversity Offsetting under the Resource Management Act: A guidance document

5.4.11 Relief Sought:

Indicate clearly within the Precinct Plan that:

- the active enhancement of retained streams is not to comprise any offset or compensation requirement for the reclamation of watercourses; and is an anticipated outcome at the time of subdivision.
- Include an objective that the proposed policies 15 and 16 cascade from.
- Strengthen and clarify Precinct Plan Standard [IXXX.5.B] (Residential Subdivision Standard – Stormwater to ensure the active restoration and protection of riparian margins for ecological values. For example:
 - Areas shown as 'retained stream and riparian enhancement' shall be planted with suitable native vegetation, to a width of at least 10 m on each bank, at the time of subdivision where this would improve ecological values and not conflict with greenway access.
 - All subdivision which includes areas of 'retained stream and riparian enhancement' shall be accompanied by a riparian enhancement plan that must give effect to objectives and policies that will facilitate the active restoration of riparian margins. The riparian enhancement plan shall be in accordance with Appendix 16 of the AUP:OP.
 - Areas shown as 'retained stream and riparian enhancement' shall be protected by way of land covenant or vested to council at the time of subdivision.

5.5 Stream reclamation being proposed as a restricted discretionary activity.

- 5.5.1 The applicant has proposed that reclamation or drainage of streams and wetlands not shown as retained on Precinct Plan IXXX.9.2 is a restricted discretionary activity (IXXX.4.1 (A1)). The applicant considers that the assessment criteria are very broad and essentially give the Council the same powers and discretion over ecology as it would have in terms of the Auckland-wide provisions (s23 Response). The applicant concludes that given the location of these non-identified streams, issues of landownership, and the breadth of assessment criteria, a restricted discretionary activity consent process is an appropriate method (s23 Response).
- 5.5.2 Relevant statutory considerations are outlined above in section 4. Several of these seek the avoidance of stream reclamation, however, recognise the need for growth and development and seek an integrated approach that manages adverse effects and realises maintenance and enhancement of freshwater systems.
- 5.5.3 It is the opinion of this reviewer that the existing AUP:OP and / or National Environmental Standards for Freshwater (NES-FW) framework are both adequate and suitable to assess any future resource consents for stream reclamation within the proposed precinct. The objectives and policies relating to stream reclamation in the AUP:OP also align with the overall objectives and policies in the Warkworth Structure Plan in this regard, as well as, the RPS and NPS-FM. Given the strong direction for the retention, enhancement and protection of all intermittent and permanent streams within the Warkworth Structure Plan, the non-complying activity status of stream reclamation under the existing AUP:OP framework is considered appropriate. However, as noted below wetland reclamation is now (under certain situations) prohibited under the NES-FW.
- 5.5.4 It is noted that reclamation of streams is a discretionary activity under the NES-FW (section 57) which become operative in part on 3rd September 2020.
- 5.5.5 Furthermore, while the proposed activity statuses for A1 from the activity table (IXXX.4.1) does not explicitly refer to wetlands, it is understood the intent is for it to replace A48 and 49 from the activity table E3.4.1 in the AUP:OP and would therefore also encompass

wetland reclamation. Wetland reclamation is signalled in the application documents including wetlands identified in reaches 'B', 'G', 'H' and 'J'.

- 5.5.6 The NES-FW makes earthworks and diversion and drainage within a natural wetland a prohibited activity (section 53) where not having a separate activity status under sections 38 to 51, including for 'specified infrastructure'.
- 5.5.7 It is understood that the proposed development does not meet the definition of 'specified infrastructure' in the NES-FW (it is not a "lifeline utility", not identified as regionally significant in the RPS or Regional Plan, and not for flood control).
- 5.5.8 Therefore, the proposed activity statuses for A1 from the activity table (IXXX.4.1) would be more lenient than the NES-FW, which is not provided for under section 6 of the NES. The proposed activity status for A2 from the activity table (IXXX.4.1) would also be more lenient than the NES-FW with respect to wetland reclamation.
- 5.5.9 Also, of note, the s23 response states that the Precinct Plan "*identifies primary streams for protection and makes modification or reclamation of these streams a non-complying activity*". However, IXXX.4.1 (A1) and (A2) only makes reference to reclamation and drainage (not modification or diversion).
- 5.5.10 The matter of discretion for modification or reclamation of streams (IXXX.7.1(3)) refers to 'offset mitigation' this is not a recognised term under the AUP:OP or the nation guidance for offsetting under the RMA². 'Offset' and 'mitigation' are separate terms with different meanings within the effects management hierarchy. The use of the term 'offset mitigation' may lead to confusion and inconsistency at later resource consenting stages.
- 5.5.11 The assessment criteria IXXX.7.2(3) (Stream modification of reclamation) refers to "The ecological classification of the underlying stream is maintained". It is not clear what is intended by this statement. Also, the introduction for the assessment criteria (IXXX.7.2) states: "*The Council will consider the relevant policies identified below for controlled activities*", yet stream reclamation is proposed as either a non-complying or restricted discretionary activity under the Precinct Plan.
- 5.5.12 Relief Sought:
- Rely on the existing AUP:OP and / or NES-FW provisions for managing any future proposed reclamation at a resource consent stage.
- Remove A1 and A2 from the activity table (IXXX.4.1) from the Precinct Plan.
- Remove matters of discretion IXXX.7.1(3) (Modification or reclamation of streams) from the Precinct Plan.
- Remove assessment criteria IXXX.7.2(3) (Stream modification of reclamation) from the Precinct Plan.

5.6 The following are additional comments on aspects of the application material.

5.7 Effects on baseflows in retained downstream watercourses:

- 5.7.1 Reclamation of headwater watercourses, vertically diverting watercourses and increasing catchment imperviousness has the potential to reduce infiltration and baseflows within the retained downstream reaches. This reduction in baseflows can increase the impacts of contaminants within the watercourse and reduce the spatial and temporal extent of wetted habitat for fauna.
- 5.7.2 The Ecology Report notes that: "*The maintenance of groundwater to maintain base flows is important with respect to watercourses within the site or they may become water short during*

² Maseyk, F., Usser, G., Kessels, G., Christensen, M., Brown, M. (2018). Biodiversity Offsetting under the Resource Management Act: A guidance document

various times of the year". The effects of possible future reclamation of streams on downstream baseflows is proposed to be managed through stormwater design. The ecology report concludes that: *"given the proposed stormwater design in place it would appear that the level of development/stream and wetland loss proposed can be managed to ensure stream baseflows in the lower catchment are maintained."*

5.7.3 However, as noted in the Stormwater Report, *"the presence of low permeability ultic clays in the structure plan area may preclude the use of infiltration devices in some areas"*. Furthermore, borehole logs provided indicate clay or silty clay/clayey silt type soils which will have low recharge. This limits the use of infiltration as a means to maintain baseflows.

5.7.4 Therefore, while the impacts on downstream baseflows are proposed to be mitigated to the extent practicable using current best practise stormwater management, the reclamation of headwater watercourses, vertically diverting watercourses and increasing catchment imperviousness still has the potential to result in residual adverse effects on the baseflows of the downstream retained streams.

5.8 Positive effects of culvert removal

5.8.1 The Ecology Report States: *"The removal of existing farm culverts would increase the amount of natural stream habitat and improve fish passage for native diadromous fish"*. This comment needs to be considered in light of the increased culverting as a result of the proposed road network. Furthermore, watercourses, where the existing farm culverts are situated, are proposed to be reclaimed. Therefore, the removal of these farm crossings is in practice not going to improve fish passage, provide more natural stream channel, or increase the amount of natural stream habitat available. Therefore, the comment provide within the Ecology Report is considered to overstate the positive benefits.

5.9 Potential value of intermittent streams

5.9.1 The Ecology Report states: *"The sections of stream located outside the proposed green network are typically those located within the upper reaches of the catchment which have low current ecological values, being located in highly modified areas of grazed pasture. These sections of stream have moderate potential restorative value due to their damaged state and naturally water short nature"*. This assessment neglects to identify the important ecosystem functions that intermittent streams play in maintaining hydrology in downstream reaches and chemical and sediment ecosystem services. Furthermore, it is not supported that the intermittent nature of these reaches and current state lessens the restoration potential of these watercourses.

5.10 Mapped Artificial Watercourses

5.10.1 It is noted that the Ecology Report classifies and maps watercourses. A detailed review of the watercourse classification, including field verification, has not been undertaken as part of the technical assessment of this PPC request. It is considered this level of review is more appropriately undertaken at a resource consent stage should it be required.

6.0 Submissions

6.1 Plan Change 40 (Warkworth: Clayden Road Precinct) has been publicly notified and a number of submission relevant to the matters discussed in this technical assessment have been received.

6.2 Submitter #07, Auckland Council, supports the plan change subject to a series of amendments. Relevant to the technical matters in this assessment, the amendment sought seek to:

- maintain and enhance the values of the receiving environments.
- improve water quality in streams and prevent erosion and sediment loading.
- be more consistent with the 'green network' as shown in the Warkworth Structure Plan.

- achieve the ecological and biodiversity enhancements sought in the adopted Warkworth Structure Plan and relevant regional policy statement outcomes of the Auckland Unitary Plan.
- 6.3 Submitter #13, QEII National Trust, supports the plan change subject to a series of amendments. Relevant to the technical matters in this assessment, the amendments sought seek to provide further objectives and policies relating to effects on indigenous biodiversity and amend the zoning within the QEII covenants.
- 6.4 Additionally, Submitter #11, Warkworth Land Company, supports the plan change subject to a series of amendments. The amendments sought relate to the proposed stormwater provisions following discussions with Auckland Council Health Waters. While the specific provisions will be assessed in detail by Healthy Waters, it is acknowledged that the stormwater runoff has the potential to cause adverse effects on freshwater ecology, though impacts on water quality and quantity (peak velocities and reduced base flows).
- 6.5 The submission points and my technical position are provided in Appendix 2 – Table 2

7.0 Further Submissions

- 7.1 Further submission #4, White Light Trust, and further submission #5, Warkworth Land Company have responded to the submission points discussed in the above section and relate to the matters considered in this technical assessment.
- 7.2 The further submission positions, and my technical position and reasoning are provided in Appendix 2 – Table 2. The reasons for support or opposition provided by the further submissions are the same for both further submissions.

8.0 Conclusions and Recommendations

- 8.1 The Ecology Report describes the freshwater environments within the proposed plan change boundaries, the descriptions are considered accurate and adequate to undertake an informed assessment of the ecological values of the proposed plan change area.
- 8.2 The Ecology report summarises the actual or potential freshwater ecological effects as a result of the proposed plan change as:
- Modification and reclamation of watercourses and wetlands, with the potential to result in loss of habitat for fauna and have adverse effects on downstream hydrology.
 - Construction and physical works which has the potential to result in fine sediment discharging to downstream watercourses with associated effects on water quality, habitat and fauna.
 - An increase catchment imperviousness and has the potential to alter hydrology and water quality in the downstream environment.
- 8.3 This Technical Assessment identifies several key areas of concern with the proposed plan change provisions, including:
- The certainty regarding protection of high ecological value watercourses and watercourses protected by covenants and the consistent application of Precinct Plan provisions.
 - The anticipated watercourse reclamation within the Precinct Plan being inconsistent with the direction of the Waterworth Structure Plan.
 - Insufficient provision for the active enhancement of watercourses and riparian margins.
 - Stream reclamation being proposed as a restricted discretionary activity.
- 8.4 The relief sought to address each of these concerns is discussed in this technical assessment and summarised within Appendix 1 (Summary of Areas of Concern and Relief Sought). Overall, this technical assessment supports the plan change with the modifications outlined.

8.5 A number of submission and further submissions relevant to the matters discussed in this technical assessment have been received. My technical position on these submissions and further submissions are provide in Appendix 2 (Summary of Relevant Submissions and Further Submissions).

Appendices

Appendix 1. Summary of Areas of Concern and Relief Sought

Table 1: Relief Sought

Area of Concern	Relief Sought	Reasoning
<p>Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2)</p> <p>Certainty regarding protection of high ecological value watercourses and watercourses protected by covenants, and the consistent application of Precinct Plan provisions.</p>	<p>Include watercourses L1, L2, L3, O, P and Q as 'retained stream and riparian enhancement' in Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2) and use symbology that clearly indicates this.</p>	<p>While these streams are within existing covenants, for clarity and certainty of the application of the relevant Precinct Plan provisions it is considered necessary to clearly indicate these watercourses as 'retained stream and riparian enhancement'.</p>
<p>Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2)</p> <p>The anticipated watercourse reclamation within the Precinct Plan is inconsistent with the direction of the Warkworth Structure Plan, NPS-FM RPS and regional provisions of the AUP:OP.</p>	<p>That the areas identified within the Precinct Plan as 'retained streams and riparian enhancement' are more consistent with the Protection Areas (not for development) in the Warkworth Structure Plan and the extent of this deviation is considered by the hearing panel.</p>	<p>To be consistent with the NPS-FM, RPS and regional provisions of the AUP:OP and achieve the outcomes sought by the Warkworth Structure Plan.</p>
<p>Standards (IXXX6).</p> <p>Strengthening and clarifying provisions for the active enhancement of watercourses.</p>	<p>Indicate clearly within the Precinct Plan that the active enhancement of retained streams is not to comprise any offset or compensation requirement for the reclamation of watercourses and is an anticipated outcome at the time of subdivision.</p> <p>Strengthen and clarify standards (IXXX.6) directly relating to the areas identified as 'retained stream and riparian enhancement' to ensure the active restoration and protection of riparian margins for ecological values.</p>	<p>To not be inconsistent with the NPS-FM, RPS and regional provisions of the AUP:OP and achieve the outcomes sought by the Warkworth Structure Plan</p>
<p>(IXXX.4.1 (A4)) and (IXXX.4.1 (A5)); (IXXX.7.1(3)); (IXXX.7.2(3)).</p> <p>The appropriateness of stream reclamation being a restricted discretionary activity.</p>	<p>Rely on the existing AUP:OP and / or NES-FW provisions for managing any future proposed reclamation at a resource consent stage.</p> <p>Remove A4 and A5 from the activity table (IXXX.4) from the Precinct Plan.</p> <p>Remove matters of discretion IXXX.7.1(3) (Modification or reclamation of streams) from the Precinct Plan.</p>	<p>The non-complying status of stream reclamation within the AUP:OP framework is considered appropriate given the direction for the retention, enhancement and protection of intermittent and permanent streams within the Warkworth Structure plan, as well as, the NPS-FM and RPS.</p>

Area of Concern	Relief Sought	Reasoning
	Remove assessment criteria IXXX.7.2(3) (Stream modification of reclamation) from the Precinct Plan.	

Appendix 2. Summary of Relevant Submissions and Further Submissions

Table 2: Summary of Relevant Submissions

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
7.6 Auckland Council	It is sought for the precinct to be more consistent with the 'green network' shown in the Warkworth Structure Plan.	<p>Support submission:</p> <p>From reviewing the Warkworth Structure Plan, the green network referred to in the submission includes the areas identified as 'Protection Areas (not for development)' in the Structure Plan. This submission raises similar concerns discussed in this technical assessment which covers the level of stream reclamation anticipated in the Precinct Plan not being consistent with the Warkworth Structure Plan.</p> <p>The Structure Plan considers the protection and enhancement of these areas through a future plan change as essential and recognises not only the potential value of intermittent headwater streams, but also the important ecosystem functional values they provide, including those relating to hydrological and biogeochemical processes.</p> <p>Avoidance of stream reclamation is also sought by various provisions of the RPS and regional provisions of the AUP:OP.</p>	FS4 and FS5 Oppose	<p>Support submission 7.6</p> <p>Submission 7.6 seeks the proposed prescient plan be more consistent, not necessarily the same, as the Structure Plan.</p> <p>Reclamation of ephemeral streams is a permitted activity under chapter E3 of the AUP:OP. The reclamation anticipated under the proposed plan also include intermittent streams which the Structure Plan recognises for the important ecosystem functional values they provide, including those relating to hydrological and biogeochemical processes.</p>

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
7.8 Auckland Council	It is sought to amend Plan Change 40 to achieve the ecological and biodiversity enhancements sought in the adopted Warkworth Structure Plan and relevant regional policy statement outcomes of the Auckland Unitary Plan.	<p>Support submission:</p> <p>While the submission does not specify the exact nature of the amendments sought, the intent of the amendments sought is supported. With reference to freshwater ecology and biodiversity this submission raises similar concerns discussed in this technical assessment which considers the proposed Precinct Plan standards could be strengthened and clarifies to ensure the active restoration and protection of riparian margins for ecological values.</p> <p>This technical assessment also considers there is insufficient provision in the proposed plan for the active enhancement of watercourses including riparian planting where this would improve ecological values.</p>	<p>FS4 and FS5 Oppose</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought "to achieve ecological and biodiversity enhancements" and "relevant regional policy statement outcomes".</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	<p>Support submission 7.8</p> <p>While the submission does not specify the exact nature of the amendments sought, the intent of the amendments sought is supported for the reasons outlined in this technical assessment.</p>

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
7.16 Auckland Council	Amend the precinct to ensure ten metre riparian planting along streams as indicated on Precinct Plan 2 are implemented through the development process and to clarify ownership and ongoing management.	<p>Support submission:</p> <p>This technical assessment also considers there is insufficient provision in the proposed plan for the active enhancement of watercourses including riparian planting where this would improve ecological values.</p> <p>This submission is supported as it also seeks the Precinct Plan provide more certainty regarding the mechanisms for active enhancement and ongoing maintenance of all streams and riparian margins shown on Precinct Plan 2 (notwithstanding submission point 7.6 seeks the inclusion of more streams within the 'retained streams' shown on the Precinct Plan).</p> <p>It is considered appropriate to amend the proposed plan to include objectives, policies and standards that more explicitly seek riparian planting where this would improve ecological values.</p>	<p>FS4 and FS5 Oppose</p> <p>The Plan Change does not propose to alter the AUP provisions as they relate to the streams in the precinct area and it is anticipated that future resource consent applications will need to address the relevant riparian matters as set out in the Unitary plan for all zones.</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought to address riparian planting.</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	<p>Support submission 7.8</p> <p>This technical assessment considers there is insufficient provision in the proposed plan for the active enhancement of watercourses including riparian planting where this would improve ecological values.</p> <p>While Council's specific concerns or any relief sought may not be clear, it is considered appropriate to amend the proposed plan to strengthen and clarify the standards relating to riparian planting where this would improve ecological values. Further recommendations are made within this technical assessment.</p>

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
7.22 Auckland Council	Amend the proposed precinct provisions to remove introduced activities in the Residential - Mixed Urban zone activity table with different activity classifications to zonal and Auckland-wide activities that continue to apply. For example, stream reclamation is proposed as a restricted discretionary activity at activity (A4) and a non-complying activity under the operative Auckland-wide rules in the AUP.	Support submission: This submission raises similar concerns discussed in this technical assessment Given the strong direction for the retention, enhancement and protection of all intermittent and permanent streams within the Structure Plan, the provisions of the RPS and regional provisions of the AUP:OP, the non-complying activity status of stream reclamation under the existing AUP framework is considered appropriate and the requirement for an alternative activity status under this Precinct Plan is not adequately provided.	FS4 and FS5 Oppose The AUP has extensive provisions relating to the protection of streams. The precinct-specific changes proposed in the Plan Change are necessary and appropriate in the context of this Plan Change. A restrictive discretionary activity status is proposed with broad matters of discretion and assessment criteria that give the Council full powers to assess any application.	Support submission 7.22 For the reasons outlined in response to the submission.

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
7.23 Auckland Council	<p>Amend the proposed precinct provisions to create an implementation mechanism for proposed standards that are presently unrelated to activities, and whose implementation is uncertain, for example:</p> <p>[...]</p> <p>iii. the absence of a mechanism in the precinct to require restoration planting of the 'Green network' as shown on Precinct Plan 2.</p>	<p>Support submission:</p> <p>As the Precinct Plan is written, it is not clear that riparian enhancement should be provided through subdivision and the activity standard requiring 10 m native riparian planting is restricted to <u>re-aligned streams</u>, not all streams.</p> <p>This submission is supported as it seeks the Precinct Plan provide more certainty regarding the mechanisms for active enhancement and ongoing maintenance of all streams shown on Precinct Plan 2.</p>	<p>FS4 and FS5 Oppose</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought to create implementation mechanisms for the proposed standards.</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	<p>Support submission 7.23:</p> <p>For the reasons outlined in response to the submission.</p> <p>While Council's specific concerns or any relief sought may not be clear, this technical assessment outlines several areas where relief is sought in relation to additional provisions to provide further clarity.</p>

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
7.31 Auckland Council	Amend the precinct provisions to achieve consistent recognition of, and provision for, high natural values; and ensure proposed zoning, SEA layers, precinct methods and Precinct Plans align. Tensions exists between the proposed zoning, and Precinct Plan 2's recognition of covenanted land with zoning promoting residential intensification proposed for land subject to and surrounding a Queen Elizabeth II covenant.	<p>Support in part submission 7.31:</p> <p>The proposed Plan Change areas includes areas of high ecological value, as recognised by the exiting QEII covenants and SEA overlays.</p> <p>The Ecology Report concludes that overall the proposed Precinct Plan protects the majority of high value streams and vegetation within the proposed plan change area.</p> <p>Further consideration of zoning proposed for the areas of high ecological values is supported, including zoning the SEA, covenant areas and 'retained stream and riparian enhancement' areas' as Open Space.</p> <p>It is noted that it is a Controlled activity to undertake vegetation alteration or removal within a SEA for a building platform and access way for one dwelling per site E15.4.2 (A29) and that the SEA overlay policies include vegetation removal necessary to provide for a dwelling on a site (D9.3 (5e)).</p>	<p>FS4 and FS5 Oppose (<i>FS5 position wording is similar but not identical</i>)</p> <p>Insufficient information has been provided by the Council as to what additional provisions are being sought to create consistent recognition of SEAs and land subject to Trusts. The WLT understanding is that QEII land is appropriately shown on the Precinct Plan 2, but in any case, WLT land is not subject to any QEII covenant. The AUP clearly identifies what is allowed to be carried out within a SEA (within overlay D9).</p> <p>It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	<p>Support in part submission 7.31:</p> <p>For the reasons outlined in response to the submission.</p> <p>While Council's specific concerns or any relief sought may not be clear, further consideration of zoning proposed for the areas of high ecological values is considered warranted (including SEAs, Covenants and areas for riparian margins to be protected and/or enhanced).</p>

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
13.1 QEII	Amend the proposed zoning of the QEII covenanted land from Residential - Mixed Housing Urban and Residential - Mixed Housing Suburban to a more appropriate zone	<p>Support in part submission 7.31:</p> <p>The proposed Plan Change areas includes areas of high ecological value, as recognised by the exiting QEII covenants and SEA overlays.</p> <p>The Ecology Report concludes that overall the proposed Precinct Plan protects the majority of high value streams and vegetation within the proposed plan change area.</p> <p>Further consideration of zoning proposed for the areas of high ecological values is supported, including zoning the SEA, covenant areas and 'retained stream and riparian enhancement' areas' as Open Space.</p> <p>It is noted that it is a Controlled activity to undertake vegetation alteration or removal within a SEA for a building platform and access way for one dwelling per site E15.4.2 (A29) and that the SEA overlay policies include vegetation removal necessary to provide for a dwelling on a site (D9.3 (5e)).</p>	<p>FS4 and FS5 Oppose</p> <p>Does not agree that the QEII covenanted land should be rezoned to a less intensive residential zoning. The proposed zoning is appropriate and necessary to provide for growth in Warkworth North. The Plan Change provisions, together with the Auckland-wide provisions that apply (in particular chapters D9 and E15) and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated. Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the Significant Ecological Area (SEA) overlay. The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within an SEA as a Discretionary Activity).</p>	<p>Support in part submission 7.31:</p> <p>For the reasons outlined in response to the submission.</p> <p>While the protections offered by the AUP for SEA overlays and the QEII covenant are noted, further consideration of zoning proposed for the areas of high ecological values is considered warranted</p>

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
13.4	Amend the proposed precinct provisions to include an objective to the effect of "Ensure effects of development do not compromise indigenous biodiversity".	<p>Neutral on submission 13.6:</p> <p>The proposed objective as written may not be achievable or compatible. An objective that seeks appropriate management of adverse effects on indigenous biodiversity through the effect's management hierarchy may be more appropriate. Furthermore, it is noted that proposed policies 15 and 16 appear to lack a corresponding objective from which they cascade.</p>	<p>FS4 and FS5 Oppose</p> <p>Does not agree that an additional objective regarding indigenous biodiversity is necessary or appropriate. Part of the QEII covenanted land within the precinct is already a Significant Ecological Area (SEA) and the Auckland-wide provisions relating to SEAs will apply. The Auckland-wide provisions in chapter E15 will also be relevant to development outside the SEA. Introduction of an additional objective when this matter is adequately covered by the Auckland-wide provisions will cause unnecessary duplication and is not necessary or appropriate. The Plan Change provisions, together with the Auckland-wide provisions in chapter D9 and E15 and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated. In particular Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the SEA overlay. The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within an SEA as a Discretionary Activity).</p>	<p>Neutral on submission 13.6:</p> <p>For the reasons outlined in response to the submission.</p> <p>The protections offered by the AUP for SEA overlays and the QEII covenant are noted.</p>

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
13.5	Amend the proposed precinct provisions to include a policy to the effect of "Protect and enhance existing indigenous biodiversity vegetation within the area, ensuring that effects on indigenous biodiversity are avoided."	Neutral on submission 13.6: Proposed policies 15 and 16 seek to protect and enhance the streams identified on Prescient Plan 1. However, it is considered that the corresponding standards could be strengthened and clarified. Full avoidance of effects on indigenous biodiversity through development is not practical and forms of mitigation and offsetting are likely to also be required.	FS4 and FS5 Oppose For reasons noted in 13.4	Neutral on submission 13.6: For the reasons outlined in response to the submission. The protections offered by the AUP for SEA overlays and the QEII covenant are noted.

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
13.6	<p>Amend the proposed precinct provisions to include further Matters of discretion for Vacant lot subdivision as follows:</p> <p>(i) Proposed measures to manage pest plants and animals affecting indigenous biodiversity"</p> <p>(ii) Proposed measures to manage sediment and stormwater to avoid impacts on indigenous biodiversity"</p>	<p>Support in part submission 13.6:</p> <p>Where vacant lot subdivision will result in the enhancement and/or protection of riparian margins of retained streams, the measures proposed to manage pest plants and animals within those enhanced and/or protected areas should be a matter of discretion. Similarly, the measures to manage sediment and stormwater effects of indigenous biodiversity should also be a matter of discretion</p>	<p>FS4 and FS5 Support in part</p> <p>Oppose (i) for same reasons noted for 13.4 and 13.5</p> <p>Support (ii): Does agree that the provisions that relate to stormwater should be strengthened and supports the inclusion of "stormwater management" as an additional matter of discretion for subdivision</p>	<p>Support in part submission 13.6:</p> <p>For the reasons outlined in response to the submission.</p>

Memo

27/08/2020

To: Petra Burns
cc: Paul Klinac & James Corbett, Engineering & Technical Services
From: Ross Roberts
Subject: Warkworth North PPC40 – Geotechnical Specialist Report
Project: GEO00128 - Warkworth North Clayden Road Private Plan Change
Status: Final
Document ID: AKLC-1201561183-435

Version: 0

1 Introduction

This memo presents the findings of my review of Private Plan Change 40.

1.1 Description of the proposal

The Warkworth North Precinct is located between State Highway 1 and Matakana Road north of the Warkworth Showgrounds. A Private Plan Change (PPC40) has proposed amendments to the zoning.

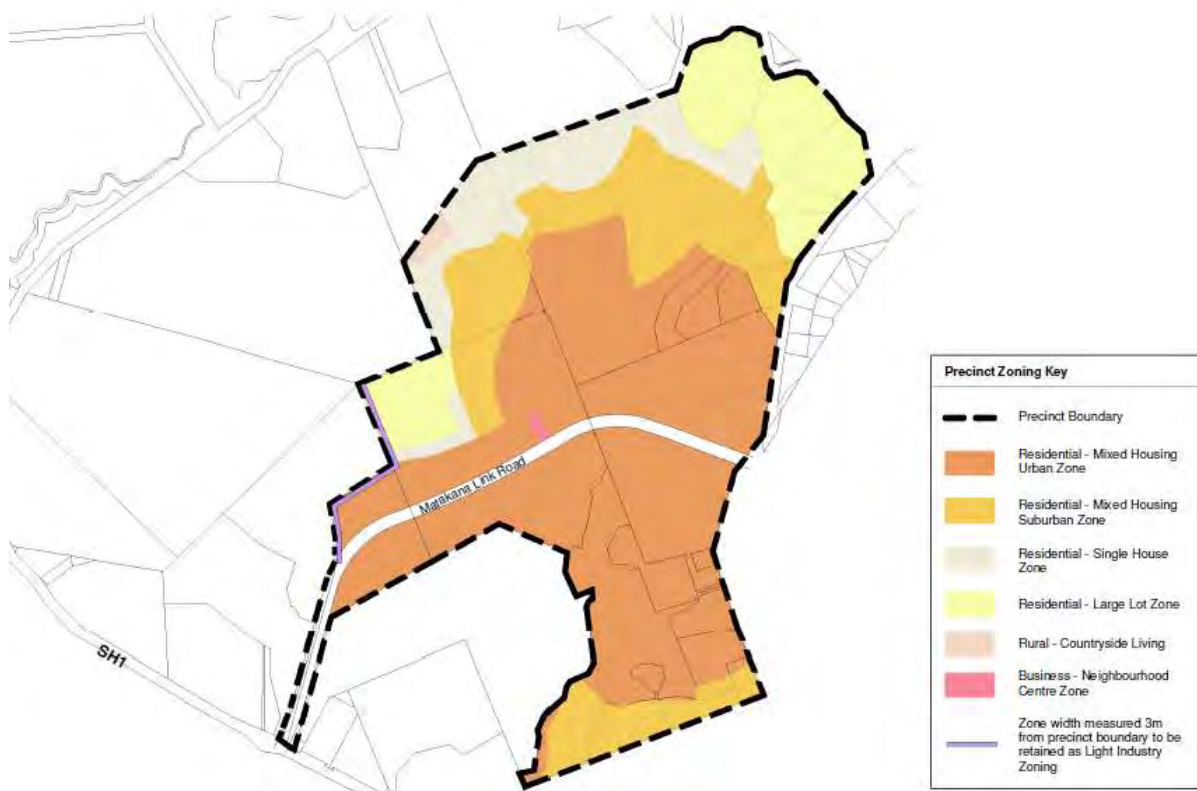


Figure 1: Site location and proposed zones

The site is to be subdivided into a series of residential lots with associated access roads.

The geotechnical reports indicate cut and fill depths of up to 17.5m and 13.6m respectively across the site. The finished design levels across the site generally show gradients of approximately 7 degrees to the horizontal (contour of 1V:8H), with localised steeper slopes.

The Matakana Link Road bisects the proposed subdivision from SH1 in the south west to Matakana Road in the east.

1.2 Scope

I have undertaken a review of the application on behalf of Auckland Council in relation to geotechnical effects. This memo is one of several reports that have been prepared on a range of technical topics relevant to the consent application. Groundwater and contamination are dealt with in other reports.

For this memo I have reviewed site specific geotechnical information and analysis made available by the applicant, information in the public domain, and undertook a site inspection on Friday 16 August 2019 in the presence of the applicant and their geotechnical specialists from CMW to gain a better understanding of the site and its context.

1.3 Author

I am Auckland Council's Geotechnical and Geological Practice Lead. I have nearly twenty years' experience as an engineering geologist. I have a bachelor's degree in geology from the University of Edinburgh and a masters' degree in Engineering Geology from the University of Newcastle. I am registered as a Professional Engineering Geologist (PEngGeol ref 1013605) with Engineering New Zealand and as a Chartered Geologist (CGeol ref 1008376) with the Geological Society of London. I am chair of the New Zealand Geotechnical Society, and have lectured at the University of Auckland and UNITEC on geotechnical investigations and natural hazards. I am the New Zealand representative on the International Society for Soil Mechanics and Geotechnical Engineering Technical Committee 208 on Slope Stability.

1.4 Purpose and limitations

This memo is provided expressly for advising Auckland Council Resource Consents and Auckland Council Plans & Places. It is not intended to be used or copied in whole or part for other audiences or purposes without the prior approval of Auckland Council Engineering and Technical Services.

1.5 References

In preparing this memo I have considered the following documents:

- Private Plan Change 40 modified request. 20 August 2020 v32

- PPC40 Attachment G, Infrastructure Report, Maven Consultants
- PPC40 Attachment I, Geotechnical Assessment, CMW Geosciences ref AKL2018-0228AC Rev 04, 8 October 2019
- PPC40 Attachment J, Geotechnical Assessment, CMW Geosciences ref AKL2018-0228EA Rev 1, 14 October 2019

2 Key geotechnical issues

I have identified the key geotechnical issue as slope stability. There are numerous indicators of instability in the terrain, with the most concerning aspect being a relict debris flow.

3 Applicant's assessment

3.1 Geotechnical reports

Two geotechnical reports are provided. Attachment I, dated 8 October 2019, addresses the north and west of the site. Attachment J, dated 14 October 2019, is limited to 245 Matakana Road (Lot 1 DP 101758).



Figure 2: Left: Extent of geotechnical reporting (area outlined in red is Attachment I, area outlined in blue is Attachment J.

Right: The proposed precinct boundary outlined in black dashed line.

As shown in figure 1, the proposed precinct is larger than the area covered by the two geotechnical reports.

The applicant has undertaken a detailed ground investigation, supported by the very extensive investigations already undertaken for the Matakana Link Road. They have undertaken a study of the geomorphology from aerial photography and site inspections.

3.2 Slope stability

CMW Geosciences have assessed the slope stability and identified that:

“This will likely require a number of shear keys in the lower site areas to support the upslope development, keyed into less weathered soil materials at depth. Along the southern boundary some low height retaining or Mechanically Stabilised Earth (MSE) walls will be required to heights of up to approximately 4m.

Shear keys or ground improvement will be required within the southern portion of the site within the unstable Northland Allochthon geology. These will need to be appropriately designed during the detailed design phase and will need to be carefully integrated with the proposed MLR earthworks. Several steep cuts are also proposed along the northern boundary, offset from the natural ridgeline. These cuts will require retaining walls or MSE walls to heights of up to approximately 9m in order to support the upslope land and properties.”

They conclude that:

“Overall, slope instability is considered to be the most significant geotechnical risk for this development, with the principal drivers for instability being the Northland Allochthon geology in the southwest corner, and steeper contour and groundwater pressures within the Pakiri Formation residual soils. These will be addressed by a combination of re-grading and re-working of any existing instability features as part of development earthworks including the provision of shear keys, piles, deep groundwater drainage and other standard geotechnical solutions.

It is also anticipated that retaining walls will be required between lot boundaries on extensive portions of the site to account for the site gradients and accommodate the development of typical dwellings.”

The geotechnical reports note that the Matakana Link Road (MLR) construction will precede the subdivision, and will include piles to stabilise slopes below the road. The geotechnical report states:

“This potential instability will be addressed in collaboration with the MLR designers and Auckland Transport to ensure the stability of both the road and the subdivision development.”

CMW Geosciences also note:

“As depicted on the Geomorphology Plan, almost the entire area of the land parcel that is zoned as Countryside Living and is accessed off Goatley Road is incorporated in large, deep seated instability and accordingly the development proposals do not depict re-development of this area.”

3.3 Liquefaction

The geotechnical reports indicate that there is some potential for liquefaction in limited areas of the site. This is reported as:

“Only the alluvial deposits present within the gullies would be considered susceptible to liquefaction based on the geological age of the deposits. Further analysis is required to quantify this risk, however based on our test pitting and geological review it is considered unlikely that there is any significant risk of liquefaction on this project.”

3.4 Settlement

The applicant’s geotechnical specialists noted that:

“settlement is not considered to be a high risk hazard for the majority of this site, but where significant depths of filling are to be placed, they will need to be properly benched out, drained and filled. Settlement monitoring will also be required during construction to monitor any settlement that may occur.”

3.5 Summary

The applicant’s geotechnical specialists concluded that:

“based on a review of the data available it is considered that the proposed residential subdivision is geotechnically feasible assuming the full range of remedial earthworks solutions such as development earthwork contouring, shear keys, buttress fills, ground water drainage and similar are available for use on the site.”

4 Submissions

No submissions have been identified as including comments that are relevant to this technical memo.

5 Assessment of geotechnical effects

I consider that the methodology used in the applicant’s assessment is appropriate. However, the two geotechnical reports do not explicitly cover the full precinct area. This should be acceptable in this case because:

- The geology is not likely to vary significantly in the relatively small areas not explicitly covered by the reports.
- The areas not covered by the reports are generally not zoned for development (e.g. protected bush)

The applicant has identified that the area zoned for Countryside Living is unstable. I support this and recommend that this zone be identified in the precinct as subject to instability so that this risk can be addressed in any future developments.

6 Conclusions

I conclude that the applicant has satisfactorily assessed the effects of the proposed plan change on the environment related to geotechnical effects. There is adequate evidence presented to support their assertion that the proposed subdivision is geotechnically feasible, assuming that a full range of remedial earthworks solutions are implemented to manage slope stability risk.

There is an area of land described by CMW Geosciences as being subject to “large, deep seated instability” and accordingly the development proposals do not depict re-development of this area.” It is not clear that this area has been accurately reflected in the final proposed zoning. This must be checked by CMW Geosciences.

7 Recommendations

I have not identified any reason that this private plan change should not be supported.

I recommend that the precinct identifies the Countryside Living Zone as being subject to land instability.

8 Quality assurance

Reviewed and approved for release by

Reviewer

Paul Klinac has approved the release of version 0 of this document with the following comments: Thanks Ross, memo approved for distribution. Regards, Paul.
. This approval flow commenced 27/08/2020 12:15 PM and was completed 27/08/2020 01:17 PM.

This memo is satisfactorily completed to fulfil the objectives of the scope. I have reviewed, and quality checked all information included in this memo

Author

Ross Roberts, Geotechnical & Geological Practice Lead

File location

<https://aklcouncil.sharepoint.com/sites/EXT/ETS/Shared Documents/AKLC-1201561183-435.docx>

Date printed

9/09/2020 9:34 pm

Memo:

S42A specialist input relating to funding for bulk infrastructure for Clayden Road Private Plan Change 40

Date	17 July 2020
To:	Petra Burns
CC:	Rudolph Van Wyk, Martin Peake, Andre Stuart, Ezra Barwell, Katherine Dorofaeff
Purpose:	Provide overview of funding for bulk infrastructure in the Clayden Road Private Plan Change area (PPC40).

1. Background:

- The private plan change request was lodged by the Warkworth Land Company Limited.
- The request covers 102Ha of land in the Warkworth region that overlaps an already 'adopted' Council structure plan area.
- This Council structure plan in question covers 1000Ha of land in the Warkworth area and was adopted by the Councils Planning Committee on 6 ~~June~~, June 2019.
- Specialist inputs to this process confirm that there are significant bulk infrastructure funding challenges related to this structure plan area and the same challenges will apply to the private plan change request.

2. Bulk Infrastructure Projects relevant to PPC40:

- Please refer to Appendix 2 of the Funding Report for the Warkworth Structure plan (available on the Auckland Council ~~website~~; [search website](#); [search](#) under key words 'Infrastructure Funding Plan – Draft Warkworth Structure Plan'). This outlines all bulk infrastructure projects for the entire structure plan area, therefore by default also covers the private plan change area.
- However, the following updates are noted:
 - o The Sanderson Road Water Treatment plant project is now complete.
 - o In accordance with the full Warkworth structure plan process one neighborhood park was identified within the proposed private plan change area.
 - o The Matakana Link road is fully funded and is expected to be delivered in 2022.

3. Funding Process Overview:

- The projects identified in Appendix 2 are required to have funding approval of the unfunded projects in either the 2021 Long-Term Plan (LTP) or subsequent Annual Reviews of the LTP.
- If a public infrastructure project is not included or approved in the 2021 LTP, and if the applicant wants this delivered earlier then the applicant will need to fund the project in full or wait until Council funds and delivers the project.
- In a future scenario where a cost share Infrastructure Funding Agreement was considered appropriate, it would only be relevant where council has available committed funds for the works.

- All projects are reviewed against regional infrastructure delivery priorities in the Asset Management Plans and LTP.
- For wider LTP context, it is important to note that the Council currently faces significant funding constraints.
 - o Debt capacity constraints for the next 5 years from committed works.
 - o Our required priorities for government project infrastructure commitments such as public transport and urban housing developments.
 - o The Covid 19 pandemic has also imposed additional costs on Council and substantially reduced revenue sources.

4. Funding discussions with the applicant to date:

- Staff within the Development Programme Office have not yet had any development agreement discussions (for potential cost share projects) with the Warkworth Land Company.
- It is understood that the applicant has had other high-level funding discussions with other asset owners within Council & Council controlled organizations. No firm outcomes have yet been reached and discussions are on-going.

Memo (technical specialist report to contribute towards Council's section 42A hearing report)

28 August 2020

To: Petra Burns, Planner, Auckland Council
From: James Corbett, Principal Contaminated Land Specialist, Engineering & Technical Services

Subject: Private Plan Change 40: Warkworth – Clayden Road – Soil Contamination Assessment

1.0 Introduction

1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to soil contamination effects. I am the Principal Contaminated Land Specialist, Engineering & Technical Services in Council, have a BSc Chemistry and post graduate Diploma Public Health Protection, and have two decades work experience associated with management of soil contamination. I currently provide contaminated land risk management advice to Council operations. I have been on several working parties updating Ministry for the Environment contaminated land management guidelines, participate in reviews of relevant legislation and industry training in best practice. I am a peer elected member of the WasteMINZ Contaminated Land Management sector group and am on the New Zealand/Australian ALGA Asbestos Interest Group.

1.2 In writing this memo, I have reviewed the following documents:

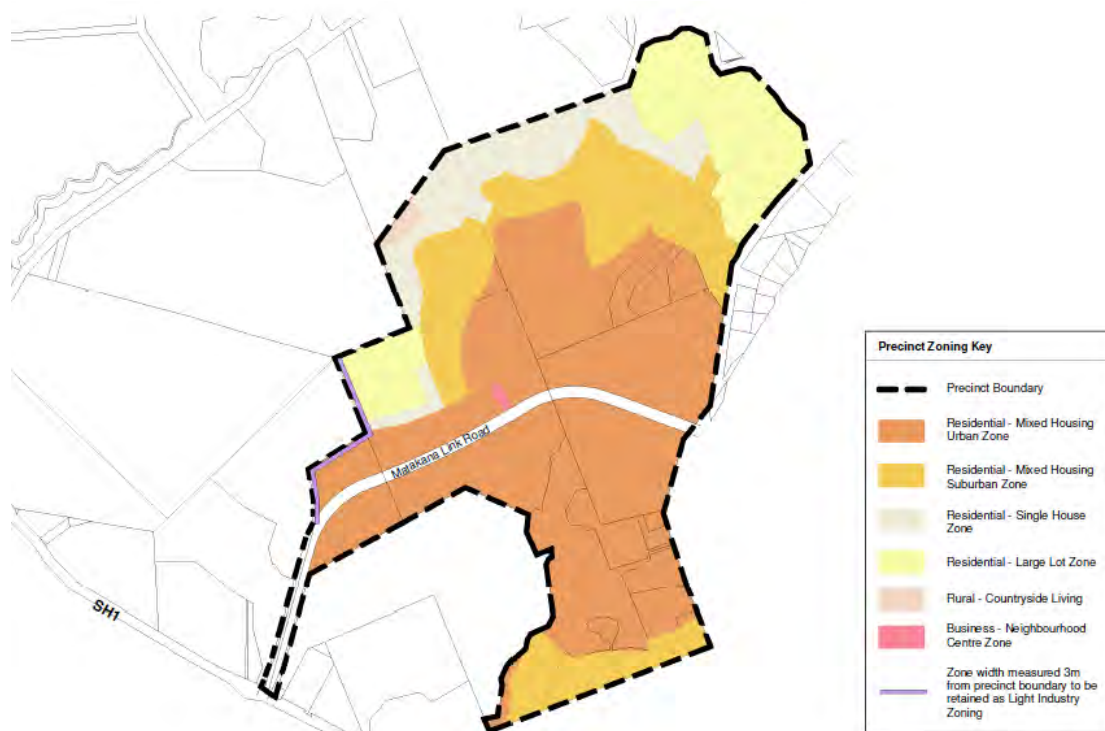
- Attachment A Plan Change Precincts and Maps: Warkworth Clayden Road:
- Attachment B Plan Change Request to Auckland Unitary Plan Planning Report Tattico 24 February 2020.
- D1 Concept Masterplan and Plan Set
- Attachment O – Land Contamination Report Preliminary Site Investigation, Warkworth Plan Change Area, Warkworth, Auckland, Focus Environmental Services, February 2020.
- Attachment P Preliminary Site Investigation Due Diligence Warkworth North, Riley Consultants 30 May 2018.
- Warkworth PPC40 Updated version v32 (20-08-20) Clean

2 Key Soil Contamination Issues

2.1 The private plan change request seeks rezoning of approximately 102ha of predominantly rural pastoral land between State Highway 1 and Clayden Road, Warkworth from Future Urban/Light Industry to a mix of residential zones. (Refer Map 1 zoning below). The issues relating to soil contamination are whether there has historically been or currently are activities which could have contributed to land contamination, whether there are any potential risks to human health or the environment that need to be considered with the change in landuse, in particular restriction that would exclude any proposed land uses and whether any controls apply.

2.2 At the highest level, the question is whether contamination precludes change of land use, that whether there would be significant restrictions on certain portions of the land being identified for sensitive land uses or if contamination could not be reasonably managed under the various Unitary Plan and Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) processes.

Map 1 Proposed Zoning



Source: Warkworth PPC 40 Updated version v32 (20-08-20).

2.3 The Auckland Unitary Plan Operative in Part, Chapter E30 Contamination, is relevant requiring risk assessment for any discharge to assess whether it will meet thresholds or result in significant adverse effects, or these can be remediated or managed. The section focuses on:

- the direct discharges arising from investigation activities on land containing elevated levels of contaminants;
- discharges associated with soil disturbance that may liberate contaminants;
- longer term discharges occurring as a result of residual contaminants, often known as passive discharges;
- legacy discharges associated with past incidents; and
- the assessment of risk around ongoing discharges.

Objective E30.2 relates to managing discharges to protect the environment and human health. Policies include requiring use or development of land containing elevated levels of contaminants resulting in discharges to air, land or water to manage or remediate the contamination to levels that meet prescribed thresholds and outcomes. The matter for consideration is whether these can reasonably be met.

2.4 The application of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) must also be considered. To determine if the NESCS applies to any of the land, first assessment whether the land is or has been subject to a hazardous activity and industry (HAIL) potentially leading to soil contamination and identified as a 'piece of land' is undertaken through a Preliminary Site Investigation. Then a further test whether controls apply to any identified piece of land is if any trigger 'activity' is taking place. Activities identified under the NESCS include sampling the soil, disturbing the soil, subdividing land, and changing the use of the land where because it is a piece of land with HAIL it is reasonably likely to harm human health. This last activity captures these land use changes including those which occur without any change in zoning or subdivision. For production land the NESCS is triggered if there is a land use change and the land ceases to be used for production land. It would therefore appear that the change has to be imminent, not merely possible. While a plan change enables different activities not the activity itself which are managed by Auckland Unitary Plan 'activity tables', the NESCS applies at other points in the planning and development

process including change of land use, subdivision (excepting production land that does not stop being production land), and soil disturbance.

- 2.5 The proposed precinct area covers rural pastoral and livestock activities. Potential activities for soil contamination that need to be considered in the rural context include animal spray facilities, refuse and fill areas, environmentally persistent pesticides relating to intensive horticulture activities, refuelling plus hazardous substance storage/mixing, and asbestos and lead contaminants from building structures.

3 Applicant's assessment

- 3.1 The reports Attachment O – Land Contamination Report Preliminary Site Investigation, Warkworth Plan Change Area, Warkworth, Auckland, Focus Environmental Services, February 2020 and Attachment P - Preliminary Site Investigation Due Diligence Warkworth North, Riley Consultants 30 May 2018 were provided by the applicant.
- 3.2 The Attachment O report related to the sites 157, 165, 171, 185, 207, 211, 233 and 245 Matakana Road; Lot 8 DP 135480 Matakana Road; 21, 35 and 43 Clayden Road, Lot 4 DP 492431 Clayden Road; State Highway 1 Warkworth 0981; and Goatley Road Dome Valley 0981. The Preliminary Site Investigations were incomplete for 157, 165, 171, 185, 207, 211, 233 and Lot 8 DP 135480 Matakana Road due to lack of access to undertake a site walkovers and inspections. Furthermore, walkovers of the properties at State Highway 1 Warkworth 0981 and Lot 4 DP 492431 were undertaken, referencing the Attachment P report desktop assessment of these properties.
- 3.3 The Attachment P - Preliminary Site Investigation Due Diligence Warkworth North, Riley Consultants 30 May 2018 were for the land comprising Lot 4 DP492431, PT Allot 97 PSH of Mahurangi SO 27C, and Lot 3 and 4 DP199755, for which it appears that this report meets reporting requirements.
- 3.4 The Attachment O report identified that:
- 245 Matakana Road has been utilised for horticultural activities. A number of historic and existing buildings may be associated with soil contaminants (lead from paints, potentially asbestos) and demolition activities (asbestos).
 - Uncertified fill material was identified for an area on 21 Clayden Rd, within the building footprint of the dwelling at 43 Clayden Road, and in the areas of historical races on 157, 171, 185 and Lot 8 DP 135480 Matakana Road.
 - Three potential spray races were identified at 185 Matakana Road.
 - Piles of burnt refuse identified at 35 Clayden Road, and 171, 185 and 207 Matakana Road, Warkworth.
 - Potential spray race operation and evidence of burning noted at 245 Matakana Rd.

The report concluded that Hazardous Activities and Industries List (HAIL) activities had been carried out at a number of properties with the plan change area and that a detailed site investigation was recommended to confirm if activities had affected site soils and confirm consenting requirements.

- 3.5 The Attachment P report identified two dumped vehicles on Lot 4 DP 492431 along with an area where possible burial of waste could have occurred, characterised as HAIL activity G5. It was concluded that on this basis the NESCS applies, that subdivision would not be a permitted activity and in the absence of a Detailed Site Investigation this would require a Discretionary Activity consent. Otherwise, a Detailed Site Investigation may downgrade the requirement for consent.
- 3.6 Assessment for soil contamination across the plan change area appears incomplete as the identified HAIL do not match the expected profile of activities normally identified, or at least discussed and dismissed as it may well be that these are absent due to the changing nature of land management in the area. For example, the PSI did not identify the common rural related HAIL activities including farm equipment refuelling, agrichemical storage/mixing areas and farm dumps excepting one found

in the Attachment P report. This might also reflect the number of properties for which site visits were not undertaken as noted in Attachment O.

- 3.7 Attachment B Plan Change Request to Auckland Unitary Plan Planning Report Tattico 24 February 2020 concluded section 10.15 p152 that land contamination effects and planning issues identified through the technical assessments, that is Attachments O & P, are appropriately managed under the Auckland-wide provisions, and that standard controls apply. Further on under "Land contamination effects" p159 the summary of the Attachment O Focus report was limited to potential contamination on Lot 4 DP 492431 (the subject of Attachment P Riley report), horticulture activities at 245 Matakana Road plus potential lead and asbestos and possible uncertified fill at 43 Clayden Road but not at other sites, and noting that a PSI will be required at key locations at the time of development.
- 3.8 The documents, and in particular Appendix B does not appear under Section 6 Planning Approach or elsewhere to directly address any discussion around the change of landuse or rezoning of the Light Industrial land at the western end of the land to Mixed Housing Urban, noted as a key difference in the Structure Plan and the requested plan change.

4 Submissions

No matters were raised in submissions that directly or indirectly related to the issue of soil contamination.

5 Assessment of soil contamination effects

- 5.1 Overall, there is no significant impediment from a land contamination perspective to the plan change being granted. The change of land use from the current zoned areas including Business-Light Industry to more sensitive land uses is not problematic given the actual land use has remained mostly rural pastoral, and any land contamination present is localised and able to be managed in accordance with the NESCS and Unitary Plan. Provided further investigation, risk assessment and remediation are undertaken to meet the appropriate soil contaminant standards for the intended land uses (e.g. rural-lifestyle, residential, high density residential) and environmental standards, there should be no restrictions to land being zoned for the most sensitive residential land uses. Restriction for sensitive land uses could however apply if in-situ encapsulation and management is undertaken.
- 5.2 The application of the NESCS to land identified as HAIL requires that the soil contamination assessments are undertaken at the time that a change in activity occurs, or when any other trigger (change of land use, subdivision, soil disturbance, sampling) occurs. The change of land use trigger may occur if post rezoning any sensitive activities are undertaken as permitted activities and where no other trigger applies. Where contamination is identified then this will likely require simple remediation and would likely not present any significant hurdle to the proposed development.
- 5.3 The application of the Unitary Plan Operative in Part Chapter E30 Contaminated Land will likely be able to be met at future stages of the proposed development provided Preliminary Site Investigations are completed along with Detailed Site Investigations to determine if any discharges are occurring and whether these meet the thresholds or require remedial works.
- 5.4 The conclusion within Appendix B p159 that the level of contamination is typical of historic farming areas is not challenged, however the statements below:

"a PSI will be required at key locations at the time of development. This is all able to be successfully managed through the Auckland-wide provisions. There is nothing special or unique about this precinct which warrant different or additional controls to those within the Auckland-wide provisions."

in the context of the Auckland Unitary Plan Operative in Part, which is correct in terms of the initial requirement for Preliminary Site Investigations to be undertaken, should logically have been

extended to also refer to the requirement for Detailed Site Investigations. In the context of the NESCS which manages soil contaminants impacting human health, Detailed Site Investigations are also required for sites where HAIL have been identified.

- 5.5 The methodology and conclusions reached in the applicant's soil contamination assessment(s) are in error and technical reports have not met the requirements of the relevant provisions Unitary Plan Operative in Part Chapter E30 Contaminated Land and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS). However, as discussed above the plan change itself is not in conflict with their requirements and the reports will be further assessed for completeness and compliance at later stages.

6 Conclusions and recommendations

- 6.1 The plan change is consistent with the policies and requirements of the Auckland Unitary Plan Operative in Part Chapter E30 Contaminated Land, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- 6.2 The application planning document Appendix B lacks analysis to the application of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, however the supporting technical reports reach the correct conclusions that Detailed Site Investigations will be required at further stages of the development of the area.
- 6.3 The Preliminary Site Investigations Appendix O soil contamination assessment(s) in part appear to be incomplete and lacking analysis of typical rural pastoral activities, and would not be considered to meet the requirements of the Contaminated Land Management Guidelines No. 1 Reporting on Contaminated Sites in NZ (Revised 2011) however rectification is not insurmountable.
- 6.4 It is recommended that HAIL and potential HAIL identified in the technical reports be identified in appropriate GIS layers and noted for management when the relevant triggers at future development phases occur under the provisions of the Auckland Unitary Plan Operative in Part Chapter E30 Contaminated Land, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- 6.5 Overall, the Private Plan Change is supported without modifications to the precinct provisions as there are no significant land use restrictions likely to arise from land contamination that has been identified to date.

Memo (Technical Specialist Report To Contribute Towards Council's Section 42A Hearing Report)

13 July 2020

To: Petra Burns, Planner, Auckland Council

From: Stephen Brown

Subject: Private Plan Change 40: Warkworth – Clayden Road – Landscape Effects Assessment

1.0 INTRODUCTION

1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to landscape effects.

My name is Stephen Kenneth Brown. I hold a Bachelor of Town Planning degree and a post-graduate Diploma of Landscape Architecture. I am a Fellow and past President of the New Zealand Institute of Landscape Architects, and have practised as a landscape architect for 38 years.

1.2 In writing this memo, I have reviewed the following Application documents:

- Attachment A – Plan Change Request for Warkworth North (22 July 2019)
- Attachment B – Planning Report Warkworth North, Tattico
- Attachment C Urban Design Report, Ian Munro
- Attachment E – Landscape Assessment & Attachments, LA4 (Rob Pryor)
- Tattico Reply to s.92 request from Auckland Council,
- Victoria Street Warkworth Simulation Plan Set, 28 May 2020, Greenwood Associates
- Private PC40: Modified Request (23 June 2020)
- The Warkworth Structure Plan (June 2019)
- Summary of PC40 Submissions, July 2020
- Plan Change 40 Submissions, July 2020

2.0 KEY LANDSCAPE ISSUES

The key landscape issues that I have identified pertain to the layering of residential development, at different levels of intensification, up the valley slopes on the northern side of the PC40 'site'. The applicant proposes a degree of intensification on those slopes which exceeds that proposed under the Warkworth Structure Plan. In my opinion, the proposed residential intensification on that terrain would degrade the significance of the hilltop and ridgeline landforms exposed to the future

Warkworth North residential catchment and the adjoining Warkworth Showgrounds. It would also erode any sense of transition into the rural catchment beyond the Clayden Road ridgeline. In my assessment, the degree of residential intensification in this area is excessive and is not consistent with the realisation of key landscape objectives implicit in the Warkworth Structure Plan.

3.0 APPLICANT'S ASSESSMENT

LA4's assessment comprises:

1. An overview of the Plan Change proposal, focusing on the distribution of residential areas and intensities, the roading network, and proposed green / open spaces.
2. A description of the subject site and its surrounds, focusing on the pastoral nature of the current site, its valley landform, the native vegetation following the main stream stem down the eastern side of PC40 site, its interface with the Warkworth Showgrounds and the proximity to the *Countryside Living Zone* within the adjoining valley catchment around Goatley Rd.
3. An analysis of the Warkworth Structure Plan and its applicability to the PC40 land. In particular, Mr Pryor is strongly critical of the hilltop, ridgeline and elevated slopes above the showgrounds and near Clayden Rd being regarded as 'significant', 'prominent' or of 'high value'.
4. A description and assessment of the development proposed under PC40 in the context of that anticipated by the Warkworth Structure Plan. This section of the report focuses on visual changes that would be experienced from 8 viewpoints on Hudson Rd, Viv Davie-Martin Drive, Falls Rd, SH1 / Hudson Rd, Clayden Rd and within the Warkworth Showgrounds. The Table of Contents at the start of LA4's report also indicates that photo simulations have been produced for viewpoints within the Warkworth Showgrounds, at SH1/ Hudson Rd and on Falls Rd and Matakana Rd. However, the AEE report only contains simulations addressing two viewpoints within the Warkworth Showgrounds that Auckland Council requested on my behalf, together with a subsequent series of viewpoint images – located in Victoria St – that were also completed after a s.92 request from Council.

Returning to Mr Pryor's assessment of landscape change, the following excerpt from his analysis for Viewpoint 7 (Warkworth Showgrounds) provides an indication of the nature and depth of that assessment:

"4.29 The visual intactness of the view will be lost with the future urbanisation of the land as part of the WSP process. Construction of the MLR traversing across the lower spur will further add to the modification of the surrounding area. The legibility of the western landscape protection area would be lost through future development within the RMHS zone on the slopes from this lower viewing location."

It is notable that in relation to Viewpoints 1, 3 4 and 5 the visual 'impediment' of development within the *Light Industrial Zone* immediately west of the PC40 land is mentioned.

5. Analysis of the landscape and natural character effects associated with PC40, focusing on effects in relation to a range of external viewpoints around the periphery of the Plan Change catchment. Mr Pryor's key findings in this regard are encapsulated at his paragraph 6.11, where he states that: "*Based on the preceding description and analysis of the site and surrounds it is clear that there are relatively low landscape values and sensitivity associated with the area. The plan change area is a highly modified rural environment lacking any significant landscape features and natural character values (other than the vegetated stream corridors and indigenous bush stand). Therefore, the only negative outcomes in landscape terms will be the loss of the remaining rural character, which is anticipated by the relevant planning strategies for the area.*"
6. Conclusions based on the assessment described above.

The key conclusions reached in the LA4 report are that (Paragraphs 7.1 to 7.12):

- Large lot residential development located "*arbitrarily*" across the application site would not "*reinforce the key qualities and characteristics of the underlying landscape to any greater degree than higher density development*" proposed on the site's ridge slopes and areas near the *Countryside Living Zone*.
- Mr Pryor agrees with the "*WSP's planning principle to apply a lower density residential zone to areas valued for their landscape, character, or heritage significance*", but does not agree that any such values are found within the PC40 catchment that might warrant a *Residential Large Lot Zone* or 'development and landscape protection controls' within the Plan Change area. In this regard, he goes on to state that:

"I do not consider however that the areas for further protection controls (the ridgeline and knoll) comprise major landscape elements and features capable of defining a unique sense of place for the northern WSP area. The modest changes in topography, while locally pleasant, are not distinctive landscape features. The dominant landscape features, the vegetated stream gullies, are to be retained where practicable, and enhanced through additional native plantings."

- Mr Pryor also states that had the "*northern ridge, knoll and spurs had been valued and considered distinct and significant enough in landscape and visual terms, in the context of the surrounding landscape to warrant protection, then this would have occurred as part of the AUP zoning process, precluding any form of built development on them.*" Indeed, he considers that "*the primary ridge forming the discrete topographic feature in the northern part of the WSP area will still be apparent, albeit with a built form of development reinforcing the changes in landform and topography.*" Notwithstanding this, Mr Pryor also

suggests that “*building platforms have been identified to keep future dwellings below the skyline ridge*”.

- Instead, he appears to regard the stream corridors through the site as being key landscape elements that will be strengthened and enhanced by revegetation. He also considers that:

“a distinct and locally derived urban character will result more from high quality urban design initiatives proposed by the Warkworth North East masterplan, responsive to the underlying landform patterns and through the establishment of a high quality open space network and linkages throughout the area than the zoning provisions within the Warkworth Structure Plan.”

- Mr Pryor concludes by stating that PC40 “*will result in a high quality urban development with a range of positive landscape and environmental outcomes.*”

Of some importance in relation to future implementation of the Warkworth Structure Plan, Mr Pryor’s statement at paragraph 7.5 appears to imply that there are no landscape elements, patterns or features of note within the WSP area, as they would have been excluded from the WSP by the Unitary Plan Panel if this was the case. The further implication of this statement appears to be that development under the WSP should not be shaped or influenced by landscape characteristics – even though this brings into question the very integrity of the Structure Plan process and final WSP.

Moreover, Mr Pryor’s conclusions appear to disregard his own description of the Clayden Road ridgeline as a ‘prominent local feature’ at paragraph 4.8 of his report, notwithstanding that he then goes on to qualify this by stating that it is “*not significant enough to command attention from a distance and are not the natural focus of view.*” As will become apparent in Section 5.0 of this review, I do not agree with that assessment. It also raises concern about how PC40 Objective 9 (*Subdivision and development within the precinct provides for the protection and enhancement of identified landscape features within the Warkworth Clayden Road Precinct*) would be implemented, or of it would at all.

4.0 SUBMISSIONS

The following submissions and comments are considered to be relevant to my review of the PC40 application:

No.7 (Auckland Council):

Warkworth Structure Plan

- B. to address potential landscape effects from a higher density and greater building height from upper slopes’ zoning and precinct provisions to outcomes anticipated by the Warkworth Structure Plan. The structure plan sought to avoid landscape effects on the upper edge of the ‘bowl’ in which the land sits. We seek that the landscape effects are specifically assessed and reported upon, including consideration of amendments to the proposed precinct’s development density and maximum permitted height(s) for upper slopes, or alternative methods.*

F. to be more consistent with the “landscape screening” areas sought by the Warkworth Structure Plan. The structure plan sought areas for planting that are large enough to effectively screen industrial development (in the order of 20-30m deep to accommodate mature native trees in the long term). The efficacy of the precinct provisions, including various yards and precinct plans, should be evaluated and amendments made to ensure this outcome.

No.14 (D & C Pinker):

“The owners of 139 Clayden Road are generally supportive of PPC 40, subject to the change in zoning for their site at 139 Clayden Road from Large Lot zone to Single House zone, as was adopted within the Warkworth Structure Plan and any other subsequent changes required, including;

- Amending proposed Precinct Plan 1 IXXX.9.1 to apply the subdivision control area to the subject site, and
- Amending proposed Precinct Plan 2 IXXX.9.2 to reflect the actual area of covenanted bush rather than show the entire site at 139 Clayden Road as covenanted bush.”

No.15 (Mahurangi Community Sport & Recreation Collective Inc):

“There is no provision for screening and minimal planting of the WWSG Northern and North-eastern borders (South and South-eastern Precinct Plan). Fencing will need to be confirmed as it is preferred that access be made to the park only at agreed access points. The current plan change documents indicate imagery that implies an imposing overbear of residential buildings towards the WWSG and this will be a significant change to how the WWSG is currently viewed and enjoyed.

Provide increased screening on the borders mentioned helping mitigate visual impacts of the plan change when viewed from the WWSG and helping with noise and light.”

In relation to these submissions, I agree with Auckland Council that the Warkworth Structure Plan needs to be taken into account in considering the configuration and effects of the PC40 proposals. I also agree that some level of screening or buffering is needed between the Warkworth Showgrounds and adjoining residential development, although any such buffering needs to be balanced with maintain a degree of external outlook and ‘viewshafts’ to local features beyond the bounds of the showgrounds. However, I do not support the Pinker’s submission, which would effectively up-zone their land beyond the level anticipated in the WSP.

5.0 ASSESSMENT OF LANDSCAPE EFFECTS

Response To The LA4 Report

I generally agree with the approach adopted by LA4 / Rob Pryor insofar as his assessment goes. The issue of the PC40 site’s landscape context and effects is addressed, albeit with a strong focus on external vantage points and effects on the character and values of the application site viewed from ‘without’. Although there is repeated reference to high quality urban design outcomes within the PC40 land, that is not the prime focus of the report. Instead, much of it appears to set out to refute any need to for the pattern and intensities of development proposed to respond to the

underlying terrain and ridge / hilltop landforms that both physically enclose and visually frame the Plan Change site. Thus, much of Mr Pryor's assessment focuses on challenging the value of the ridgeline at the outer, northern, edge of the PC40 land, and the Warkworth Structure Plan insofar as it responds to those features through a layering of residential zones from the valley floor up the ridge slopes.

A key plank in relation to Mr Pryor's assertions is the series of photo simulations from within the Warkworth Showgrounds and on part of Victoria St – produced at the request of Auckland Council. It is unclear if these, or the others listed (but apparently not contained within) the LA4 report played any role in Mr Pryor's assessment of PC40's effects in relation to his Viewpoints 1-8. These clearly show, indeed emphasise, the way in which the anticipated light industrial development extending round to Goatley Rd would blight the key SH1 'gateway' to Warkworth.

Yet the blocks of 'development' shown appear to simply address the Light Industry Zone's height control, without reference to building set-backs, the provision of yards, service areas, vehicle access and parking, and other 'non-fanciful' requirements of any such zone. In addition, even though the orange and yellow blocks shown on the upper hill slopes in the Victoria St images appear to correlate with the proposed *Mixed Housing Urban Zone* (revised) and *Residential Large Lot Zone* (revised), they don't show the *Residential Single House* (revised) or *Mixed Housing Suburban* (revised) development climbing up the right-hand side of the hill / ridge landform – following the peripheral road near the edge of the area subject to height restrictions. Nor do they address the development proposed across the ridge slopes closer to Clayden Rd. In fact, the house blocks shown near the hill crest don't appear to correlate with either the *Single House* (600-999m²) or the *Large Lot* (4000m² plus) lots proposed for that area. Finally, it is unclear to what degree PC40's proposed Height Variation Control is reflected in the 'simulations' provided – if at all.

As a result, I don't regard the images provided as representing a non-fanciful 'permitted baseline' interpretation of what is likely to occur either within, or adjacent to, the PC40 land. Ultimately, therefore, it is my opinion that the 'simulations' offer limited assistance with evaluation of the Plan Change's landscape effects.

Having said this, I think the images provided do remain useful in two respects:

- They help to illustrate the way in which the adjoining Light Industry Zone will have a significant and deleterious effect on both the future main entryway to Warkworth and the showgrounds – irrespective of my expressed concerns about the simulations' portrayal of that development. Indeed, this is a matter that the WSP had to grapple with, by proposing buffering both sides of Great North Rd (the current SH1).
- Having also analysed the profile of both proposed development and the ridge slopes above the showgrounds via a series of cross-sections, the simulations for Viewpoints 1 and 2 confirm that the areas of *Mixed Housing Urban* development proposed both sides of the Matakana Link Rd would effectively screen out most of the hilltop and ridge from most of the Warkworth Showgrounds. This would largely negate a key visual connection with the hilltop.

Addressing PC40 more strategically and considering how it would sit on the subject site, I do not agree with Mr Pryor / LA4 that the focus should solely fall upon external effects in relation to a

range of external viewpoints. The landscapes that we create involve integration of natural and human elements to hopefully create living environs that are attractive, responsive to their setting and natural underpinnings, and that retain both connections with their surrounds and a sense of identity and place invigorated by such interaction.

In a related vein, the days of mass earthworks to reshape landscapes and landforms in a wholesale fashion are hopefully over, and the WSP embodies the idea of development 'sitting in' their respective landscapes, rather than being 'plonked on top of' them. In contrast with this philosophy, much of Mr Pryor's assessment appears to be supportive of 'days gone by' – of the later approach, rather than the former. That is, in particular, the clear implication of his paragraph 7.5.

Analysis

In general, I support the direction that most of PC40 appears to be going in, particularly the protection of the main stream stem that runs east of the Warkworth Showgrounds and the margins of the totara and kahikatea dominated, bush that follows the margins of that stream course up to the head of valley to near Clayden Rd. Within this upper valley area, the pattern and intensity of proposed development is broadly in line with that found in the Warkworth Structure Plan. This includes the intermixing of more intensive development near the upper valley floor with both these ecologically significant areas and marginal open spaces that would have an important passive recreation function. Moreover, any effects associated with the more intensive development proposed within this area would be largely internalised within the valley catchment. In general, therefore, I support the broad distribution of residential intensification proposed within and near the floor of the valley north-east of the Warkworth Showgrounds.

On the other hand, my initial analysis raised concern about the apparent deletion and termination of some stream corridors below the Clayden Rd ridge. Those stream courses are important in three respects:

- They offer potential linkages – for native vegetation and wildlife alike – from the corridor of bush following the valley's main stream stem up to the bush remnants and open space on the outer edge of the PC40 land;
- They should act as points of focus and attention within the proposed subdivision; and
- They should become part of the network of open spaces and green links that offer pedestrian connectivity and passive recreation throughout the northern Warkworth catchment.

Consequently, it is my view that they should be integral components of the proposed development and should not be 'buried' by it.

In early discussions with the applicant (including a joint site walkover) I also expressed concern about the potential effects of development across the hill slopes north of the showgrounds and the Matakana Link Road – even though early discussions with Rob Pryor and other Land Company consultants indicated that the PC40 proposals were designed to protect the 'showgrounds hilltop' and views to it via a staggering of residential densities up the ridge slopes.

In relation to all of the above, it is important to note that my assessment of the Warkworth Structure Plan in 2018 and 2019 included the following recommendations in relation to the stream corridors, bush areas and landforms near the Showgrounds (**Attachment 1**):

Topographic Features: highlight the landforms that frame the various valley catchments and areas of future development within the Warkworth Structure Plan area. Particularly prominent landforms – knolls, hilltops and ridgelines – that might help to retain a sense of identity for individual catchments or that might be linked to other landscape features – such as stands of bush, stream courses, and even the Warkworth Showgrounds – are also identified.

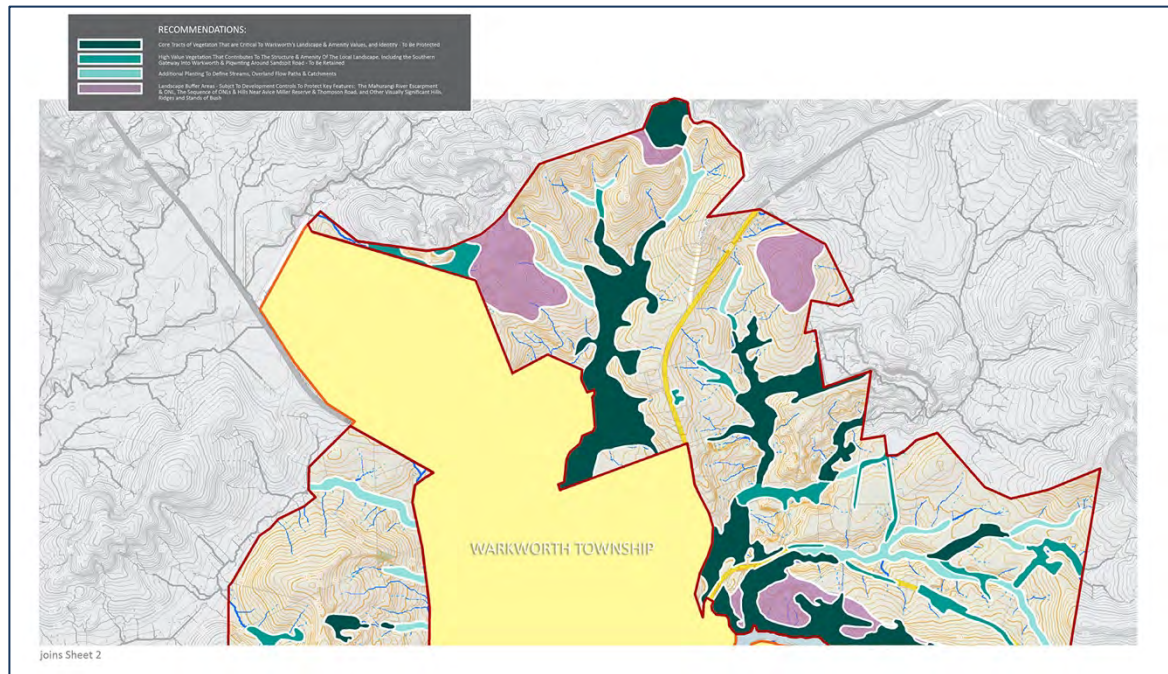
Vegetation Cover: identify the major stands of native forest, marginal vegetation around stream / river courses and other planting within the Structure Plan area. A network of native and exotic planting is indicated that stretches throughout the Structure Plan area, contributing to its character, identity and aesthetic appeal. The relative significance of this vegetation is also indicated (albeit, purely from a landscape standpoint), reflecting this contribution, even though the species involved may be quite diverse. For example, while kahikatea and totara (in places, augmented by kauri, rimu, and other native trees) provide the backbone for much of the planting around the Left and Right Branches of the Mahurangi River

RECOMMENDATIONS

4. *Local topographic high points may lack the endemic value associated with forest remnants or cover, but remain important in terms of buffering such remnants and in terms of defining individual physical / stream / visual catchments – notably:*
 - *the northern margins of Catchments 1;*
5. *The smaller stream courses and headwaters closer to the top of each catchment should ideally be protected and revegetated to:*
 - *Provide protection for and linkage to the headwaters area of each valley system / catchment;*
 - *Maintain a sense of connectivity between the valley floors and the hill tops and ridges that frame them;*
 - *Help define specific topographic features – described above;*
 - *Define a series of localities and neighbourhoods that have their own character, but which remain consistently framed by natural elements;*
 - *Enhance the aesthetic character and natural content of new areas of suburban development (or similar);*

Of note, the central knoll and ridges splayed out from it directly north of the Warkworth Showgrounds were identified by me as being a Significant Landform. As a result, the Recommendations in my 2018 Structure Plan Report included the following (see map overleaf):

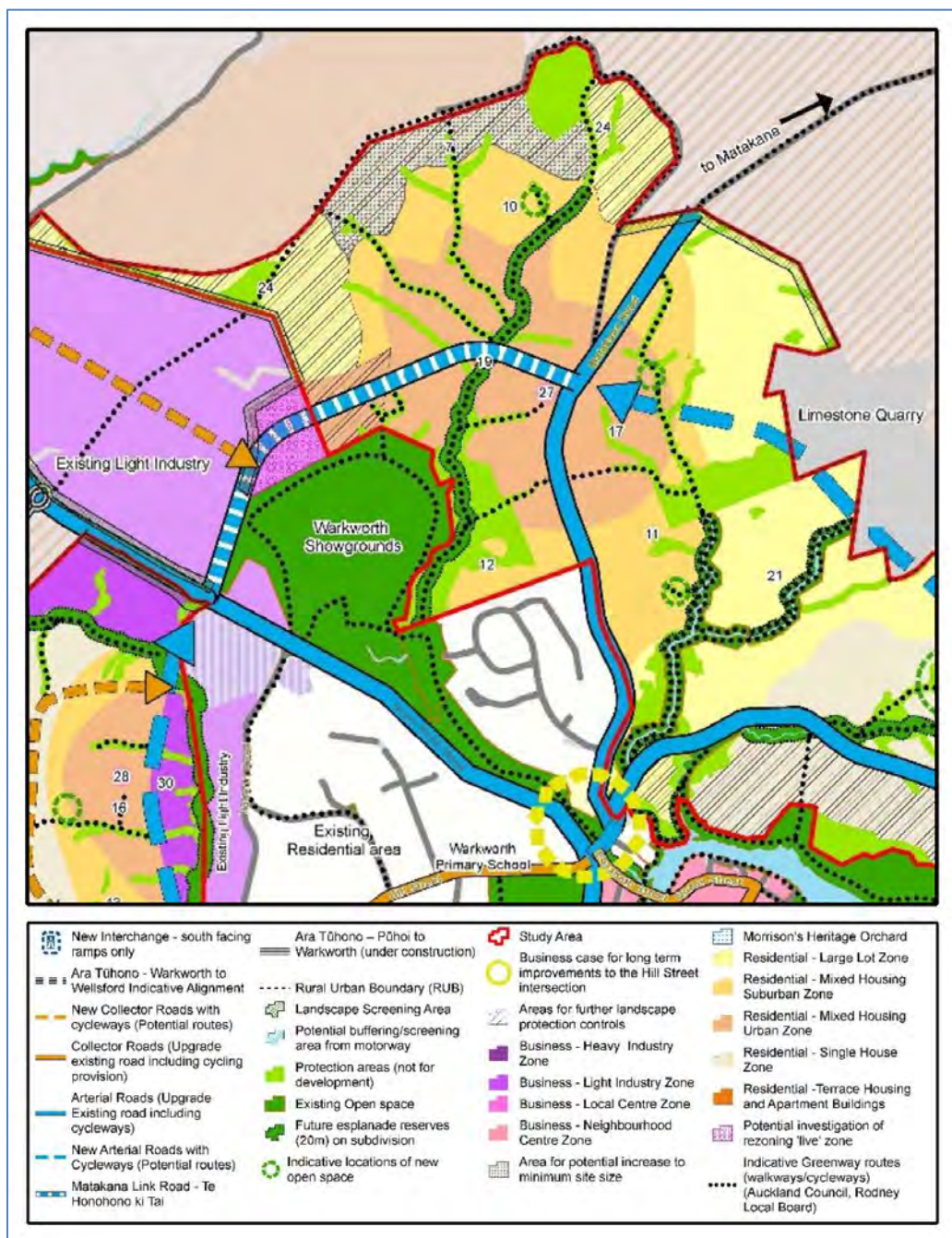
- Identification of the large stand of totara, kahikatea and other native species near the showgrounds identified as one of the 'core tracts of vegetation that contribute critically to the landscape and amenity values of Warkworth'; and
- Identification of the hilltop and ridge north of the Warkworth Showgrounds as a 'landscape buffer' that should be subject to controls designed to protect 'key features'.



Comparing PC40 with the WSP (**Submission 7**), see overleaf, it is my assessment that:

1. Most development within the PC40 area would be concentrated on its lower and middle slopes, lending the resulting area – once developed – a relatively low 'centre of gravity'. The effects of this development would be, to a significant extent, contained internally within the valley corridor. The pattern of development proposed up to the northern edge of the PC40 catchment, culminating in Residential Large Lot development near Matakana Rd, is also consistent with protection of the wider landscape values around the periphery of the application site.
2. The proposed change in zoning – from *Business-Light Industry* to *Mixed Housing Urban* – above the Warkworth Showgrounds, near the Matakana Link Road would also be beneficial from a landscape standpoint, given the high profile and level of community activity associated with the showgrounds.
3. Moreover, the protection of the bush and open space margins around the main stream stem extending north-eastwards from the edge of the showgrounds would help to maintain a feature that is important in terms of both the future character of the PC40 land and surrounding parts of Warkworth North, including those closer to Matakana Rd and straddling the future Matakana Link Rd. This also includes the large stand of bush that follows a stream course through the centre of the subject site.

4. Several of the stream linkages up the slopes flanking the northern to north-western side of the valley would be either removed or truncated, so that only two out of four existing stream courses identified as green corridors / 'protection areas' in the WSP would remain. These corridors are important in terms of maintaining some of the natural values within the PC40 area and linkages through the 'site'.
5. PC40 would also result in *Single House* development being located along the Clayden Rd ridgeline and around the periphery of a reduced *Residential Large Lot Zone* atop the 'showgrounds hilltop'. A reduced area of 'landscape protection controls' – as a Height Variation Control – would be applied to the *Mixed Housing Suburban Zone* above the showgrounds, but this wouldn't extend across the *Single House* and *Large Lot* zones atop the Clayden Rd ridge or hilltop.



Two key effects would emerge from the additional development currently proposed on the northern and north-western slopes:

- The development proposed along the Clayden Rd ridge and its adjoining hilltop, could well negate any feeling of real transition from the valley floor up to the surrounding high points and into the adjacent CSL catchment. In addition to exacerbating the visual disconnection of the hilltop and Clayden Rd ridgeline from nearly all of the showgrounds, it would isolate them from much of the future urban area within the PC40 valley system.
- It would also diminish the value of the stream courses and future green space links around them that might otherwise connect the 'top' of the catchment' with its valley core, and that would also become focal points that reinforce the natural qualities of the locality. In reducing the number of stream corridors, development under PC40 has the potential to appreciably diminish the internal landscape, amenity and physical landscape (including habitat) values of the 'site'.

Returning, therefore, to the 'bigger picture' of Warkworth North as a whole, I remain of the opinion that the northern structure plan catchment is strongly defined by natural features and, in particular, its landforms at present. The Clayden Road ridge, its 'showgrounds hilltop' and the stream courses through the PC40 site are particularly important in this regard. They should continue to make an important contribution to the local area's identity and sense of place, even to the extent of helping to offset some of the anticipated effects of the adjoining Light Industry Zone. On the basis of my assessment of PC40, the proposed Plan Change would result in development that builds upon some of the natural landscape qualities of the site and its surrounds, but negates others – or at least does not incorporate them within the current Plan Change proposals to a degree that would be meaningful and consistent with the Warkworth Structure Plan.

6.0 Conclusions and recommendations

The revised Plan Change contains various provisions that sound very positive from a landscape and amenity perspective. Those provisions include the Height Variation Control now applicable to the *Mixed Housing Urban Zone* above the showgrounds, and the following:

Objectives

- (9) *Subdivision and development within the precinct provides for the protection and enhancement of identified landscape features within the Warkworth Clayden Road Precinct.*

IXXX.3 Policies

- (3) *Create low density housing along the rural - urban boundary to form a transition from urban to rural uses.*
- (5) *Create an intensively landscaped interface along the rural urban boundary.*
- (6) *Protect landscape values by preventing building on the special landscape areas shown on Precinct Plan 1 and requiring the planting of these landscape elements, and applying the height variation control to limit building heights in sensitive locations.*

- (7) *Enable extensive active walking and cycling network and futureproof key walkway/cycleway routes and vest these key routes in the Council.*
- (16) *Enhance protected streams on Precinct Plan 2 through native planted riparian setbacks.*
- (17) *Require subdivision and development to protect the landscape values of the ridgeline of the knoll adjacent to the north western boundary of the precinct*

Yet, the Height Variation Control only applies to longer distance views of the Dome Valley skyline, which would be hardly threatened by development within the HVC area at all, while Mr Pryor indicates that there are no landscape features of note within the PC40 catchment at all.

I have also considered the proposed “*Special Yard*” (Section IXXX6.2) which is supposed to “*form a transition from urban to rural uses*” and to “*to prevent building on the upper slopes of identified parts of the precinct which contribute to the landscape values and amenity of the Warkworth Clayden Road precinct.*” This transition is to be provided by a 6m building setback and requirement that “*fifty percent of the area [the Clayden Rd ridgeline] shall be planted in native trees that will attain a height of at least 5m when mature*”. In addition, a “*Special Height Limit*” of 5m is proposed along the same ridge crest “*for any part of a building that is within 10m but further than 6m from the Rural Urban Boundary*”.

However, most of the area subject to these controls appears to comprise the extension to the Clayden Rd road reserve, and the ridge is not a ‘knife edge’: it rolls over quite gently on and near its crest, with *Single House* development proposed right up to both its crest and the road reserve. Consequently, regardless of the measures proposed along the narrow strip of the actual ridgeline, bands of *Single House* and MHS development would still dominate the ridge’s upper slopes and mantle. The proposed vegetation cover would rise up behind this development, but would provide little of the sense of transition that appears to be anticipated. At best, the setback and planting proposed might create the impression of a strip reserve along the very crest of the Clayden Road ridge, but would not meaningfully provide any feeling of transition into the adjoining CSL Zone. In this regard, the density and nature of residential development proposed near the ridge crest is ultimately much more important than such ‘mitigation’.

In a somewhat different vein, I also note that the revised PC40 proposes a “*Special Landscape Yard*” (Section IXXX.6.3) along the interface with the adjoining (existing) Light Industry Zone, immediately west of the subject site. Again, a 6m setback and native tree planting are proposed along this interface to help maintain the amenity of future residents living near that zone. I have no idea how a requirement for 50% of the MHU lots next to the Light Industry Zone to be planted in native trees and shrubs would be achieved. Notwithstanding this, I agree that this ‘intervention’ would be helpful, and should help to reduce the effects of light industrial development on neighbouring residential properties. In my opinion, this is a positive measure.

Taking all of the matters outlined above into account, it is my opinion that:

- LA4’s report addressed some of the landscape characteristics and values associated with the PC40 land, but not all of those that are important in relation to the future form and appeal of the proposed residential environment. In this regard, I retain concern in relation

to the distribution, form and intensity of development more directly below the Clayden Rd ridge and 'showgrounds hilltop'. In my opinion Mr Pryor's report did not adequately address the fuller range of landscape effects associated with the proposed subdivision and development.

- In my assessment, the general pattern and intensity of development within the lower to mid basin area of the PC40 'site', extending up to the northern edge of the valley system, is consistent with the framework established by the Auckland Unitary Plan (Operative in part), via the Warkworth Structure Plan. I also agree with the Plan Change proposal to rezone an area near the showgrounds from Business – *Light Industry Zone* to *Mixed Housing Urban*. On the other hand, the pattern of development proposed for higher ground near the Clayden Rd ridge and 'showgrounds hilltop' is not, in my opinion, appropriate or consistent with the WSY / AUP framework. This includes the proposed removal of several existing stream courses that should be integrated with the wider WSP green network through the northern Warkworth area over time.
- In relation to these conclusions and the differences between my assessment and that of Mr Pryor, I am of the view that Mr Pryor's assessment focuses excessively on external effects on areas outside, and often well outside, the PC40 'site', but with much less regard for the future Plan Change landscape in its own right – viewed from within – once development is complete.

Returning briefly to the submissions to PC40, I note that the *Special Landscape Yard* between the current *Light Industry Zone* and the proposed *Mixed Housing Urban Zone*, responds to Auckland Council's submission on this matter, and related provisions should help to maintain the amenity of future residents within the Plan Change catchment.

I also note that revised RDA Assessment Criteria (2)(e) responds to the issue of the residential interface with the Warkworth Showgrounds by stating that it should provide "a *good built and landscaped amenity, and a degree of visual overlooking of the showgrounds.*" I'm unclear what a 'good built and landscape amenity' is; regardless, it is difficult to see how the retention of views out over the showgrounds would address the reverse sensitivity issues raised by the Mahurangi Community Sport & Recreation Collective Inc.

Finally, it appears that PC40 would not address the concerns raised by D and C Pinker in relation to the proposed *Large Lot* zoning of their land and delineation of the stand of bush at 139 Clayden Rd. As indicated above, I cannot support the Pinkers in either regard and therefore agree with PC40's proposals for their block of land.

Overall, therefore, much as I support the residential intensification in the lower reaches of the PC40 valley system and its northern margins, I cannot support the Plan Change proposal as a whole. In saying this, I accept that the current proposal could be reconfigured to better address the concerns that I have identified, but the extent of such configuration is too great – especially in relation to the stream course links – for me to identify any part of the PC40 proposal as being acceptable at it currently stands.

Supplementary Review

On the 24th August I was advise that further changes had been made to the PC40 provisions. This supplementary review addresses those changes of relevance (shown in teal colour) before addressing whether or not they change my assessment of the Plan Change overall.

New / Modified Provisions & My Comments In Relation To Them:

Objective 3. *Enhance the character of the rural – urban interface through limitations in key locations on housing density, building location, height and enhanced landscaping.*

Comment:

I agree with the intentions voiced in Objective 3, but as with the Notified Version of PC40 they are not, in my opinion, carried through to the residential precincts proposed and, in particular, to the location of higher density development on the site's upper valley slopes.

Objective 5. *Provide an appropriate interface between the existing light industry zone and the new residential areas to manage reverse sensitivity effects.*

Comment:

I agree with this objective and the measures discussed above down the shared boundary that are aimed at implementing this strategy.

Objective 9. *Subdivision and development within the precinct provides for the protection and enhancement of identified landscape features within the Warkworth Clayden Road Precinct.*

Policy 6. *Protect landscape values by preventing building development on the special landscape areas shown on Precinct Plan 1 and requiring the planting of these landscape elements, and applying the height variation control to sensitive locations.*

Policy 17. *Require subdivision and development to protect the landscape values of the ridgeline of the knoll adjacent to the north western boundary of the precinct*

Comment:

Again, I agree with the intentions of these three provisions, but do not consider that it is adequately reflected in the pattern of residential development proposed (Map 1) or Precinct Plans 1 and 2.

Policy 19. *Create a special yard buffer on the properties adjacent to Tomlinsons Bush so as to manage the interface between the bush and adjacent residential land.*

Comment:

I agree with and support this policy: it would help to protect the stand of bush at the head of the valley as a legible, even distinctive feature of the valley system that PC40 addresses. This policy would be usefully supported by new Provision IXXX.6.3A, which would establish a 6m buffer (*Special Yard Tomlinsons Bush*) next to Tomlinsons Bush. Again, I support this measure.

IXXX.6.5A Subdivision Standard – Planting.

Purpose:

‘Special Yard’ - to form a transition from urban to rural uses;

“Special Landscape yard” - to provide a landscape buffer and manage reverse sensitivity effects and to maintain a reasonable standard of residential amenity for sites at the Business Light Industry zone interface.

Comment:

I support the new planting standard proposed at both locations. In my opinion, this would be particularly meaningful down the interface with the current Light Industry Zone.

However, I do not consider that it would address the concerns that I have already raised in relation to the rural-urban interface along the Clayden Road ridge, notwithstanding the additional legal protection afforded planting within properties on that feature.

IXXX.7.1A Assessment criteria – Controlled Activities

The Council will consider the relevant assessment criteria identified below for controlled activities, in addition to the assessment criteria specified for assessment of the relevant controlled activities in the zone, Auckland wide or overlay provisions:

(1) Landscaping in accordance with Standard IXXX.6.3

(a) The extent to which:

- (i) The landscaping and bund form a visual buffer between the industrial area to the west of the precinct and the housing within the Precinct.*
- (ii) The suitability of plant species to the location and the height and density of plants species when mature.*

Comment:

As above, I support this addition to the Assessment Criteria Proposed, as these new criterion will further consolidate the proposed buffering and mitigation of adverse amenity effects arising from interaction between the *Light Industry Zone* and proposed residential zones. Again, it is my assessment that this measure would help to maintain the amenity values of those residents living near the *Light Industry Zone*.

Assessment Of PC40 In Light of These Changes:

Overall, I consider that the changes to the PC40 provisions have bolstered the maintenance and enhancement of amenity values for those living within the proposed residential precincts. They have also increased the level of protection for Tomlinsons Bush.

However, these measures do not alter the fundamental distribution of proposed development across the PC40 site, and my key concerns have been directed at the effects that this would generate in relation to significant local landforms and stream corridors, irrespective of the objectives and policies stated for the application land. In my view, a disconnect remains between this landscape protection as suggested by PC40's objectives and policies and the form, extent and intensity of residential development proposed. Accordingly, my key concerns – encapsulated in the last paragraph of page 13 of this review – remain relevant and substantially unchanged in relation to the PC40 application.

Stephen Brown

BTP, Dip LA, Fellow NZILA



MEMO TO: Petra Burns
Planner

FROM: Bin Qiu
Noise Specialist

DATE: 08/09/2020

**SUBJECT: Private Plan Change 40
Clayden Road Warkworth
Noise Considerations**

* * * * *

Dear Petra

I refer to your request for commenting on the potential noise matters relative to this application.

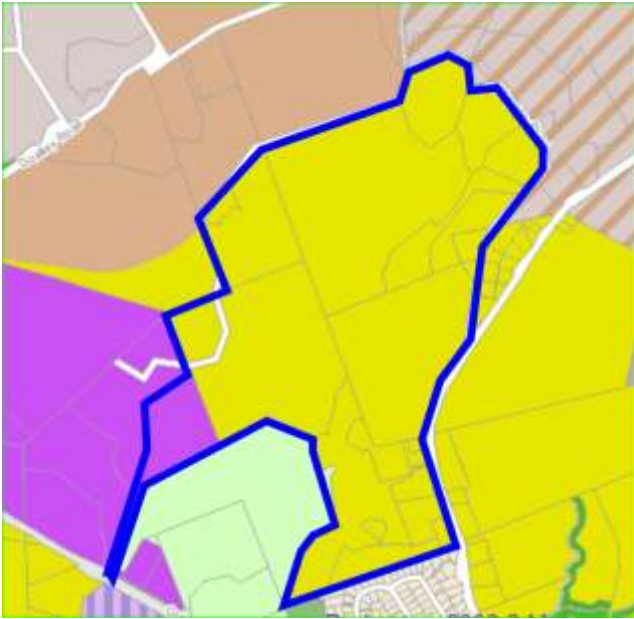
I have reviewed the application documents, including the applicant's Planning report prepared by Tattico Ltd and the information in the submissions.

The proposal is for rezoning of approximately 102ha of land between State Highway 1 and Clayden Road from Future Urban/Light Industry to a mix of residential zones. The property extent, current zoning and proposed rezoning are shown in the following diagrams.

The extent of proposed sites

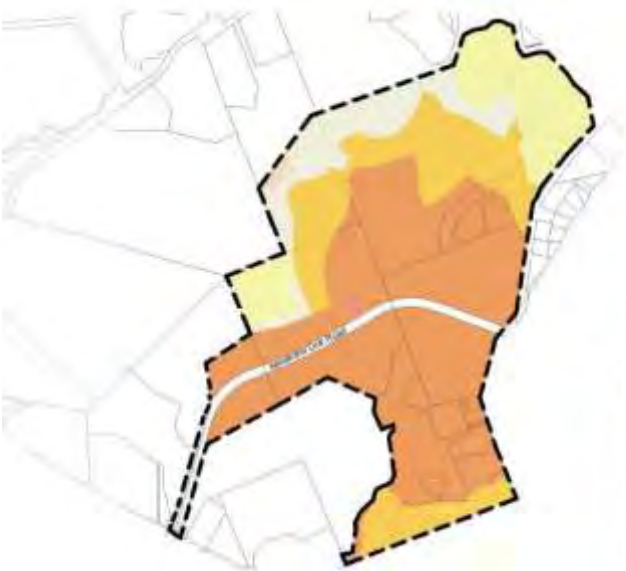


The current zonings



- Future Urban Zone
- Business - Light Industry Zone
- Rural - Countryside Living Zone
- Rural - Mixed Rural Zone
- Open Space - Sport and Active Recreation Zone
- Residential - Single House Zone

The proposed zonings



- Proposed Zoning Key**
- Proposed Boundary
 - Mixed Housing Urban Zone
 - Mixed Housing Suburban Zone
 - Single House Zone
 - Large Lot Zone
 - Countryside Living
 - Neighbourhood Centre Zone

Discussion

The majority of the application area is currently zoned Future Urban zone under the AUP(OP) and a small portion of land in the southwest corner is zoned Business Light Industry zone. The proposed PPC40 precinct borders lands with various zonings: Business Light Industry zone to the southwest, Rural Countryside Living zone to the north west, Rural Mixed Rural zone to the north east, Future Urban to the east, Residential to the south east, and Open space to the south.

Most of land in the PPC 40 area is proposed to be rezoned into various residential zones.

It is noted that an existing helicopter facility with landing pad is operating under a resource consent at the adjacent Light Industry zoned site at 38 Goatley Road. Other noticeable potential noise generating activities may be the event noise from the Warkworth Showground to the south.

This brings two matters relative to noise into consideration for this application: noise amenity for the residents in the PPC40 area and potential reverse sensitivity noise issues for the existing industry and business activities at adjacent sites.

The PPC40 does not contain a noise rule, but some measures are proposed to address the potential reverse sensitivity issues. The proposed measures include:

- No complaints covenants for properties rezoned from Light Industry to residential zones;
- Setting up a noise measurement line for measurement of noise for the helicopter facility;
- Establishing a Special Landscape Yard

In addition, you have advised that the Warkworth Structure Plan (which set out the high-level zoning direction for this area) envisaged 20-30m landscaped yards in this area to help manage reverse sensitivity between the Light Industry zoned land and any residential development (see map below, yard circled in dark blue).



Noise amenity

The no complaints covenant does not mitigate any adverse noise effect. The noise mitigation effect of the proposed landscaped area has not been assessed, but it is likely to be too small to have any significant noise reduction effect.

The helicopter noise during landing and take-off is from the air, as pointed out in the Skywork's submission, the majority of the proposed area will be affected by the helicopter noise. The proposed landscaped yards would not have a significant noise mitigation effect for the helicopter noise.

The effect of the proposed yards for the noise from other Light Industry sites is difficult to assess at this stage, as the noise level and location of the noise sources is unknown. But assuming the noise source is 30m from the industrial site boundary, in current zoning, the noise level is allowed to be at or below 65 dB day and night within any industry site boundary (maybe in the proposed landscaped yard area), the noise received in the new residential area separated by the landscaped yards would be approximately 59 dB day and night (attenuated by the distance of 30m, the vegetation in yards does not have any noise reducing effect). This noise level is still higher than the AUP(OP) residential noise limits and the upper levels of NZS 6802 Acoustics – Environmental Noise.

If request is approved, new zoning rules will apply, the noise at the industrial/residential interface should not be higher than 55 dB LAeq (day) /45 dB LAeq (night). This would cause a reverse sensitivity effect on industrial activity, as the industrial noise potentially exceeds these limits.

The noise measurement line may not meet the measurement/compliance requirement specified in the existing consent held by Skywork Helicopter Ltd.

There is no proposed noise limit to be associated with the noise measurement line. If the same Light Industry noise limit applies on this line, the industrial noise will be received by the future residents in the area rezoned from industry to residential, which may be upto 65 dB LAeq day and night, and without LAmax limit. These noise levels exceed the noise level specified in AUP for residential zones and have no protection for sleep at night (no LAmax).

Exposure to 65 dB LAeq day and night are also significantly over the residential upper noise levels recommended in the NZS 6802 – 2008 Acoustics – Environmental Noise:

Table 3 – Guideline residential upper noise limits

Daytime ⁽¹⁾	55 dB LAeq(15 min)
Evening ^(1,2)	50 dB LAeq(15 min)
Night-time ⁽¹⁾	45 dB LAeq(15 min)
Night-time ⁽¹⁾ LAmax	75 dB LAmax

NOTE –

(1) The definition of times of day are a matter for the relevant local authority and should recognise that a period of not less than 8 hours needs to be provided for sleep to ensure at least the minimum acceptable degree of health protection.

(2) Inclusion of an evening period and its hours of application are a matter for the relevant local authority.

(3) This clause is not framed as a consent condition, rule or national environmental standard and should not be quoted for those purposes. See CB 1.3 for suggested format of consent conditions, rules or national environmental standards.

Currently there are dwellings located in various business zones, where the external noise limits (e.g. 65 dB LAeq in Business - City Centre zone) are generally higher than the limits in residential zones. However, there is a different style of living and noise amenity expectation for apartment living compared to living in typical residential areas. There may be a lack or minimum of outdoor living spaces in apartment buildings located in the Business - City Centre and other business zones. AUP(OP) requires a minimum size of outdoor living court/spaces for residential zones.

Long term exposure to noise for residential purpose should be in accordance with the recommended levels of NZS 6802 – 2008 Acoustics – Environmental Noise. For example, the public health’s noise standard for childcare centre outdoor play area is 55 dB LAeq.

To protect the indoor amenity AUP(OP) places requirement for internal noise levels inside noise sensitive spaces in Business - City Centre zone and other business zones; but AUP(OP) has no such requirement for dwellings in residential zones.

In addition, the Hegley report from Skywork Helicopter Ltd’s submission shows the consented operation of Skywork will result in the helicopter noise is not appropriate for residential amenity in the PPC40 area.

PPC40 may not be able to provide suitable noise amenity for all of the proposed residential properties.

Reverse Sensitivity

The consented helicopter facility operations: it has been clearly demonstrated in the submissions of Skywork Helicopter Ltd, supported by a Hegley noise report, that there is a potential reverse sensitivity effect on the Skywork operations, which cannot be mitigated by the proposed noise mitigation measures. I concur with Hegley report assessment and conclusions.

The noise reverse sensitivity effects could also affect other existing/consented activities at the adjacent industrial sites and in the Open Space – Sport and Active Recreation Zone, and Rural Countryside Living Zone. PPC40 allows residential dwellings to move closer to these zones and more dwellings than what is currently permitted in the Future Urban zone.

PPC40 will change the compliance noise levels for noise emitted from Rural Countryside Living zone. Currently there are no noise limits in AUP applied between Future Urban and Countryside Living zones. In this situation, according to E25.6.22, the receiving site noise standard applies, so the noise limits applicable for the noise received at Future Urban zoned land (and from countryside living zone) are 55 dB LAeq day time/45 dB LAeq and 75 dB LAm_{ax} night time, however when the FUZ is rezoned to Residential in PPC 40, AUP Rule E25.6.16 noise limits would apply to noise from Countryside Living zone, which are 50 dB LAeq day time/40 dB LAeq and 75 dB LAm_{ax}. These levels are more stringent (5 dB lower) than the FU zone noise limits. Therefore, there is a potential noise reverse sensitivity effects on activities in the neighbouring Rural Countryside Living zoned land.

The proposed PPC40 and its noise mitigation measures would not adequately address these reverse sensitivity issues.

In my opinion, this application has not demonstrated the above two noise issues have been addressed satisfactorily.

Please do not hesitate to contact me directly if you have any further queries.

Yours sincerely,

Bin Qiu
Noise Specialist

Memo (technical specialist report to contribute towards Council's section 42A hearing report)

20 July 2020

To: Petra Burns, Planner, Auckland Council
From: Ezra Barwell, Senior Policy Advisor, Community Investment, Auckland Council

Subject: Private Plan Change 40: Warkworth – Clayden Road – Assessment of indicative/potential open space areas

1.0 Introduction

1.1 I have undertaken a review of the private plan change on behalf of Auckland Council in relation to the indicative open space areas.

I have a Bachelor of Parks, Recreation and Tourism Management degree from Lincoln University and a Master of Science in Environmental Science from the University of Auckland.

I have worked in local government since 2002 in the areas of parks and open space management, strategy, planning and land acquisition.

My current role entails strategic planning of open space networks and acquisition of land for open space purposes.

1.2 In writing this memo, I have reviewed the following documents from the application document bundle:

- Warkworth Plan Change post Submission Updated v2 (23-06-20) (002)
- Urban Design Report by Ian Munro
- Masterplan and Plan Set by AStudios
- Submissions (including the further submissions) on the proposed plan change.

I have referred to the Auckland Council documents to help assess the application:

- Parks and Open Space Acquisition Policy (2013)
- Open Space Provision Policy (2016)
- Rodney Greenways: Paths and Trails Plan: Pūhoi to Pakiri (2017)
- Warkworth Structure Plan (2019).

2.0 Key open space issues

The indicative open space shown in the applicant's proposed precinct plan is inconsistent with council open space policy and the Warkworth Structure Plan.

This results in two key problems:

- A potential overprovision of open space servicing the southwestern part of the plan change area that is unsupportable for acquisition by the council (assuming the applicant is expecting the council to acquire the land)

- an underprovision of public recreational open space proposed to service the northeastern part of the plan change area.

3.0 Applicant's assessment

The spatial arrangement and quantum of open space shown in the Masterplan and Plan Set by AStudios is not consistent with the Open Space Provision Policy or the Warkworth Structure Plan. This means there is an underprovision of public recreational open space in the northeastern part of the plan change area.

The Open Space Provision Policy metrics indicate there should be a neighbourhood park in that location. This is reflected in the indicative park shown on the Warkworth Structure Plan. The indicative park network in the structure plan was developed using the open space provision metrics in the provision policy.

The Urban Design Report by Ian Munro does not reference and has not considered the council's Open Space Provision Policy or Warkworth Structure Plan and in its assessment of the proposed open space provision within the plan change area.

This has resulted in the underprovision of public recreational open space in the northeastern part of the plan change area not being identified or addressed in the assessment.

4.0 Submissions

My suggested responses to the two open-space-related submissions are provided in the table below.

Sub. point	Submitter	Submission summary	Suggested response
2.2	Michael George Cronin	Insufficient amount of community green space in the residential areas of the proposal	Agree; there is a shortage of usable public recreational open space proposed in the eastern portion of the plan change area. The council will be seeking to acquire a relatively level neighbourhood park in that area of 0.3-0.5ha as indicated in the Warkworth Structure Plan.
7.4	Auckland Council % Celia Davison	It is sought that the indicative open space on Precinct Plan 1 be more consistent with that shown in the adopted Warkworth Structure Plan	Agree; the council will be seeking to acquire a relatively level neighbourhood park of 0.3-0.5ha in the plan change area as indicated in the Warkworth Structure Plan.

5.0 Assessment of proposed open space

IXXX.9.1 Warkworth: Clayden Road Precinct Plan 1: Spatial provisions in the Warkworth Plan Change post Submission Updated v2 (23-06-20) (002) shows a large indicative open space (refer Figure 1) that is inconsistent with the council's Open Space Provision Policy (2016) and is not supportable for acquisition by the council (assuming the applicant is expecting the council to acquire the land).

It is inconsistent with the Open Space Provision Policy due to its size and location.

The council seeks to acquire one neighbourhood park (0.3-0.5ha) within the development in the general location shown in the Warkworth Structure Plan (which is based on the provision policy's provision metrics)

Based on the provision catchments in the policy the proposed large open space is located too close to the Warkworth Show Grounds and does not serve the northeast of the plan change area within the target walking distance of 400m (for the Residential – Mixed Housing Urban Zone and Residential – Mixed Housing Suburban Zone) to 600m (for the Residential – Single House Zone). The indicative public open space shown in the Warkworth Structure Plan is located there to provide recreational open space in that location to service residents in that area within the council's target walking distance.

Precinct Plan 1 also shows a linear open space including an indicative greenway route with several nodes attached to it (refer Figure 1). Some of this area is likely unsupportable for acquisition but requires further investigation through the subdivision and resource consenting processes.

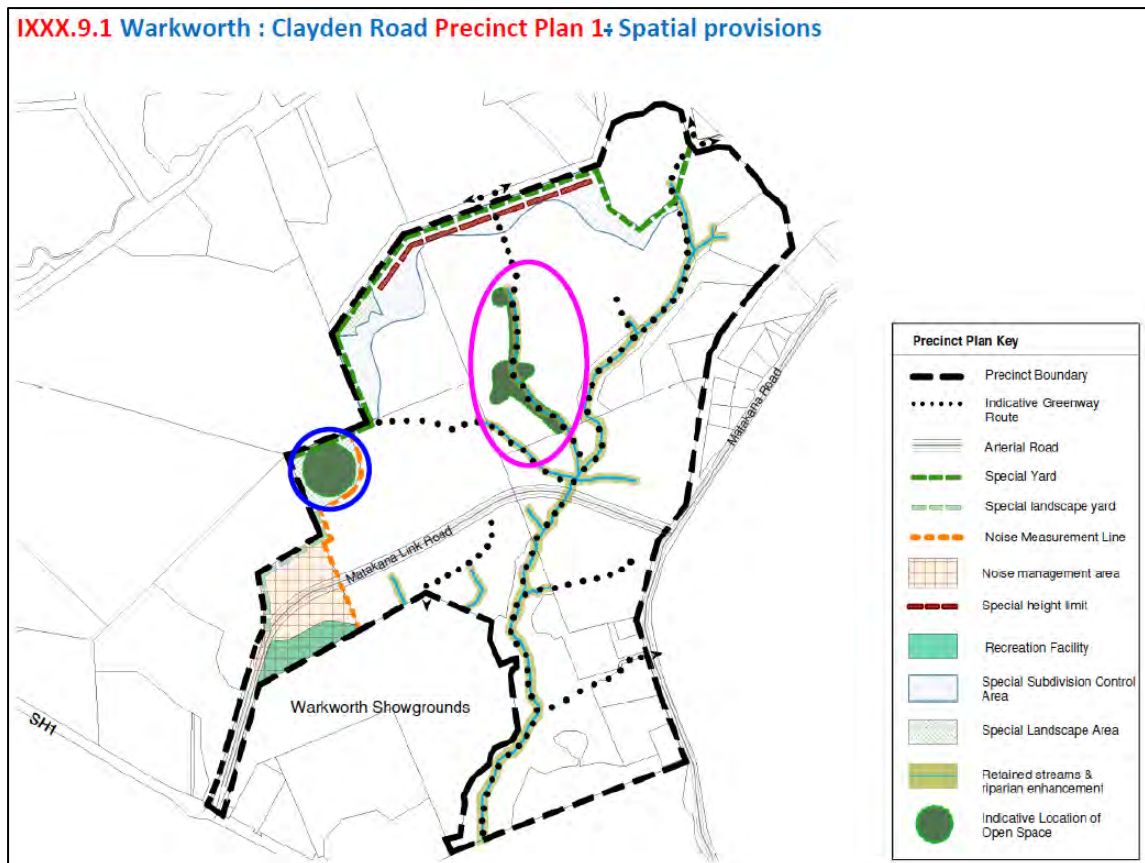


Figure 1. The indicative large open space circled in blue is unsupportable for acquisition. Part of the indicative open space circled in pink is likely unsupportable for acquisition.

The determination of whether the land is supportable for acquisition can only be made once the exact route of the proposed greenway and configuration of the proposed open space is known.

This is because the land may not score highly enough on the two relevant acquisition criteria in the council's Parks and Open Space Acquisition Policy (2013) to warrant its acquisition:

- Acquisition criteria 2: Connecting our parks and open space
 - depending on the final route of the greenway it may not meet the criteria to support its acquisition – even at no capital cost (purchase requires a high score; acquisition at no capital cost requires a high or medium score)

Prioritisation: connecting our parks and open space	
High priority	<ul style="list-style-type: none"> • Land that will establish a significant area of contiguous park or open space that enhances recreation, ecological or landscape values • Land required to establish regional or sub-regional recreation connections (walkways, bike trails) identified in a endorsed council plan (e.g. greenways plans, parks and open space network plan) • Riparian land (such as esplanade reserves) that provides access to or along the coast or waterways • Land that connects areas of habitat of significant ecological value.
Medium priority	<ul style="list-style-type: none"> • Land to create local connections that enhance recreation opportunities • Land that connects areas of habitat of representative ecological value
Not a priority	<ul style="list-style-type: none"> • Land that does not connect existing parks or open space

- Acquisition criteria 3: Protecting and restoring Auckland's unique features and meanings
 - the land is not identified as a Significant Ecological Area in the Auckland Unitary Plan, although some if does have representative ecological value
 - some of the indicative open space area is currently pastureland so has negligible ecological value and would not meet the criteria to support its acquisition – even at no capital cost (purchase requires a high score; acquisition at no capital cost requires a high or medium score).

Prioritisation: protecting and restoring Auckland's unique features and meanings	
High priority	<ul style="list-style-type: none"> • Land containing or protecting rare or threatened indigenous ecological values • Land containing historic heritage or cultural value, including taonga of significance to Mana Whenua, of regional significance or greater and that has public open space values • Land of geological or landscape value of regional significance or greater and that has public open space values
Medium priority	<ul style="list-style-type: none"> • Land containing representative ecological values • Land with historic heritage or cultural value of sub-regional or local significance that has public open space values • Land of geological or landscape value of sub-regional or local significance that has public open space values • Land identified in a council endorsed ecological restoration plan, or open space network plan, to enhance and restore ecological values.
Not a priority	<ul style="list-style-type: none"> • Land with low, common or no ecological, historic heritage, landscape, geological or cultural values • Land with heritage value that does not have public open space values (e.g. buildings)

Regardless of how a proposed open space scores against the acquisition criteria it must be noted that the decision to acquire open space – even at no capital cost – sits with the governing body of Auckland Council and is not delegated to staff. So even if a site scores sufficiently to support its acquisition and it is also supported by staff, the decision to acquire or not ultimately sits with the council's governing body.

It must further be noted that – unless there are specific provisions within wording of the precinct plan – the inclusion of an indicative open space on Precinct Plan 1 does not obligate the council to acquire it or the landowner to sell it to or vest it in the council at no capital cost.

There is currently no wording in the proposed plan change in relation to potential open space acquisitions, so I have no comments.

6.0 Conclusions and recommendations

In conclusion, the indicative open space provision shown on proposed Precinct Plan 1 is inconsistent with the council's Open Space Provision Policy and the Warkworth Structure Plan.

The large indicative open space on the western boundary of the plan change area is not supportable for acquisition by the council – even at no capital cost – as it is too large and in the wrong location based on the Open Space Provision Policy's provision metrics.

The other centrally located indicative open space may be partially supportable for acquisition but this can only be determined once the route of the indicative greenway shown overlaying it on Precinct Plan 1 and the exact configuration of the open space is finalised.

I have two recommendations:

- that an indicative open space of 3000m² is shown on the proposed Precinct Plan 1 in the indicative location shown on the Warkworth Structure Plan (the exact location can be refined through the subdivision and resource consenting processes)
- that no wording is added to the proposed plan change that implies (and potentially creates a legitimate expectation) that any of the indicative open space on proposed Precinct Plan 1, including land underlying the indicative greenway routes and the 3000m² shown on the Warkworth Structure Plan, will be acquired by the council – even at no capital cost (land acquisition can be addressed during the subdivision and resource consenting processes).



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25 August 2020

To: Petra Burns, Planner, Auckland Council
From: Maylene Barrett, Principal Specialist Parks Planner

Subject: Private Plan Change 40: Warkworth – Clayden Road – Parks Sport and Recreation Assessment

1.0 Introduction

- 1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to Parks Sport and Recreation (PSR) effects.
- 1.2 I hold a Masters of Planning Practice from Auckland University (2003), a Bachelor of Science from Auckland University (2001) majoring in Biological Sciences, and a Bachelor of Business from Massey University with a major in Environmental Economics (2001).
- 1.3 I have 17 years of experience in environmental planning, parks planning and project management. I have been employed by Council in the Parks Planning team since July 2014. During that time I have gained extensive experience implementing Precinct plans by providing parks specialist input to the subdivision process, and also the preparation of parks planning advice to several private plan changes.
- 1.4 I undertook a site visit which included a site walkover on 10th July 2020.
- 1.5 In writing this memo, I have reviewed the following documents:
 - Warkworth Structure Plan
 - Attachment A – Warkworth Plan Change post Submission updated v2 (23.06.20)
 - Attachment B – Planning Report by Tattico (24-02-20)
 - Attachment C – Urban Design Report by Ian Munro
 - Attachment D – Masterplan and Design Statement and A Studios
 - Attachment E – Landscape Assessment by LA4
 - Attachment F – Ecological Assessment
- 1.6 Auckland Council documents referred to include
 - Warkworth Structure Plan
 - Rodney Greenways: Paths and Trails Plan: Puhoi to Pakiri (2017)

2.0 Key Parks, Sport and Recreation Issues

- 2.1 This assessment covers the open space provision of the Precinct plan that may be vested in Council to support the greenway, for esplanade purposes and to address the interface with open space including the Warkworth Showgrounds.

Local Park provision

- 2.2 For an assessment on public recreational open space that would be sought by Council via acquisition please see the separate specialist input provided by Ezra Barwell from the Social Policy and Community Investment team.

Puhoi to Pakiri Greenways Plan – greenway routes

- 2.3 The Greenways routes are generally in accordance with that indicated in the Warkworth Structure Plan, however, there is some ambiguity shown below in the greenway network indicated for the Clayden Road paper road. The diagram is not sufficiently clear that a greenway link is envisioned in the precinct plan.

2.4 Outcome sought by PSR: The indicated greenway route is shown as black dotted line the full extent of the Clayden Road paper road as shown on the Warkworth structure plan. It appears that this is the intention, and if this is the case, it is important to avoid misinterpretation at the implementation/subdivision stage. It is recommended that the walkway is indicated on the Clayden Road Precinct Plan 1: Spatial provisions the full extent of Clayden Road as indicated on Diagram 8 below of the superimposed open space network onto the Structure plan. This shows the indicative Clayden road walkway more clearly.

IXXX.9.1 Warkworth : Clayden Road Precinct Plan 1+ Spatial provisions

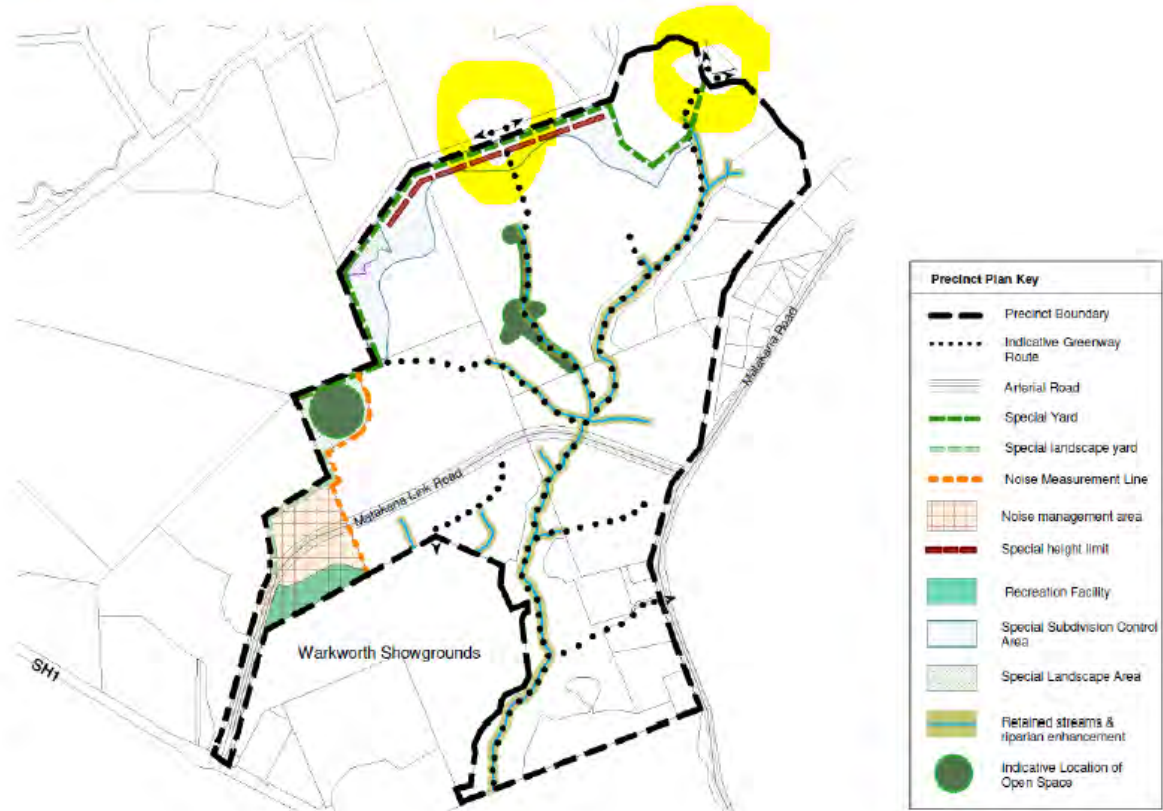


Diagram 8: Requested Structure Plan: Warkworth North



Esplanade Reserve, riparian reserves and accessways

- 2.5 Within the proposed Clayden Road Precinct plan IXXX.7.2 assessment criteria for a vacant lot subdivision as a restricted discretionary activity, it is intended that the greenways are to be vested in Council. Further clarification is required as to the width of greenway routes adjacent to streams where they don't qualify for 20m esplanade reserve purposes. On the Warkworth Structure Plan it indicates as future esplanade reserve for much of the length of the stream K as identified in the Ecology report that is shown on the precinct plan.
- 2.6 It is recommended that an open space network of esplanade and riparian/drainage reserves is established to accommodate the greenway. The precinct plan should therefore acknowledge the anticipation that a 20m esplanade reserve will be required for either side of stream K and any other streams where they qualify. Where there is no longer the requirement to vest a 20m esplanade reserve where the stream no longer qualifies as it heads towards the upper reaches of the stream, then it would be recommended that the greenway route should be provided so that it is on land in addition to the ten metre riparian areas. Where there is no longer a stream the greenway connection should be provided by pedestrian accessway to be vested in Council a minimum of 10m in width. Connections should continue to Clayden Road.
- 2.7 With regards to ownership of the network of open space riparian corridors, if these are to be held in private ownership and the public walkway is to be protected by way of private easement then this can often create confusion and becomes difficult to administer and maintain. Where there is an easement with a public walkway asset constructed within the easement, then it is normal for this asset to be owned and maintained by Council and 2m either side of the walkway to ensure clearance of vegetation and visibility. Therefore, even if the land is in private ownership, Council is still responsible for the asset's renewal and maintenance. It is not recommended that the greenway network be provided as a network of private public access easements as these are difficult to administer and maintain, it is recommended that these are vested in Council.
- 2.8 The challenging topography of the site is likely to create poor landscape and ecological outcomes if only 10m riparian reserves are provided where it is anticipated that the greenway would be located within this area. It appears that this may be the expectation as the proposed IXXX.6.5.B Residential Subdivision Standard - Stormwater is only requiring planting of 50% of the riparian margin. There is the risk that if the greenway networks are located within the 10m riparian margin, then there will be the need for the creation of steep batter slopes and/or retaining walls, restricting the desired outcome.

Interaction adjoining open space including Warkworth Showgrounds

2.9 This is addressed further below in detail in response to submissions.

3.0 Applicant's assessment

Planning

- 3.1 Review of the Planning report prepared by Tattico has summarised at 1.9 that the open space areas are not as shown on the Warkworth Structure Plan and the Precinct plan is proposed to reclaim some streams that are identified on the Structure plan.
- 3.2 At 13.3 (c) of the Tattico report it confirms that the high value streams are protected as tributaries that feed into the upper Mahurangi River.
- 3.3 Of the seven principles of the Warkworth Structure plan, the following are relevant to open space:

Warkworth Structure Plan Principle	Relevant	Applicant's assessment	PSR comments
The Mahurangi River is the jewel in Warkworth's crown	<i>(iii) Treat all the tributaries in the Future Urban zone as being vital to the health of the Mahurangi River.</i>	The main streams and minor tributaries to the extent possible are developed for ecological and amenity purposes. Any streams that are compromised will be subject to compensatory mitigation.	The riparian margins of the streams should have a 10m planted strip for ecological purposes and any greenway walkway paths should be adjacent to this, not within the riparian margin.
Sustainability and natural heritage	<i>(xv) Provide convenient, segregated, and safe walking and cycling routes through the Future Urban zone connecting residential areas with key locations (e.g. schools, parks, centres), and the existing town, and to regional walking/cycling routes.</i>	The MLR will provide walking and cycling possibly only initially on the southern side of the road, but eventually on both sides of the road. This walkway network is extended up the stream corridors to provide a network of walking trails.	Agreed.
Quality built urban environment	<i>(xviii) Locate higher density residential areas around appropriate amenities.</i>	The stream network provides recreational open space and amenity	The opportunity for the stream network does provide recreational open space opportunity, and the precinct plan would benefit from clearer objectives and policies.
Quality built urban environment	<i>(xix) Provide well located and accessible areas of open space linked by a green network of walking and cycling trails along the streams.</i>	This development provides extensive open space through the stream network. This green network has extensive walking and cycling trails that follow the main streams on the land.	It is recommended that the Precinct plan be updated to identify the areas to vest in Council for greenways and riparian areas. The protection areas within the stream corridors that do not qualify for esplanade reserves require a 10m buffer for

			ecological planting/enhancement protection. There is only one reference within the entire precinct plan document to open space and the plan only shows an indicative greenway network. The greenway network shown on the precinct plan is identified as being shown on open space areas for a very short location and the majority of the greenway network is shown on retained streams and riparian enhancement areas. Further clarification needs to be provided to clarify that the greenway network should be provided outside the 10m riparian margin.
A well connected town	<i>(xv) Provide convenient, segregated, and safe walking and cycling routes through the Future Urban zone connecting residential areas with key locations (e.g. schools, parks, centres), and the existing town, and to regional walking/cycling routes.</i>	The MLR will provide walking and cycling possibly only initially on the southern side of the road, but eventually on both sides of the road. This walkway network is extended up the stream corridors to provide a network of walking trails.	The greenway network shown on the precinct plan is supported. It should also be added that there is required to be more clarity on showing the full extent of the greenway connections for the Clayden Road paper road. This is currently ambiguous on the precinct plan map that it should run the full length of the paper road.

Urban Design

- 3.6 In the urban design assessment prepared by Ian Munro within the site constraints section at 5.3.c his view is that the streams across the site are not large enough to trigger esplanade reserves which is incorrect as Stream K is indicated in the Structure plan as likely to qualify. I agree where the streams do not qualify for esplanade reserves that park edge roads are likely to be difficult to achieve due to topography. It is recommended that where the greenway walkway network is indicated on the precinct plan in areas that are particularly steep and have challenging topography, and where a park edge road is sought then it is recommended that the riparian margin may need to be wider than 10m to account for the change in gradient. The footpath would be provided in the road corridor separate to the riparian margin. It is anticipated that a riparian margin may be required of between 15m to 20m to avoid steep battered slopes and/or retaining wall adjacent to the riparian margin for park edge road. Where there is more challenging topography then more land should be provided to mitigate for this.
- 3.7 7.14f: Mr Munro mentions that a preferred outcome would be park-edge roads around the green corridors. I agree with Mr Munro that this is dependent on detailed design. From my experience of dealing with these at detailed engineering planning as part of the subdivision stage, this often results in engineering structures such as retaining walls or steep battered slopes to hold up roads if the riparian reserve is too narrow where the topography is challenging. This results in a poor public interface outcome with the stream as the pedestrian/cycleway is much elevated above the stream and there is less room to provide for a good ecological outcome with regards to the stream corridor.

- 3.8 At 7.5g,h and I: Mr Munro at page 22 has made reference to the Unitary plan E38 subdivision provisions and has concluded that these are sufficient to achieve the indicative greenway pedestrian and cycle routes along road and through a public reserve. My view is that the provisions referred to E38.12.1(7)(a), E38.12.1.7(e), and E38.3(10) are more focussed on the roading and block network and not sufficiently worded to enable a greenway network as envisaged by the precinct plan.
- 3.9 In response to Mr Munro's comments with regards to 7.5i and that the extent of the walkway network needing to be confirmed at subdivision, it can be confirmed that Council's current strategic documents including The Puhoi to Pakiri greenway plans and the Warkworth Structure Plan provide evidence of Council's commitment to achieving a greenway network in this location.
- 3.10 Policy 38.3(18) is more appropriate to the proposed greenway network, and it is recommended that this is strengthened by the addition to the objectives and policies suggested below.
- 3.11 At 7.8f: Mr Munro has noted that floodlighting of the playing fields could be a nuisance for future residents. PSR recommends that the purpose of the playing fields are acknowledged in the precinct plan and that no complaints covenants are placed on property titles at the future subdivision stage. A last minute recommended standard to address this has been put forward by the applicant on their updated precinct plan version 20.8.20 to recognise this as a policy. A standard has also been suggested to be added to address this.
- 3.12 Mr Munro also states the following on page 27:

"7.1diii. In terms of the stream networks that criss-cross the Warkworth basin, these can be seen in several instances to be protected with riparian planting and have development built adjacent to that. In some instances, a public road edge has been provided along these but for the most part these are 'backed onto' by development. While we would prefer that, where possible, a public road edge be provided along the site's green network, we do not consider that a failure to provide this consistently would result in any character-related urban design effect of concern. Overall, and particularly if viewed from the air, the site's green network will integrate with and form part of a visually interesting network of green fingers spreading across the basin and coalescing at the head of the Mahurangi River. We note that proposed Precinct assessment matter 1552.7.2(1)(a)(vii) will help to ensure that where a park-edge road is not possible, proposed lots will be designed to accommodate stream retention."

- 3.13 He is correct in that there are few occurrences on the precinct plan where there are park edge roads as part of the greenway network. This means that the walkway/cycleway greenway network is most likely to be provided to the rear of private property so it will be important to include measures to ensure that the interface with private property is such that there will be passive surveillance with regards to low fencing and properties designed to overlook the greenway network. Also, there will need to be sufficient width to accommodate the 10m riparian planting and the walkways will need to be outside the 10m width.

4.0 Submissions

Submission reference	Submitter	Submission	Response
15.2	Mahurangi Community Sport and Recreation Collective Incorporated (MCSRC)	Consideration needs to be given to the access points to the Warkworth Showgrounds (WWSG) allowing for the future development e.g.: access points should ideally not be in the middle of the proposed bike and skate park on the northern area of the WWSG.	Agreed that access points for the walkways and cycleways should be carefully considered in terms of their location and connection into the WWSG.

		<i>Outcome sought: Consultation with Auckland Council and MCSRC considering future recreational use of WWSG to align best access points.</i>	
15.3	Mahurangi Community Sport and Recreation Collective Incorporated (MCSRC)	<p>The private plan change has certain reverse sensitivity areas noted but does not allow for both noise and light from the WWSG, with light being core to night use for both training and sporting events. There is also no provision considering the improvements that will occur at the WWSG whereby light and noise may increase. The WWSG currently has 24 hour access but an automated entry barrier allows open access to the public from 6am-10pm every day. There are groups that do train until late in the evening and this will only increase as clubs further develop, and once the multisport facility build and further proposed developments at the WWSG occur. As evidenced by the Western Springs case in Auckland, we are concerned we face a similar problem if the conditions are not clear from the outset.</p> <p><i>Outcome sought: Provide reverse sensitivity "no complaints covenant area" across Precinct Plan 1 for both light and noise (relating to recreational use of the WWSG).</i></p>	Agreed. Policy E25.3.11 recognises that activities occurring in the Open Space – Sport and Active Recreation zone may generate high levels of noise and requires adverse effects are avoided, remedied or mitigated having regard to the sensitivity of the receiving environment. Rezoning the site to residential results may require that WWSG comply with E25.6.17 noise standards which could impact on current activities.
15.4	Mahurangi Community Sport and Recreation Collective Incorporated (MCSRC)	<p>There is no provision for screening and minimal planting of the WWSG Northern and North-eastern borders (South and South-eastern Precinct Plan). Fencing will need to be confirmed as it is preferred that access be made to the park only at agreed access points. The current plan change documents indicate imagery that implies an imposing overbear of residential buildings towards the WWSG and this will be a significant change to how the WWSG is currently viewed and enjoyed.</p> <p><i>Outcome sought: Provide increased screening on the borders mentioned helping mitigate visual impacts of the plan change when viewed from the WWSG and helping with noise and light</i></p>	It is usually recommended that sites adjoining open space have low fencing, or fencing that is at least 50% visually permeable to provide opportunities for passive surveillance of the open space. The situation at the WWSG should be no different and it is recommended that boundary treatments for open space, including the WWSG also have these standards.
15.5	Mahurangi Community Sport and Recreation Collective Incorporated (MCSRC)	<p>While we are supportive of including a provision of the indoor recreational facility, Northern Arena, there is no included/validated endorsement from Northern Arena Management/Owners. There is also no timeframe provided, nor is the community given an option to use the land before it falls back to a more</p>	Resource consent currently lodged for the Northern Arena. The pedestrian/cycling access between the Northern Arena proposal and the WWSG is being addressed as a further

		<p>intensive plan change, potentially viewed as a well “hedged bet” within the plan change. Without the endorsement the entire plan change does not provide any community factors per Activity Table in IXXX.4.1</p> <p><i>Outcome sought: Provide for the need for endorsement from Northern Arena including assessment of height restrictions and size of land package allowed for. Provide for secondary option to Auckland Council or the Warkworth community should Northern Arena not take this up, both provisions subject to time.</i></p>	<p>information request. The difference in levels is posing a challenge in that the access between the sites is proposed to be a set of steps and ramps due to the challenging topography, which may be visually intrusive. It is recommended that the pedestrian access is provided where the level changes are the least to avoid lengthy ramps. It is recommended that despite this, a pedestrian link still be provided to connect the two facilities.</p>
15.6	Mahurangi Community Sport and Recreation Collective Incorporated (MCSRC)	<p>There is no provision for specific drainage of the WWSG Northern and North-eastern borders (South and South-eastern Precinct Plan).</p> <p><i>Outcome sought: Include an assessment of the borders mentioned and develop a mitigation plan to ensure no runoff occurs down the steep hill towards WWSG where it would impact recreational grounds (including the hill as this is part of the proposed bike and skate park).</i></p>	<p>Agreed, this should be addressed and stormwater should be captured and diverted away from the WWSG.</p>
15.7	Mahurangi Community Sport and Recreation Collective Incorporated (MCSRC)	<p>No sporting or community bodies that use the WWSG, nor the MCSRC as the key point of contact, have been consulted with nor is there a mention or contribution to the future needs of the community on the WWSG.</p> <p><i>Outcome sought: Direct consultation and contribution to address issues to ensure the current use and future development of the WWSG.</i></p>	<p>This is something that would be considered at subdivision stage.</p>
16	Warkworth Hockey Turf Charitable Trust	<p>“No complaints covenant” should extend to proposed buildings surrounding the Showgrounds facilities. The Hockey Turf runs 7 days a week from 6am-to 10pm .Lights are an intricate part of our complex and light spill may become an issue if the land opposite is developed into housing where as commercial would not matter. We have a second Turf proposed to go beside the existing Turf when numbers allow.This would also be fully lit.</p> <p><i>Outcome sought: To include a buffer zone around the whole Showgrounds Complex with a "no complaints</i></p>	<p>The inclusion of the proposed policy 18 by the applicant to address this is supported to include a “no complaints covenant” for light and noise.</p>

		<i>covenants" as to hours of usage and Light spillage</i>	
18.2	Warkworth A&P Society	As a Society who has an encumbrance on the adjoining land we were not advised of this Plan change. We would like to support the submission of the Mahurangi Sports collective. We are concerned that there are Reverse sensitivity issues with our Showground <i>Outcome sought: Include on titles a reverse sensitivity clause to ensure the future of the Showgrounds is not compromised.</i>	The inclusion of the proposed policy 18 by the applicant to address this is supported to include a "no complaints covenant" for light and noise.

Further Submissions

Sub #	Sub point	Submitter	Summary	Further submission	Response
2	2.7	Michael George Cronin	Retain the live Light Industrial zoning in the plan change subject area.	MCSRC and WHT supports this outcome or other outcomes that achieve the relief sought in its submission. The standards for noise and lighting that apply in a Light Industrial zone are less restrictive than those in a residential zone which would further protect/enable the activities at the Warkworth Showgrounds	This has been addressed and the applicant has offered this in the policies and also in a new standard IXXX.6.6 Noise Measurement Line and Covenants. The particular standard is IXXX.6.6A with the purpose: to help manage potential reserve sensitivity issues regarding noise and lighting issues associated with the WWSG by requiring a no complaints covenant and mechanical ventilation or air-conditioning.
11	11.2	Warkworth Land Company	Amend IXXX.3 Policies in the precinct provisions to include:(12) Manage the effects of stormwater runoff through a series of controls and measures which assist in retaining high water quality and minimising or mitigating sedimentation and erosion	MCSRC and WHT supports this outcome or other outcomes that achieves the relief sought in its submission. With a bike and skate park development planned for the adjacent hillside, it is imperative that no stormwater run-off from this neighbouring development ends up on our site. This would hinder the proposed development and add unnecessary costs to the community to manage stormwater not associated with MCSRC activities.	Supported
11	11.3	Warkworth Land Company	Amend IXXX.7.1(1) Matters of discretion to	MCSRC and WHT supports this outcome or other outcomes that achieves the relief sought	Agreed

			include:(f) Stormwater management	in its submission. The matters of discretion for the Recreation Facility should also include Stormwater management. The proposal only has this Matter of discretion relating to vacant lot subdivision. This could also be added as a relevant matter for specific consideration in relation to the interface with Warkworth Showgrounds	
11	11.4	Warkworth Land Company	Amend IXXX.7.2(1)(a) Assessment Criteria to include:(xvii) The cumulative effect of the approach to stormwater management is in accordance with an approved SMP and achieves a "treatment train" process which mitigates urban stormwater quality issues and controls runoff.	MCSRC supports this outcome or other outcomes that achieves the relief sought in its submission. The provisions need to be amended to clarify that stormwater needs to be managed to avoid effects on adjoining land including at the time of subdivision and land development i.e. from impervious areas such as car parks.	Relief sought by the further submission is supported to avoid effects of stormwater on the MCSRC
14	14.1	David and Christine Parker	Amend the zoning of 139 Clayden Road from Large Lot zone to Single House zone.	MCSRC does not support this outcome. The relief sought will potentially increase residential development on the elevated land that will overlook the Showgrounds. This will potentially exacerbate reverse sensitivity effects relating to the use of the flood lighting.	This has been addressed and the applicant has offered this in the policies and also in a new standard IXXX.6.6 Noise Measurement Line and Covenants. The particular standard is IXXX.6.6A with the purpose: to help manage potential reserve sensitivity issues regarding noise and lighting issues associated with the WWSG by requiring a no complaints covenant and mechanical ventilation or air-conditioning.
14	14.2	David and Christine Parker	Amend Precinct Plan 1 to apply the subdivision control area to the subject site	As above. This would enable creation of 1000m2 residential sites which increases our exposure to complaints.	As above
16	16.2	Warkworth Hockey Charitable Trust	Include a buffer zone around the whole Showgrounds Complex with a "no complaints	MCSRC supports this outcome or other outcomes that achieves the relief sought in its submission but requires the "no complaints"	As above

			covenant" protecting the hours of usage and light spillage from the showgrounds.	covenant to not only be on titles but also included at the plan level for further protection i.e. specific and appropriate Issues, Objectives, Policies, Rules, Matters of Discretion and related Assessment Criteria.	
18	18.2	Warkworth A&P Society – Penny Webster c/- Malcolm Webster	Include a 'no complaints covenant' on all titles to ensure the future use of the Showgrounds is not compromised.	MCSRC supports this outcome or other outcomes that achieves the relief sought in its submission but requires the “no complaints” covenant to not only be on titles but also included at the plan level for further protection i.e. specific and appropriate Issues, Objectives, Policies, Rules, Matters of Discretion and related Assessment Criteria.	As above

5.0 Assessment of Parks Sports and Recreation effects

Objectives and Policies in the Precinct

Open space and the greenway network

Precinct description

The precinct description states “Provision is made for a greenway network providing a network of tracks and walkways along streams and connecting to the broader network outside the precinct.”

There are no objectives in the proposed precinct plan unique to Warkworth that are considered relevant to the greenway network of tracks and walkways along streams, parks and open space, or that relate to the above precinct description..

There is a lack of policies that refer to open space or parks and how the precinct plan enables the integration of the pedestrian links and greenway networks and open space to coordinate infrastructure and open space provision. Policy 7 mentions the vesting of key walkway and cycleway routes but would benefit from detail on how these green open spaces alongside streams were provided and the widths of these ecological reserves.

The following objectives and policies are suggested as an amendment to the Precinct Plan to give some strength to the precinct description and how to interpret the precinct plan maps:

Add the following Objective to the Precinct Plan:

(10) Parks and open space green corridors are provided along the stream network and off road accessways to achieve an integrated, attractive and safe open space network across the precinct that integrates stormwater management, and ecological and recreational functions, while enhancing the amenity of cyclists and pedestrians who will have access through these open space areas.

(11) Recognising the importance of the stream network and its connection to the Mahurangi river while providing for the protection of ecological function and providing for passive recreational opportunities alongside the stream network as part of the greenway network.

Make the following amendments and additions to the policies as follows:

- (7) Enable extensive active walking and cycling network and futureproof key walkway/cycleway routes including along the indicative greenway route, stream network, and areas of open space in a manner that encourages movement within the precinct and toward the Warkworth Showgrounds and Matakana Link Road cycleway and vest these key routes in the Council.
- (8) Create the opportunity for a major indoor recreation facility adjacent to the Warkworth showgrounds.
- (16) Enhance protected streams on Precinct Plan 2 through native planted riparian setbacks.
- (18) Require “no complaints covenants” on the properties adjacent to the Warkworth Showgrounds so as to manage potential reverse sensitivity issues regarding noise and lighting.
- (21) Ensure the configuration of sites and dwellings creates a positive frontage to any adjacent roads, parks and open spaces and encourages passive surveillance and enhances perceptions of safety.
- (22) Ensure open space areas within the precinct are accessible by pedestrians and cyclists and contribute to the character and amenity of the precinct by using existing elements of the natural landscape where practicable.
- (23) Ensure the protection of the Clayden Road paper road for greenway/shared path purposes.

The following standards relate to open space and the greenway network:

IXXX.6.6A Noise and Lighting Sensitive Area

Purpose: To help manage potential reverse sensitivity issues regarding noise and lighting issues associated with the Warkworth Showgrounds by requiring a no complaints covenant and mechanical ventilation or air-conditioning.

- (1) A no complaints covenant shall be registered against the certificate of title for the sites adjacent to the Warkworth Showgrounds at which active sports and recreation activities are carried out in the Noise and Lighting Sensitive Area on IXXX.9.1 Precinct Plan 1. The covenant shall acknowledge the site is adjacent to the Warkworth Showgrounds including existing and future active sports and recreation activities and that the residents will not complain about any permitted activity meeting district plan standards, or any sports activity or sporting event that is being lawfully operated or carried out.
- (2) Any residential building or part of a residential building within the Noise and Lighting Sensitive Area shown on IXXX9.1 Precinct Plan 1 must provide ventilation and/or air-conditioning systems that satisfy the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.

IXXX.6.7 Noise Sensitive Area

Purpose: To require sound attenuation and related mechanical ventilation or air conditioning on properties below part of the flight path to the Warkworth Heliport so as to provide increased noise attenuation within residential buildings.

- (1) Any residential building or part of a residential building within the Noise Sensitive Area shown on IXXX9.1 Precinct Plan 1 must provide sound attenuation and related ventilation and/or air conditioning measures as follows:
 - (a) to ensure the internal noise environment of habitable rooms does not exceed a maximum noise level of 40dB Ldn during helicopter movements;

- (b) that are certified by a person suitably qualified and experienced in acoustics to the Council's satisfaction prior to its construction; and
- (c) so that the related ventilation and/or air conditioning system(s) satisfies the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.

IXXX.7.1 Matters of discretion for a (1) vacant lot subdivision as a restricted discretionary activity include (e) Transport including Access, walking, cycling and Parking; and (h) greenway connections.

IXXX.7.1 Matters of discretion for a restricted discretionary activity

- (3) Modification or reclamation of streams currently provides for:
 - (a) Streams can be retained through re-alignment and raising of stream beds to integrate with land contouring;
 - (b) Ten metre riparian native planting will be provided along each side of any re-aligned stream;
 - (c) Where streams are proposed to be reclaimed with no vertical or horizontal re-alignment, the degree and extent of off-setting, and compensation;
 - (d) Management of water flow is achieved to prevent flooding of residential sites;
 - (e) Base flows to the head of retained streams affected by any reclamation of a permanent stream are maintained;
 - (f) Reclamation is required to achieve the minimum road grade requirements.
 - (g) Development potential will be lost without reclamation works, balanced against the ecological value of the stream to be reclaimed.
 - (h) The ecological classification of the underlying stream is maintained.
 - (i) The 'effects management hierarchy' (avoidance, remediation, mitigation, offset) has been applied.
 - (j) The degree of mitigation or offset where changes to the vertical and horizontal alignment are proposed.

Subdivision Standards

The following should be a standard and be an amendment to the precinct plan to replace IXXX.6.5.B Residential Subdivision Standard- ~~Stormwater~~ Riparian margins:

Purpose: to ~~assist in land stability; and the ecology of streams~~ maintain and enhance water quality and aquatic habitats; enhance existing native vegetation; and reduce stream bank erosion

- (1) ~~At least fifty percent of any riparian yard required under the zone provision shall be planted in native vegetation~~ Riparian margins of streams identified on the Clayden Road: Precinct Plan 1 must be planted either side of the banks of a permanent stream to a minimum width of 10m measured from the bank of the stream, or from the centreline of the stream where the bank cannot be physically identified by ground survey. This rule shall not apply to road crossings over streams.
- (2) Riparian margins identified on the Clayden Road: Precinct Plan 1 must be planted in accordance with a council approved landscape plan and shall use eco-sourced native vegetation, be consistent with local biodiversity and planted at a density of 10,000 plants per hectare.
- (3) Pedestrian/cycle paths shall be located adjacent to, and not within the 10m planted strip.
- (4) Riparian margins may be offered to Council for vesting at no cost to Council where a walkway is to be provided, and where there is a greenway link indicated on the Precinct Plan this should be on land vested to a minimum of 15m either side of the stream with at least the first 10m width planted and a further 5m containing a walking or cycling path.

Add the following new standards:

IXXX6.10 Sites adjoining public open space

Purpose: To provide privacy for dwellings while enabling opportunities for passive surveillance of the open space.

- (1) Where a site or dwelling adjoins open space shown on the Warkworth Clayden Road Precinct the following must apply:
- (a) fences or walls or a combination of these structures within the yard adjoining the open space must not exceed either:
- (i) 1.2m in height, measured from the ground level at the boundary; or
- (ii) 1.8m in height provided that any fencing above 1.2m in height is at least 50% visually open.

Assessment criteria

IXXX.7.2 Assessment criteria for a vacant lot subdivision as a restricted discretionary activity are provided:

(xii) The greenways shown on Precinct Plan IXXX.9.1 ~~are be vested in the Council at the time of subdivision:~~

- Where they are on land subject to a subdivision that contains a stream that does not qualify for esplanade reserve, if the reserve is vested in Council, the walkway shall be provided in addition to the 10m riparian margin so a 15m riparian reserve is to be vested.
- Where there is no stream where the off-road greenway is indicated this shall be a minimum width of 10m where it is to be vested.
- where they are on land subject to any resource consent application, are constructed to a walking track standard similar to that constructed in Regional Parks, and may be vested in the Council, or in the case where the greenway follows vested roads, constructed to normal footpath standards as appropriate;
- connections to greenways on public or private land outside the land subject to resource consent, are futureproofed by constructing track access to the boundary of the application site.

(xii) A walkway network, generally in accordance with Precinct Plan 3 IXXX9.3 including roads and open space area, is created to ensure an interconnected neighbourhood. This includes connections to the footpaths and known bus stops on Matakana Link Road.

(xvii) The greenway network crossing of the Matakana Link Road occurs either at at-grade pedestrian crossing facilities at the access points on to the Matakana Link Road shown on Precinct Plan 3, or as a walking track underneath the Matakana Link Road bridge.

6.0 Conclusions and recommendations

- The indicated greenway route is shown as black dotted line the full extent of the Clayden Road paper road as shown on the Warkworth structure plan. It appears that this is the intention, and if this is the case it is important to avoid misinterpretation at the implementation/subdivision stage.
- The last minute insertion of proposed policy 18 to require a reverse sensitivity “no complaints covenants” across Precinct Plan 1 for light and noise associated with the Warkworth Showgrounds is supported. The standard IXXX.6.6A Noise and Lighting Sensitive Area (1) and (2) added to support this is also supported.
- The riparian margins of the streams should have a 10m planted strip for ecological purposes and any greenway walkway paths should be adjacent to this, not within the riparian margin.
- The private plan change is supported with modifications as indicated in section 5 of this report to the precinct provisions.

Memo (technical specialist report to contribute towards Council's section 42A hearing report)

28 August 2020

To: Petra Burns, Planner, Auckland Council

From: Jack Turner & Hillary Johnston, Consultant Specialists, Auckland Council

Subject: Private Plan Change (PC40) – Warkworth: Clayden Road – Stormwater Assessment

1.0 Introduction

- 1.1 We have undertaken a technical review and assessment of the proposed private plan change on behalf of Auckland Council's Plans and Places Team in relation to stormwater effects.
- 1.2 The proposed plan change seeks to rezone approximately 102ha of land from *Future urban zone* and *Business – Light industry zone* to a mixture of residential zones, generally inspired by the zoning represented within the Warkworth Structure Plan. The proposed precinct includes multiple parcels of land between Clayden Road to the east and State Highway One (**SH1**) to the west and is dissected by existing stream tributaries and associated natural riparian bush areas.
- 1.3 In writing this memo, we have reviewed the following documents:
- Warkworth Clayden Road: Plan Change Request to Auckland Unitary Plan, Planning Report including section 32 assessment updated to include clause 23 requests – dated 24 February 2020 and prepared by Tattico
 - Infrastructure Report, Clayden Road, Warkworth – dated 17 December 2019 and prepared by Maven
 - Stormwater Management Plan, Clayden Road, Warkworth – dated 10 February 2020 and prepared by Maven
 - Updated precinct provisions - Private Plan Change 40 : Modified Request (V2) – dated 23 June 2020
 - Proposed revised Warkworth North 2 Stormwater Management Plan (Version F) – received via email 24 August 2020 and prepared by Maven
 - Revised Catchment Plans – received via email 24 August 2020 and prepared by Maven
 - Warkworth Stormwater Management Plan, Stage 1 – Preliminary SMP (Version B) – dated February 2019 and prepared by Tonkin and Taylor
- 1.4 Submissions received in relation to stormwater matters have also been reviewed and assessed. A site visit was undertaken on 3rd August 2020.

2.0 Key stormwater issues

Flood hazards

- 2.1 The proposed precinct area includes three sub-catchments. Catchment A discharges to an existing culvert beneath State Highway 1 (**SH1**) which is commonly referenced as Culvert E350. The eventual discharge location of the other remaining sub-catchments includes a culvert beneath the Hill Road intersection near the Warkworth Town Centre. Sub-catchments are indicated in Figure 1.

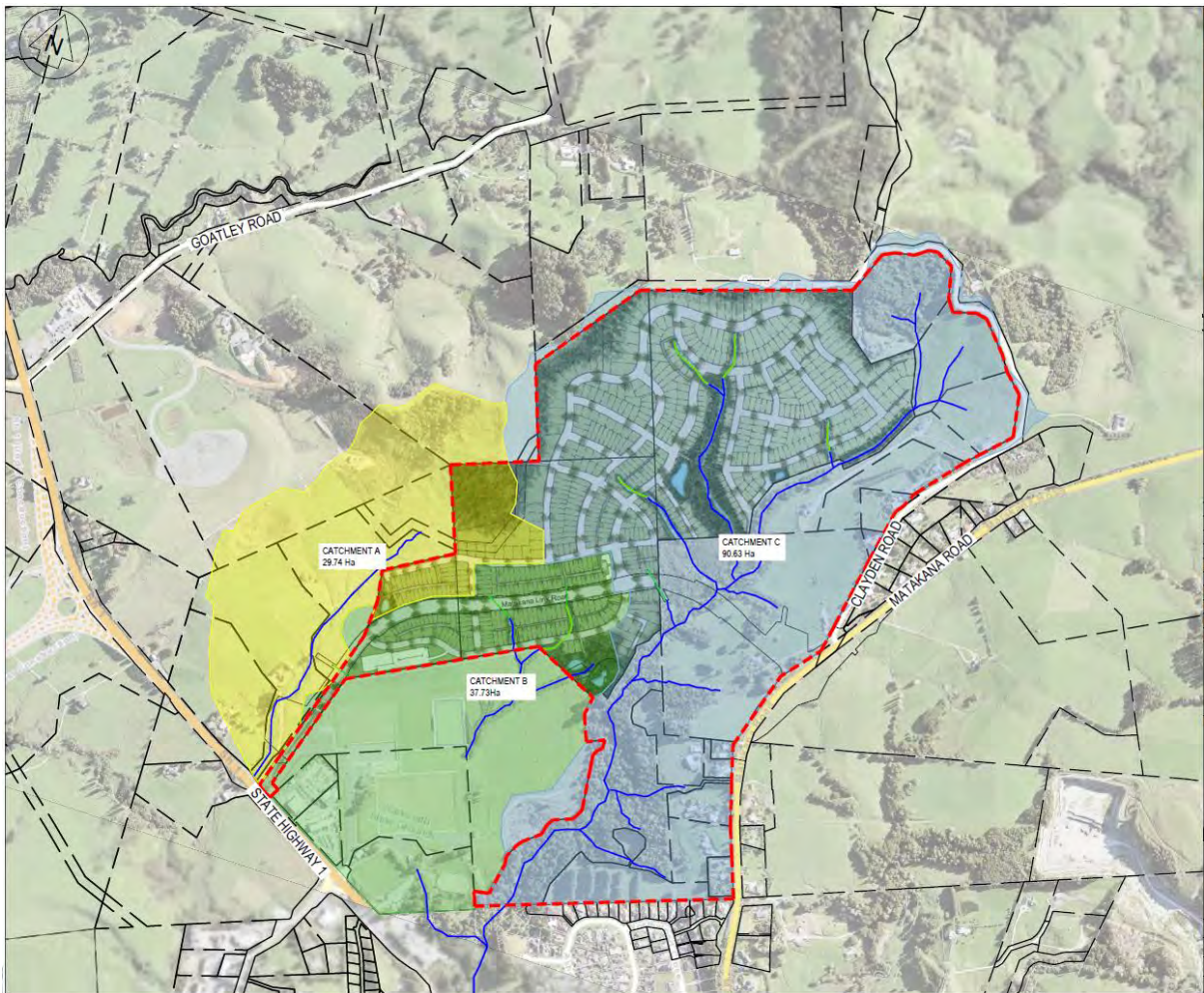


Figure 1. Proposed precinct sub-catchments

- 2.2 Auckland Council's GeoMaps viewer indicates that the proposed precinct extent does not include any existing 1% AEP floodplains outside of areas surrounding the watercourses within the proposed precinct. The Applicant's Agent details this is likely due to the elevation difference across the site, overland flow paths following the natural gullies and, aside from a manmade pond, there being little upstream catchment or storage. Although there are no significant flood hazards (outside of existing watercourses) indicated within the precinct development extent, the receiving environment downstream is subject to significant existing flood hazards as indicated in Figure 2 and Figure 3. Areas of biggest concern in this regard include the Warkworth Town Centre.

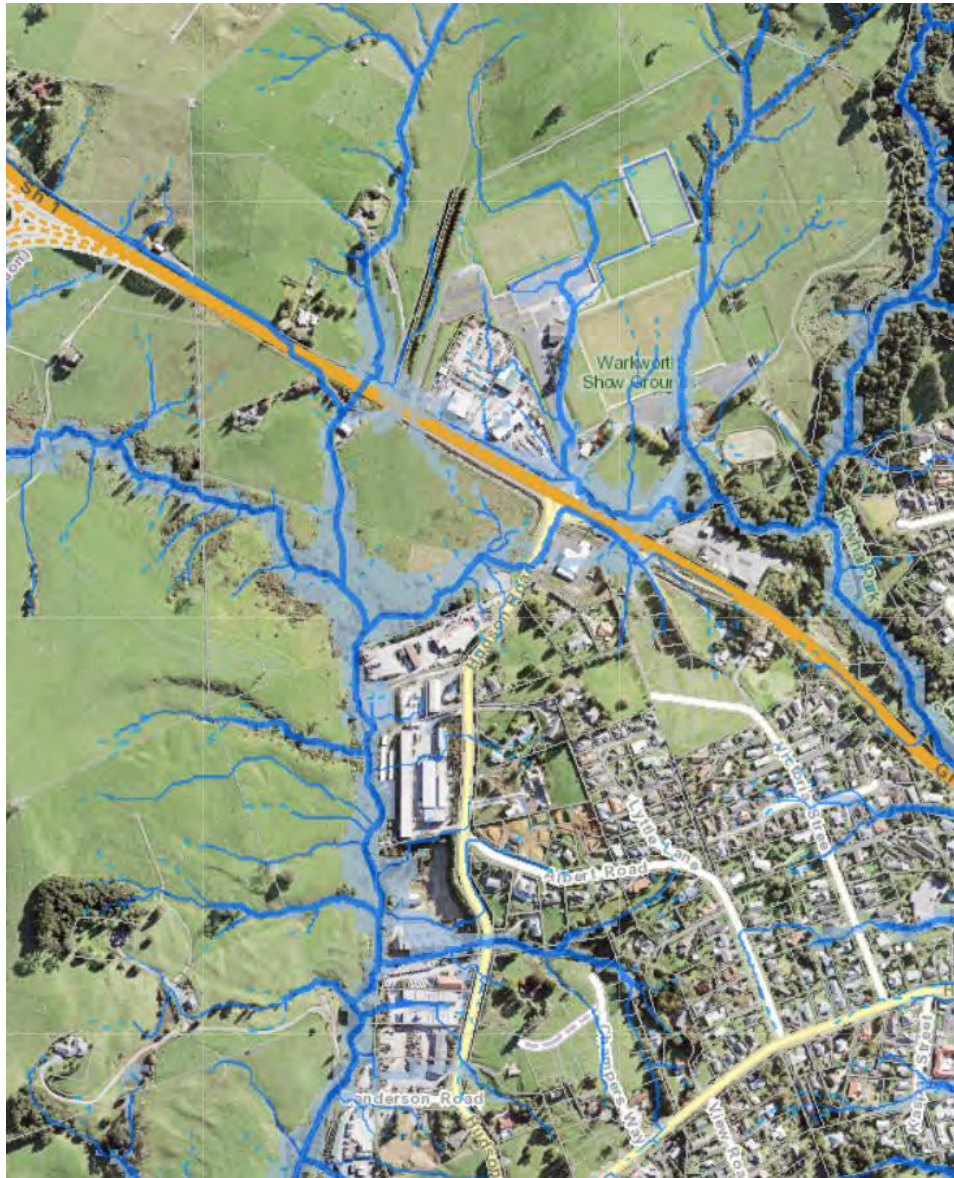


Figure 2. Auckland Council GeoMaps – E350 sub-catchment, existing flood hazards



Figure 3. Auckland Council GeoMaps – Hill Road sub-catchment, existing flood hazards

- 2.3 The Plan Change application documents include detailed images (Figure 4 and Figure 5) consistent with those presented within the Warkworth Structure Plan – Preliminary Stormwater Management Plan (**SMP**) of existing flood hazards. These maps which are taken from Auckland Council's Rapid Flood Hazard assessment maps further confirm there are no major flood hazards outside of watercourses within the proposed precinct area (indicated by dashed blue line). Significant downstream flood hazards are also shown on these maps (indicated in red).



Figure 4. Auckland Council Rapid Flood Hazard Assessment Map, general precinct area indicated

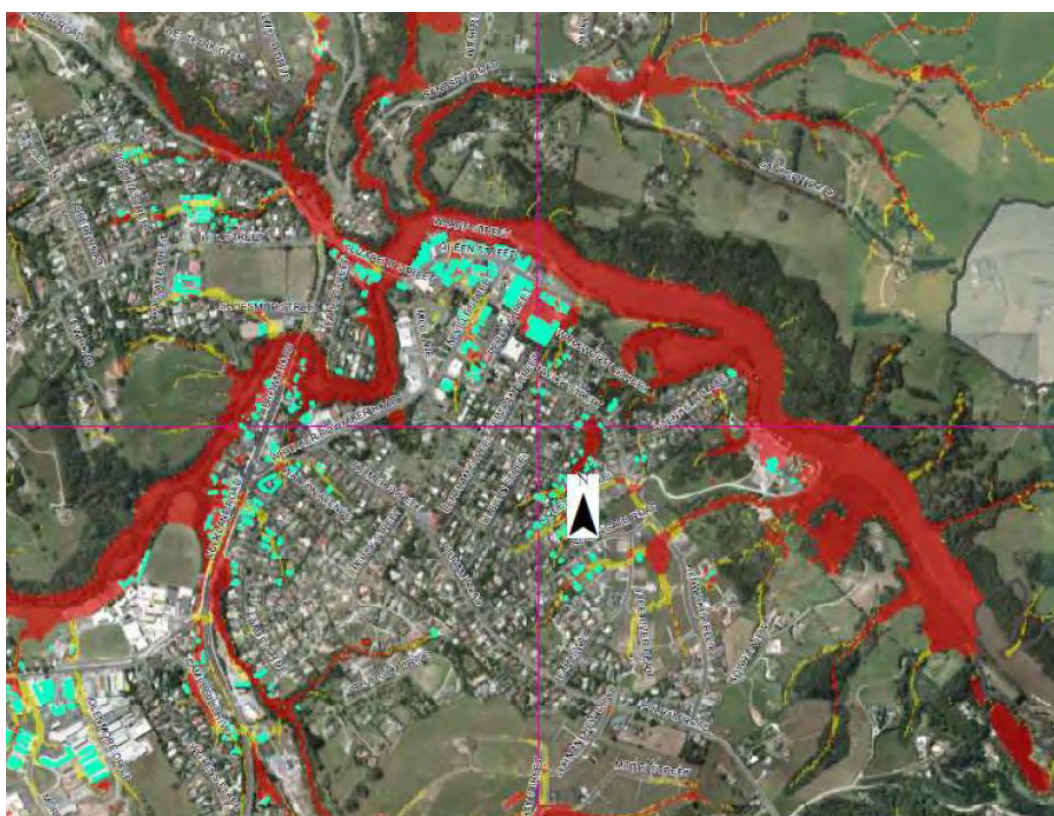


Figure 5. Auckland Council Rapid Flood Hazard Assessment Map, Warkworth town centre

- 2.4 Consistent with the Warkworth Structure Plan Preliminary SMP, management of stormwater runoff within the precinct area to ensure future development does not cause any effects on existing flood hazards or increased risk on development downstream is intended. However, the proposed management approach outlined within the revised SMP for the proposed precinct does not currently account for proposed upgrade works to the SH1 E350 culvert.
- 2.5 Catchment A of the proposed precinct will discharge to a watercourse which flows further to this culvert. Detailed design has not been undertaken for sub-catchment communal mitigation or individual site mitigation however it is intended that peak flow attenuation of the 10% AEP and 1% AEP storm events is achieved. The stormwater management regime intended for Catchment A may be oversized in this regard.

Existing downstream infrastructure constraints

- 2.6 Both the E350 and Hill Road intersection culverts have previously been determined as under capacity.
- 2.7 The Hill Road intersection culvert is an existing Council asset and has been confirmed to be under capacity for the 10-year and 100-year ARI storm events in existing scenarios (i.e. not accounting for maximum probable development upstream). There are no current consented proposed works to upgrade this culvert and as such attenuation of post-development flow to predevelopment levels has been proposed.
- 2.8 Culvert E350 is a Transport Agency (NZTA) owned asset. The Applicant's Engineer has identified with the application documents that upgrades to this culvert are proposed however erroneously notes that the conveyance capacity of this culvert will not be changed due to the potential increased risk on downstream properties. Based on this, the Applicant's Engineer has proposed to attenuate post-development flow to predevelopment levels for Sub-catchment A also. Further catchment modelling has been undertaken by Auckland Council's Healthy Waters Department (**HWD**) which has supported the proposal to increase the conveyance capacity of this culvert. Consent variations that will allow the increase in the size of this culvert have been granted.

Stormwater quality

- 2.9 The SMP for the proposed precinct highlights comments which are also included within the Warkworth Structure Plan Preliminary SMP – Auckland Council's 2016 freshwater report card has rated the water quality for the overall catchment as "good" and that this is likely because the catchment has a low extent of existing impervious surfaces, a low degree of channel modification, and comparatively low pollution from stormwater and wastewater discharges.
- 2.10 In the context of high quality and high value receiving environments the revised SMP outlines that it is necessary to ensure water sensitive design options are implemented. Consistent with the Warkworth Structure Plan Preliminary SMP, it is proposed to achieve water quality treatment of stormwater runoff primarily at source. A treatment train toolbox has been included within the SMP which highlights devices which may be appropriate for use in this context. The Applicant's Agent has detailed that it is intended that water quality treatment devices are designed in accordance with GD01.

Hydrology mitigation

- 2.11 It is proposed to apply SMAF 1 controls to the precinct area. Within a SMAF 1 overlay hydrology mitigation in accordance with Table E10.6.3.1.1 is required under standard E10.6.4.1.(1), which specifies the following, targeting smaller and high frequency rainfall events:
- *Provide retention (volume reduction) of at least 5mm runoff depth for the impervious area for which hydrology mitigation is required; and*
 - *Provide detention (temporary storage) and a drain down period of 24 hours for the difference between the predevelopment and post-development runoff volumes from the 95th*

percentile, 24 hour rainfall event minus the 5 mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required.

- 2.12 The SMP for the proposed precinct highlights that supporting plan change documents, including the geotechnical report for the proposed precinct area, have identified that the area is subject to Allochthonous rock and discharge of stormwater runoff to ground as a form of retention is not recommended. This is broadly recognised within the Warkworth Structure Plan Preliminary SMP.
- 2.13 The stream receiving environment is described within supporting documentation as highly susceptible to erosive flow, which is targeted in part by the SMAF provisions. The management of stormwater related erosion of and within stream receiving environment of the proposed precinct area is a key issue of concern. Consistent with recommendations contained within the Warkworth Structure Plan Preliminary SMP, further instream erosion protection measures should be investigated in addition to the development within the precinct achieving SMAF retention mitigation. This is discussed further in Section 5.0.

Proposed precinct provisions

- 2.14 Since the time of lodgement of the plan change application, the proposed stormwater management provisions have been amended based on comments within the majority of submissions received. Submissions are discussed further in Section 4.0.
- 2.15 The intention of the amendments to the proposed provisions included strengthening of the objectives, policies and assessment criteria relative to the management of stormwater.
- 2.16 It is noted that specific objectives relative to the management of stormwater are not included.
- 2.17 The proposed policies broadly consider mitigating, maintaining and enhancing the water quality of the receiving environments, however, could potentially be further developed to include specific indicators such as total suspended solids (**TSS**), metals, gross pollutants and temperature as outlined as target contaminants of concern within the Warkworth Structure Plan Preliminary SMP.
- 2.18 It is further noted that proposed policy IXXX.3(11) seeks to manage the effects of water quality through riparian planting, hydrology mitigation and to avoid stream bank erosion. There is opportunity for the proposed provisions to more specifically target the proposed management and alternative methods (additional to SMAF hydrology mitigation) to mitigate changes in hydrology, rather than only water quality.

3.0 Applicant's assessment

- 3.1 The Applicant's Agent has included an assessment of the appropriateness, effectiveness, efficiency, costs, benefits and risks of the proposed stormwater management regime in Section 10.9 of the supporting Planning Report. Proposed stormwater management is also described within the Infrastructure Report and the Stormwater Management Plan for the proposed precinct area.

Overland flow path management

- 3.2 Several overland flows paths (**OLFP**) are present within the proposed precinct area which are mainly identified as topographic gullies and watercourses. The Infrastructure Report clarifies that bulk earthworks proposed will modify and/or redirect a number of the existing OLFP however as the commencement of these overland flow paths is within the site, there will be no upstream effects.
- 3.3 It is intended that OLFP conveyance within the precinct is achieved within the road corridors and existing greenways or watercourses. Consent will be sought under the relevant Auckland Unitary Plan (**AUP**) provisions for any reclamation and/or diversion of entry or exit points. Any relevant associated design requirements for aspects such as piping of overland flow paths or minimum freeboard requirements outlined within Auckland Council's Stormwater Code of Practice will be complied with.

- 3.4 Section 5.5 of the revised Stormwater Management Plan clarifies that as a result of proposed development within the precinct, modelling undertaken indicates the:

“majority of the existing downstream overland flow paths are generally unaffected with minor change to existing flooding or flow extents despite the increase in flow generated as part of the proposed impervious coverage increasing. This is likely due to the deeply defined channels, generous grades and storage available within the riparian zones downstream.”

Flood hazards

- 3.5 An assessment of existing downstream flood hazards in accordance with those presented in the Warkworth Structure Plan Preliminary SMP has been undertaken as part of the development of the precinct specific SMP. Known flooding issues and flood hazards are recognised.
- 3.6 The Applicant’s Engineer has proposed to achieve peak flow attenuation of the 10% AEP and 1% AEP storm events to ensure future development will not further exacerbate existing flood hazards and associated risk downstream. This approach is in-line with the recommendations of GD01 and is consistent with the objectives and policies contained within E1 of the AUP. The revised SMP notes that detention basins and wetlands are suitable methods of achieving peak flow attenuation of the 1% AEP event for the development within the precinct. The design of these proposed communal attenuation devices has not yet been developed. Section 6.4 of the SMP also notes that at source attenuation of the 10% AEP event by means of bioretention devices, stormwater tanks or permeable paving is considered.
- 3.7 The Applicant’s Engineer has undertaken stormwater modelling to ascertain the anticipated effects on flood hazards as a result of development within the proposed precinct and to establish a baseline to assess effects of development within the precinct against. Auckland Council’s Mahurangi Catchment model was used to determine the extent of the 1% AEP floodplain.
- 3.8 Table 11 from the revised SMP for the precinct area is included and is intended to provide an indication of the anticipated effects of development within the catchment. It is apparent that there is an error in the version of this table within the current version of the SMP as the pre-development peak flow rate shown does not match the previously quoted version in an earlier section of the SMP. Catchment A includes stormwater runoff which is directed to the SH1 E350 culvert and Catchment B and C include stormwater runoff which is directed to the stream receiving environment which is eventually conveyed through the Hill Road intersection culvert (Figure 1). This table should be corrected.

TABLE 11: PEAK FLOW COMPARISON – PRE AND POST DEVELOPMENT (NO MITIGATION)

CATCHMENT	Pre-Development		Post Development	
	Q ₁₀ (m ³ /s)	Q ₁₀₀ (m ³ /s)	Q ₁₀ (m ³ /s)	Q ₁₀₀ (m ³ /s)
Catchment A	5.496	9.219	5.496	9.219
Catchment B	7.131	11.696	7.131	11.696
Catchment C	11.610	19.105	11.610	19.105

Reticulation

- 3.9 Future public reticulated stormwater networks within the precinct will be designed to convey the 10% AEP storm event, accounting for climate change and as required by the Stormwater Code of Practice. It is intended that discharges from future proposed public stormwater network are authorised under the Region Wide Network Discharge Consent (**NDC**).

Stormwater quality

- 3.10 The revised SMP includes a treatment train toolbox which presents a number of stormwater quality management devices which are recommended as acceptable for use within the precinct.

These are also described within Section 6.3 of the revised SMP and include permeable paving, proprietary devices, gross pollutant traps and bioretention devices such as raingardens and swales. Future development within the precinct shall assess suitability of options within the toolbox at a site-specific level before implementing.

- 3.11 It is intended that all stormwater management devices implemented within the precinct area are design in accordance with GD01. In accordance with the recommendations within the Warkworth Structure Plan Preliminary SMP it is proposed to achieve water quality treatment primarily at source. Secondary water quality benefits of riparian margins are considered within the SMP however it is confirmed that these are not relied on exclusively.
- 3.12 The revised SMP notes that due to topographical constraints of the site treatment of stormwater runoff from the road areas within the precinct will most likely be achieved by raingardens. It is noted that devices proposed to provide quality treatment of public road areas which are intended to be vested to Auckland Transport are subject to Auckland Transport approval.

Hydrology mitigation

- 3.13 The proposed precinct provisions include the implementation of a SMAF 1 area control overlay to the planning maps. The proposed precinct area does not currently include a SMAF overlay as the overlay is not applicable to sites within the Future Urban Zone (**FUZ**).
- 3.14 The site is directly upstream of existing SMAF 1 areas as indicated in Figure 6 and therefore the Applicant's Agent has determined it appropriate to implement the overlay within the proposed precinct.



Figure 6. Auckland Council Geo Maps – Existing SMAF 1 area overlay

- 3.15 Although the SMAF 1 overlay area is proposed to be implemented, the supporting SMP clarifies that due to geological and topographical constraints, retention of roof runoff (where there is a re-use demand) is the most likely method of retention to be achieved within the precinct.

- 3.16 The revised SMP provides scope for retention to be achieved by means of infiltration but only where this is “*feasible and possible in a safe, and effective manner*”.
- 3.17 Detention is proposed to be achieved by appropriate best practice methods such as bioretention devices including raingardens, planter boxes, swales and tree pits. The additional landscape value of such devices is noted.

Proposed precinct provisions

- 3.18 The assessment clarifies that the plan change proposed will give effect to existing Auckland-wide provisions of the AUP and introduces additional provisions. The additional provisions include the implementation of the Stormwater Management Area – Flow 1 overlay to the planning maps for the proposed precinct and the identification of locations of key stormwater management ponds. Indicative locations of key stormwater management ponds are identified within Precinct Plan 2.
- 3.19 It is recognised that it is intended that the Auckland Wide provisions are not duplicated within precinct specific provisions.
- 3.20 Rule IXXX.6.8 – *High Contaminant Yielding Material* (1) is proposed to be included to prevent the use of high-contaminant generating roofing and cladding material within the precinct. This is targeted at avoiding heavy metals, particularly zinc and copper, entering the stormwater system and further the receiving environment. The use of inert building materials is consistent with the outcomes sought within the Warkworth Structure Plan Preliminary SMP.
- 3.21 There are no objectives proposed which are specifically relevant to the management of stormwater.
- 3.22 Proposed policy (11) seeks to “*Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation to enhance in-stream values and avoid stream bank erosion*”
- 3.23 The proposed policies also include an additional policy specific to the management of the quality of stormwater runoff which requires mitigation through a treatment train approach from ‘*all impervious areas in the precinct*’ to maintain high water quality and enhance poor water quality – policy (13).
- 3.24 The amended proposed provisions include a residential subdivision standard IXXX.5.B (1) which requires ‘*At least fifty percent of any riparian yard required under the zone provisions shall be planted in native vegetation*’. Whilst not specifically relevant to the management of stormwater, stormwater related effects on stream receiving environments will be reduced by the implementation of this standard.
- 3.25 Stormwater management is broadly cited within the proposed matters of discretion for restricted discretionary activities. The associated assessment criteria for restricted discretionary activities will further allow Council to consider whether ‘*the cumulative effect of the approach to stormwater management is in accordance with an approved Stormwater Management Plan and achieves a ‘treatment train’ process based on a ten year attenuation standard which mitigates urban stormwater, quality issues and controls runoff from roads and other impervious surfaces.*”

4.0 Submissions

- 4.1 Submissions on the proposed plan change have been reviewed, it is noted that the majority of submissions relate to traffic and broader community impacts of the proposed precinct. The proposed precinct provisions have been updated following receipt of the majority of these submissions. Submissions which are relevant to stormwater are summarised as follows –

Submission 5 - Auckland Transport

- 4.2 Whilst Auckland Transport’s submission is largely relevant to traffic related matters, comments are also included which are relevant to the proposed stormwater management provisions.

- 4.3 Auckland Transport have queried the inclusions of the indicative stormwater management ponds shown on IXXX.9.2 Precinct Plan 2 noting that it is not clear why references to the Matakana Link Road (**MLR**) stormwater management ponds have been included. Auckland Transport notes that the ponds relate to the designation and regional consents for the MLR and not residential development within the precinct.
- 4.4 It is unknown whether this matter was discussed with Auckland Transport prior to the submission of amended precinct provisions.
- 4.5 Whilst it is helpful to understand the position of all large stormwater management devices within the sub-catchments, it is unclear why only one of the stormwater management ponds associated with MLR is shown.
- 4.6 It is not currently proposed to utilise Auckland Transport's stormwater management ponds to provide mitigation of runoff from development within the precinct and therefore the reason for their inclusion is unclear. Auckland Transport's request to remove these references from the proposed planning maps is not opposed.
- 4.7 It is not known if Auckland Transport have been consulted on the initially proposed or revised SMP.

Submission 7 - Auckland Council

- 4.8 The submission on behalf of Auckland Council includes points relevant to the management of stormwater runoff from the proposed precinct and associated future development.
- 4.9 Council's submission notes that the proposed provisions do not adequately implement the integrated management of land use and freshwater systems in line with the policy direction intended by the Regional Policy Statement within the AUP and requests that the plan change be amended to better reflect the policy directives of B7.3 and B7.4.
- 4.10 The submission highlights the high value downstream environment, noting its SEA status and relevant associated objectives and policies which seek to maintain and enhance values of such areas. The amendments sought in this regard included the provision for methods to improve the water quality of streams and to prevent instream erosion and subsequent sediment loading. Auckland Council's submission requests the inclusion of provision for the treatment of *all* impervious areas within the precinct and that a provision is included which specifically "*addresses the treatment of all roads or other impervious areas to manage stormwater quality*". The submission further requests that the plan change is amended to include a treatment train approach in accordance with the Mahurangi [*sic*] Stormwater Management Plan [*note: it has been assumed that the Submitter intended to reference the Warkworth Structure Plan Preliminary SMP*]. The revised SMP includes a treatment train toolbox outlining a range of options available to manage stormwater runoff within the precinct area.
- 4.11 The inclusion of provision of the SMAF 1 area overlay is supported by Auckland Council however the submission further notes that additional measures should be considered beyond SMAF hydrology mitigation to mitigate changes in hydrology in the stream receiving environments and to address potential stream bank erosion. In the context of the previously identified highly erosive geology of the receiving environment, and early indications that limited retention will be able to be achieved within the precinct, the inclusion of additional measures beyond those required by SMAF 1 is supported. This is consistent with the outcomes sought by the Warkworth Structure Plan Preliminary SMP.
- 4.12 The submission includes support for the implementation of a stormwater management plan, however, identifies that the Stormwater Management Plan provided with the application documents does not clearly establish approaches which demonstrate that adverse effects from development within the precinct will be adequately avoided, remedied and mitigated. The submission also identified that the SMP is not applicable to the whole of the Plan Change 40 area. It is noted within the submission that the current SMP is insufficient for adoption under Council's region wide NDC and welcomes continued discussions with the Applicant's Agent to improve this document. It is understood that discussions regarding the SMP between the Applicant's Agent and Auckland Council have been ongoing throughout the plan change

application process, and that the revised version of the SMP provided has been developed based on advice received by Auckland Council's HWD. It is unknown at the time of drafting this memo whether the revised version of the SMP has been deemed acceptable for adoption by HWD under Council's Region Wide NDC.

- 4.13 In resolution to the points raised within their submission, Auckland Council have sought the inclusion of additional objectives and policies in order to provide clarity of context of the provisions and to establish and complete policy cascade. Auckland Council's recommended example of an additional objective for Section IXXX.2 – *Objectives* includes:
- i. Subdivision and development provide riparian margins and design stormwater management function to respect natural processes through best practicable options to protect the high ecological values and maintain good water quality and enhance degraded water quality present in the receiving environment.*
- 4.14 The amended provisions provided by the Applicant's Agent have not included an additional objective relative to the management of stormwater.
- 4.15 The recommended amendments to Section IXXX.3 – *Policies* have been included within the amended precinct provisions provided by the Applicants Agent.
- 4.16 The submission includes comments specific to the proposed standard IXXX.6.8 – *High Contaminant Yielding Materials* noting the standard will not readily be implemented and that it is insufficient to manage water quality. The submission notes an implementation mechanism for this standard should be included as it is currently unrelated to any activity. This is supported.

Submission 11 - Warkworth Land Company

- 4.17 Warkworth Land Company Limited (**WLC**) note they have discussed the plan change application with Council's HWD. WLC support the inclusion of further policies and assessment criteria relative to the management of stormwater. WLC have recommended the inclusion of the following additional policy to Section IXXX.3 – *Policies*:
- (12) Manage the effects of stormwater runoff through a series of controls and measures which assist in retaining high water quality and minimising or mitigating sedimentation and erosion*
- 4.18 The policy has not been included within the amended provisions provided by the Applicant's Agent, however a similar recommendation for an additional policy made by Auckland Council has been included. It is unknown whether WLC support the proposed and included additional policy as suggested by Auckland Council) or whether their concerns in this regard remain.
- 4.19 WLC have also requested the inclusion of an addition matter of discretion to Section IXXX.7.1(1) and an additional assessment criterion to Section IXXX.7.2(1)(a) both of which have been included within the amended provisions provided by the Applicant's Agent.

Submission 13 - QEII

- 4.20 A Queen Elizabeth the Second (**QEII**) National Trust protected area of remnant kauri and podocarp broadleaf forest is located immediately downstream of the proposed precinct. QEII's submission highlights concerns regarding effects from the upstream future development on the covenanted Tomlinson's Bush area.
- 4.21 Whilst the submission primarily is concerned with the health of indigenous biodiversity values of Tomlinson's Bush, it also identifies potential effects of stormwater runoff from changes in land use of the upstream catchment and resultant changes to stormwater volume and contaminants. Specifically, the submission voices concern for the increases in impervious area, increases in peak flow and further scouring and bank erosion within stream receiving environments.
- 4.22 The QEII submission seeks that the proposed zoning adjacent to Tomlinson's Bush be amended to a lesser density to reduce any potential effects on this area.

4.23 Additional matters of discretion for vacant lot subdivisions under IXXX.7.1(1) have been proposed by QEII including:

(g) *Proposed measures to manage sediment and stormwater to avoid impacts on indigenous biodiversity*

4.24 This proposed amendment has not been included within the amended provisions provided by the Applicant's Agent. In the context of the high value receiving environment, which is noted to be susceptible to erosive and sediment generating flow, it is important that measures to manage impacts on sediment and stormwater are considered at a precinct level to ensure that catchment wide and cumulative effects of development in this regard are appropriately avoided and mitigated. The inclusion within the proposed precinct provisions will ensure that the outcomes sought by the SMP will be fulfilled at the next stages of development. Consideration at a precinct level ensures space which may be required to implement sediment and stormwater management measures is accounted for. The inclusion of this provision, or one similar, is supported.

Submission 15 – Mahurangi Community Sport & Recreation Collective

4.25 The Mahurangi Community Sport & Recreation Collective (MCSRC) represents a number of sporting groups who utilise the Warkworth Showgrounds which are located directly south of the proposed precinct. The MCSRC submission seeks that a mitigation plan is developed to ensure no runoff occurs from the uphill properties which would impact the showgrounds.

4.26 A SMP has been developed specifically for the proposed precinct area which seeks to manage stormwater related effects from proposed future development. The stormwater management regime proposed for future development within the precinct includes peak flow attenuation of post-development stormwater runoff to predevelopment levels for the 10% AEP and 1% AEP storm events. It is also proposed to apply SMAF 1 controls to the precinct area, targeting smaller more frequent rainfall events.

Submission 19 – Warkworth Properties (2010) Ltd

4.27 A key point of interest outlined within Warkworth Properties Limited submission includes the management of stormwater within the wider catchment which includes proposed precinct area and the site located downstream owned by the Submitter, who holds consent to establish a large format retail development.

4.28 The Submitter seeks that stormwater management for the proposed precinct is coordinated where possible with downstream developments and that stormwater is managed on a broader catchment scale rather than at an individual site scale to avoid duplication and unnecessary cost. The Submitter has sought that stormwater management for the proposed precinct area compliments the resource consent granted for the Submitter's site, does not generate any adverse effects on the Submitter's site and is consistent with approaches adopted for the SH1 and MLR designations.

4.29 As previously discussed within Section 2.4 and further discussed in Section 5.0 – preliminary proposed catchment scale stormwater management may not have accounted for recent changes to a SH1 culvert downstream of the proposed precinct area. In respect of comments within the Warkworth Properties Limited submission, the current proposed stormwater management for the wider precinct area may not accurately consider the downstream catchment, particularly for stormwater runoff directed to Catchment A (Figure 1), and is therefore not consistent with decisions reached as part of the SH1 and MLR designation consent processes.

4.30 A copy of the Submitter's resource consent has not been provided as part of the submission. A comparative analysis of the stormwater management proposed for the precinct area and the management required under the existing consent for the Submitter's site has therefore not been undertaken.

5.0 Assessment of stormwater effects

Overland flow paths

- 5.1 The existing indicative overland flow paths are shown within Figure 2 above.
- 5.2 The Auckland Council Stormwater Code of Practice requires overland flow paths to be managed up to the 100-year ARI storm event. It is proposed to manage overland flow paths within the road corridors, the existing waterways and proposed greenways within the proposed precinct area.
- 5.3 The Applicant's Agent has clarified that any relevant consents for diverting the entry or exit points of overland flows paths or for the reclamation of existing overland flow paths required by the AUP will be sought. Any relevant associated design requirements for aspects such as piping of overland flow paths or minimum freeboard requirements outlined within Auckland Council's Stormwater Code of Practice will be complied with.
- 5.4 Any effects resulting from the diversion of the existing overland flow paths within the site can be adequately mitigated.

Flood hazards

- 5.5 The receiving environment downstream of the proposed precinct area are subject to significant existing flood hazards as indicated in Figure 2, Figure 3, Figure 4 and Figure 5.
- 5.6 The Applicant's Engineer has proposed to achieve peak flow attenuation of post-development stormwater runoff to predevelopment levels for the 10% and 1% AEP storm events to ensure future development will not further exacerbate existing flood hazards and associated risk downstream. The sub-catchment wide management of these larger, less frequent, storm events is proposed to be achieved via communal attenuation devices. At-source attenuation of the 10% AEP storm event is proposed to be achieved by a range of devices including bioretention devices, stormwater tanks and permeable paving. The design of these proposed communal devices has not yet been developed.
- 5.7 The use of bioretention devices and permeable paving to achieve peak flow attenuation of the 10% AEP storm event is not completely consistent with the recommendations within GD01 and is not supported by default. These devices are not recognised as being able to achieve attenuation to this level. Permeable paving on its own is 'self-mitigating' as such, so runoff from these areas does not typically require further flow attenuation. With bioretention devices, the hydrology mitigation and water quality benefits can be undermined by higher flows to achieve larger-storm peak flow attenuation. The use of stormwater tanks to achieve peak flow attenuation of the 10% AEP storm event is appropriate but it is noted that this will likely only be achieved for stormwater runoff from roof areas.
- 5.8 The proposed management of effects on existing flood hazards does not currently appear to account for proposed upgrade works to the SH1 E350 culvert. Further modelling has been undertaken by Auckland Council's Healthy Waters Department which has supported the proposal to increase the capacity of this culvert. Consent variations that will allow the increase in the size of this culvert have been granted.
- 5.9 The revised SMP recognises that there is potential to increase flow from post-development catchments should public infrastructure downstream of the proposed precinct be upgraded. Although comments in this regard are referenced specifically in the context of discharges from Catchments B and C, the sentiment remains also for discharges from Catchment A. It is further noted within the revised SMP that the effect of future upgrades to downstream public infrastructure including any related assessments (confirming that there are no adverse effects on downstream properties as a result of unmitigated peak flow) would need to be completed before this is confirmed. The SMP proposes that this is investigated further at resource consent stage design as detailed coverage figures and further investigation into the downstream infrastructure will be better understood.

- 5.10 As consents for the upgrades to culvert E350 (including increasing its conveyance capacity and confirming the level of effects downstream are acceptable) have been granted there is opportunity for the proposed stormwater management regime intended for Catchment A to be refined to account for upgrades to this Culvert. The effects of proposed future development discharging to Catchment A, considering the proposed upgrade works to culvert E350, should be further investigated and confirmed. Relief in this context is sought within the submission by Warkworth Properties (2010) Ltd.
- 5.11 The proposed approach for the management of larger and less-frequent storm events, mitigating the potential for increased flood-related hazards downstream, is in-line with the recommendations of GD01 and is consistent with both the objectives sought under the Warkworth Structure Plan Preliminary SMP and Chapter E1 of the AUP. The location of the site in the upper-most reaches of these catchments further ensures the effectiveness of this approach (avoiding the potential for timing issues with the attenuation and longer-duration of predevelopment discharge flow rates).
- 5.12 Overall, the approach to managing stormwater effects in respect of natural hazards and downstream flood-related risk is appropriate in the site and proposed development context however proposed toolbox options presented to achieve attenuation of the 10% AEP event should be further refined. Any potential effects in this regard can be appropriately mitigated.

Stormwater Quality

- 5.13 The stormwater quality treatment regime currently proposed within the revised SMP is formed based on the recommendations within the Warkworth Structure Plan Preliminary SMP including at source treatment of stormwater runoff in accordance with GD01. It is proposed to implement stormwater quality treatment within the precinct area via a treatment train toolbox. Future development within the precinct is to assess site specific appropriateness of device options at the time of resource consent stage.
- 5.14 In the context of high quality and high value receiving environments, the stormwater quality treatment regime proposed at the time of lodgement of the plan change application was considered insufficient. This was recognised within submissions made by Auckland Council, WLC and the QEII Trust. It is unknown if the revised approach including the proposed implementation of a treatment train toolbox has alleviated concerns raised by these Submitter's.
- 5.15 Auckland Council's submission notes that the SMP provided at the time of lodgement of the plan changes application was of insufficient detail to be adopted under the region wide NDC and provided scope to further discuss and refine its contents. It is understood discussions in this regard are ongoing and that comments provided by Auckland Council's HWD have formed the basis of updates made to the SMP since the lodgement of the plan change application. It is unknown if the revised SMP is considered appropriate for adoption.
- 5.16 Although revisions have been made to the SMP since the time of lodgement of the plan change application, Section 5.6 of the SMP describes that the stormwater quality treatment regime has been formed based on the requirements of Section E9 of the AUP. This section further identifies this Chapter as the main mechanism under which stormwater quality treatment is required. Section E9 of the AUP is not the only mechanism within the Unitary Plan where stormwater quality expectations and requirements are outlined. This Section of the SMP may need further amendments to align with the revised stormwater management regime.
- 5.17 Amendments sought to the proposed provisions relating to stormwater quality within the Auckland Council submission requests the inclusion of provision for the treatment of *all* impervious areas within the precinct and that a provision is included which specifically "*addresses the treatment of all roads or other impervious areas to manage stormwater quality*". The recommended amendments to the policies regarding water quality have been included within the amended provision provided by the Applicant's Agent and are supported.
- 5.18 It is noted that recommended additional objectives regarding stormwater quality have not been included. Without guiding objectives, the lower order provisions relating to stormwater quality are incomplete and lack clear context. It is recommended that a relevant objective is included to ensure that there is a "cascade" of stormwater management provisions which are effective and efficient.

- 5.19 Provided further recommended amendments are made to the stormwater quality treatment provisions, and provided a Stormwater Management Plan which meets Council's NDC requirements can be finalised, the stormwater quality related effects of runoff from development within the precinct discharging to the receiving environments is likely to be adequately mitigated.

Hydrology mitigation

- 5.20 Increased runoff and hydrological changes from development or redevelopment of impervious areas can have an impact on the morphology and aquatic habitat in downstream freshwater environments.
- 5.21 The application documents have identified that the proposed precinct area is predominantly underlain by Pakiri Formation of the Waitemata Group which is characterised as poorly draining and reflective of Category C soils for Auckland Council TP108 runoff calculations. The geology is further specifically referenced as Northern Allochthonous rock which is noted to be weak and prone to failure. The application documents describe the underlying geology as a contributing factor in the current state of stream erosion within the catchment resulting in deeply incised downstream watercourses.
- 5.22 It is proposed to apply SMAF 1 controls to the precinct area, which in the context of the downstream receiving environment and existing SMAF 1 overlay area, is supported.
- 5.23 The SMP highlights that supporting plan change documents, including the geotechnical report for the proposed precinct area, have identified that discharge of stormwater runoff to ground as a form of retention is not recommended. Whilst geological and topographical constraints in this context are recognised within the Warkworth Structure Plan Preliminary SMP, the SMP further encourages site specific assessments to determine whether retention can feasibly be achieved in a safe and effective manner.
- 5.24 In accordance with the recommendations contained within supporting geotechnical reports for the proposed precinct area, the Applicant's Engineer has determined retention of roof runoff (where there is a re-use demand) is the most likely method of retention to be achieved within the precinct area. The revised SMP provides scope for retention to be achieved by means of infiltration but only where this is "*feasible and possible in a safe, and effective manner*". There is scope for site specific appropriateness of retention methods to be further assessed at resource consent stage for individual lot development however guidance on how this is determined and what is considered possible, feasible and/or safe should be clarified within the SMP for the precinct area.
- 5.25 The stream receiving environment is described within supporting documentation as highly susceptible to erosive flow, which is targeted in part by the SMAF provisions. The management of stormwater related erosion of and within stream receiving environment within the proposed precinct area is a key issue of concern. This is recognised also within submissions by Auckland Council and the QEII Trust.
- 5.26 At this stage information which demonstrates how the proposal to manage changes to hydrology and instream erosion to avoid, remedy or mitigate the potential effects on the receiving environment from development within the proposed precinct is insufficient. Whilst the avoidance of streambank erosion and enhancement of instream values is included within the amended policies provided by the Applicant's Agent, further instream erosion protection measures are not formally considered or proposed. Instream erosion protection measures are encouraged within the Warkworth Structure Plan Preliminary SMP where infiltration cannot feasibly and safely be achieved. Additional measures beyond SMAF hydrology mitigation to mitigate changes in hydrology in the stream receiving environments and to address potential stream bank erosion should be clearly identified.
- 5.27 The proposed precinct objectives do not include clear references to hydrology mitigation. Without guiding objectives, the lower order provisions relating to hydrology mitigation and protection of instream habitat or value, resultant from changes in hydrology, are incomplete and lack clear context. It is recommended that a relevant objective is included to ensure that there is a complete cascade of stormwater management provisions which are effective and efficient.

6.0 Conclusions and recommendations

- 6.1 With regards to the management of existing overland flow paths, natural hazards and downstream flood-related risks the anticipated effects from the proposed plan change can be adequately mitigated. Overall, the approach to managing stormwater effects in respect of overland flow paths, natural hazards and downstream flood-related risk is appropriate in the site and proposed development context. There is opportunity for the proposed stormwater management regime intended for Catchment A to be refined to account for upgrades to SH1 Culvert E350. Management of overland flow paths, natural hazards and downstream flood-related risks is consistent with the AUP and related guidance documents.
- 6.2 Management of effects on the receiving environment as a result in changes to catchment hydrology is broadly proposed, however in the context of a high quality and erosive susceptible receiving environment further guidance on appropriate mitigation measures should be clearly outlined within the SMP for the precinct area.
- 6.3 Auckland Council's submission identified that the SMP lacks sufficient information to be adopted under Council's region wide NDC. It is understood refinements to this document, in collaboration with Council's Healthy Waters Department to ensure that effects from development within the proposed precinct area are appropriately avoided, remedied and mitigated are ongoing.
- 6.4 Initial feedback received within submissions relative to the management of stormwater has been addressed for the most part, however it is unknown at the time of writing whether Submitter's are supportive of amendments proposed.
- 6.5 Provided further amendments and refinements are made to higher order stormwater quality treatment and hydrology mitigation related provisions, and a SMP which is deemed acceptable to be developed under the Region Wide NDC has been finalised, related effects of stormwater runoff from development within the precinct discharging to the receiving environments is likely to be adequately avoided and suitably mitigated.

Memo (Terrestrial Ecology technical specialist report to contribute towards Council's section 42A hearing report)

21st July 2020

To: Petra Burns, Planner, Auckland Council

From: Rue Statham (Senior Ecologist, Ecological Advice, Auckland Council)

Subject: Private Plan Change 40: Warkworth – Clayden Road – terrestrial biodiversity Assessment

1.0 Introduction

- 1.1. I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to Terrestrial Ecology effects.
- 1.1.1. I hold the qualifications of Bachelor of Science in Earth and Environmental Sciences (Hons) and British Technical Enterprise Council qualifications in Arboriculture. My experience extends to over 25 years in countryside / environmental / conservation management.
- 1.1.2. I have completed and passed: Making Good Decisions Course (MfE - 2018), the Auckland Council Stream Ecological Valuation (SEV) training (2011), University of Auckland RMA training (2008)
- 1.2. In writing this memo, I have reviewed the following documents:
- Planning Report including section 32 assessment updated to include clause 23 requests: Warkworth Clayden Road: Plan Change Request to Auckland Unitary Plan. Prepared by Tattico Limited. Dated 19th December 2019. (Herein referred to as the 'Planning Report').
 - Warkworth Clayden Road Ecology Assessment. Prepared by Freshwater Solutions. Dated 9th October 2019. (Herein referred to as the 'Ecology Report').
 - Memorandum: Warkworth Clayden Road Private Plan Change Request – Clause 23 Ecological Response, Attention John Duthie. Prepared by Freshwater Solutions. Dated 13 December 2019.
 - Stormwater Management Plan: Clayden Road Warkworth. Prepared by Maven Associates. Dated 17th December 2019. (Herein referred to as the 'Stormwater Report').

- Master planning Analysis. Prepared by A Studio Architects. Date unknown. (Herein referred to as the 'Master Planning Analysis').
 - Memorandum: Warkworth Land Company: Clause 23, RMA further information request, Attention Peter Vari and Ryan Bradley. Prepared by Tattico. Dated 18th December 2019. (Herein referred to as the 's23 Response').
 - Alliance Ecology Native Frog Report for Warkworth Land Company Dec 2019
- 1.3 The applicant has prepared a Precinct Plan, including planning maps, as part of the application material.
- 1.4 I have also reviewed the Warkworth Structure Plan prepared by Auckland. Dated June 2019.
- 1.5 I undertook site visits on 16th August 2019, and more recently 10th July 2020.

2.0 Key Terrestrial Ecological Issues

2.1 The key terrestrial ecology issues are summarised below, these are discussed further in the section 6

2.1.1 Certainty regarding protection of high ecological value terrestrial habitats protected by covenants, amendment of AUP-OP Overlay, and the consistent application of Precinct Plan provisions:

There is ability in the Plan Change to add additional habitats that exhibit values consistent with Significant Ecological Areas (SEA) to the Auckland Unitary Plan – Operative in Part (AUP-OP) overlay through the Plan Change process; the ecology report presents evidence to suggest that areas of significant ecological value are present within the Plan Change area and would meet the criteria of Chp B7.

Some habitats assessed as having existing high ecological values and subject to existing covenants are not clearly shown as 'retained stream and riparian enhancement' in Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2), including watercourses and wetlands on reaches K1, L1, L3. While these areas of bush and wetlands are within existing covenants, for clarity and certainty of the application of the relevant Precinct Plan Provisions it is considered necessary to clearly align with existing obligations pursuant of RMA s221.

2.1.2 Insufficient provision for the active enhancement of watercourses and riparian margins:

The Warkworth Structure Plan seeks that there is active restoration and protection of areas identified as 'Protection Areas (not for development)'. This is supported by the NPS-FM, RPS and regional provisions of the AUP-OP.

The Ecology Report, s10.2, also highlights the opportunities for enhancement of terrestrial and wetland values through the active enhancement of habitats, including riparian margins.

It is not considered that the Precinct Plan provides for adequate provision, or the active enhancement of wetlands and bush habitats to be retained.

2.1.3 Proposed objectives and policies of the Precinct Plan:

The proposed Precinct Plan objectives and policies do not sufficiently reflect the outcomes sought by the Warkworth Structure Plan regarding Warkworth's taonga.

2.1.4 Stream reclamation being proposed as a restricted discretionary activity:

The applicant has proposed that reclamation of streams other than those shown on Precinct Plan IXXX.9.2 as a restricted discretionary activity (IXXX.4.1 (A4)). The precinct provisions are silent on wetland habitats, which are present in the Plan Change area.

However, given the strong direction for the retention, enhancement, and protection of wetlands within the Warkworth Structure Plan, as well as, the NPS-FM, the RPS and AUP-OP the non-complying activity status of wetland reclamation under the existing AUP-OP framework is considered appropriate.

2.2 There are also additional comments relating to the terrestrial ecological assessment provided in section 6 below.

3.0 **Applicant's assessment**

3.1 The assessment of terrestrial values and effects was based on a desktop assessment for parts of the plan change area as presented in figure 2 of the Ecology Report.

The applicant considers that this is appropriate and adequate and has concluded that there are no ecologically important areas beyond those already identified (or protected) within the areas assessed by desktop that require further ground-based assessment.

From a terrestrial ecology perspective this is not accepted.

3.2 The Ecology Report describes the terrestrial environments within the proposed plan change boundaries; Sections 5.0 and 6.0 of the Ecology Report.

Noting, that some of these assessments were undertaken by desktop and viewing from neighbouring property boundaries.

It is considered desktop and vantage point assessment provide inadequate survey to undertake an informed assessment of the ecological values of the proposed plan change area; especially in relation to potential areas of SEA, threatened flora and fauna which may

not be sighted or described; especially cryptic and nocturnal fauna, as well as seasonally emergent flora species and or pathogens (e.g. Kauri Die-Back).

3.3 The Ecology Report assesses several actual or potential terrestrial ecological effects because of the proposed plan change including means to manage these effects (section 10 of the Ecology report). In summary these are:

3.3.1 Modification and reclamation of terrestrial habitats and wetlands

Modification and/or removal have the potential to result in loss of habitat for fauna and have adverse effects on ecosystem services and ecological corridors. The Ecology Report proposed to address this effect through offsetting to ensure 'no-net-loss' of overall ecological function and values at the time of resource consenting, as well as, through proposed stormwater design.

3.3.2 Development construction effects

The Ecology Report notes that physical works has the potential to result in fine sediment discharging to downstream watercourses with associated effects on water quality, habitat, and fauna. The Ecology Report proposed to address this effect through best practise construction practises and implementation of sediment control measures (determined at resource consenting stage).

3.3.3 Stormwater Effects

The Ecology Report states that the proposed land use change will increase catchment imperviousness and has the potential to alter hydrology in the downstream environment. The Ecology Report proposes to address these effects through stormwater design including maintaining natural drainage patterns, stormwater treatment, detention, and retention.

3.4 The Ecology Report provides comment on the proposed Precinct Plan, noting that the green network is somewhat reduced from that illustrated in the Warkworth Structure Plan due to the steep nature of the site. The Ecology Report concludes that overall, the proposed Precinct Plan protects most high value habitats within the proposed plan change area.

4.0 Submissions

4.1 The Plan Change has received several submissions relating to biodiversity protection, notably with references to zoning and Precinct provisions.

Mr & Mrs D and C Pinker, Auckland Council and the Queen Elizabeth II Trust are the notable submitters who all generally support the Plan Change but with amendments.

4.2 Mr & Mrs Pinkers' covenant extends to the entire site on 139 Clayden Road; not as the submitter assumes as only the area of bush habitat. I have recovered the covenant

documents and Certificate of Title, as well as correspondence dating back to the subdivision application (May 1993).

- 4.2.1 The subdivision application was for two additional sites, one of 3.3ha and the other for 2.55ha; these complied with the relevant District Plan rules of the time, relating to bush habitat subdivision and subdivision based on steep land.
 - 4.2.2 The subject site at 139 Clayden Road, including the bush area, was extended in size so that the resultant site size which now exists today measures 3.7723ha; presumably as a need to allow for a suitable building area. The correspondence on file confirms that the entire site was not covered in bush, and there was a clear area available to build a dwelling at the time of 224(c).
 - 4.2.3 I can confirm that when the subdivision was approved, June 1995, it was common practice to covenant the entire site for the purposes of rural residential activities; irrespective of whether there were clear areas for a dwelling. For sites where there were not clear areas, there was a general allowance for up to 1000m² providing for a suitable building site and access.
 - 4.2.4 Irrespective of the above, it would be prudent to amend the Precinct 2 Plan, 'Retailed Stream and Covenanted bush' area, to be more reflective of known biodiversity values (potential SEA?) and not the area devoid of bush habitat (e.g. existing dwelling).
- 4.3 The submission from Auckland Council relates mostly to Precinct provisions and the lack of clarity for biodiversity outcomes sought by the submitter.
- 4.3.1 I will address the Precinct Provision later in my memorandum; suffice to say I am in general agreement with the submitter that the Precinct provisions either contain standards found elsewhere in the AUP-OP, or do not meet the outcomes sought by the AUP-OP, or provide enough clarity and direction to do so.
- 4.4 The submission from the Queen Elizabeth II Trust relates mostly to Precinct provisions and the lack of clarity for biodiversity outcomes and biodiversity protections sought by the submitter.
- 4.4.1 I will address the Precinct Provision later in my memorandum; suffice to say I am in general agreement with the submitter.
- 4.5 Further Submissions
- 4.5.1 Further submission #4, White Light Trust, and further submission #5, Warkworth Land Company have responded to the submission points discussed in the above paragraphs and relate to the matters considered in this technical assessment.

4.5.2 The reasons for support or opposition provided by the further submissions are the same for both further submissions. The further submission positions, and my technical position and reasoning are provided in Appendix 2 – Table 2.

5.0 Statutory Considerations

5.1 Key Statutory Considerations relating to the matters of this technical assessment are summarised below. The National Policy Statement of Freshwater [2017]¹, RPS and AUP-OP contain provisions that are relevant to the avoidance and management of adverse effects on wetland and terrestrial ecosystems, and the maintenance and enhancement of these systems through development.

5.2 The National Policy Statement of Freshwater (NPS-FM) includes objectives to safeguard ecological values and maintain or improve water quality, including:

- To safeguard: a) the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, of fresh water; and [...]
- The overall quality of fresh water within a freshwater management unit is maintained or improved while [...]

5.3 The Regional Policy Statement (RPS) includes a range of provisions that seek the loss of freshwater systems is avoided, adverse effects are managed, and enhancement of freshwater systems through development, including (but not limited to):

- B7.2.1 (1) Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision use and development.
- B7.2.1 (2) Indigenous biodiversity is maintained through protection, restoration and enhancement in areas where ecological values are degraded, or where development is occurring.
- B7.2.2 (1) Identify and evaluate areas of indigenous vegetation and the habitats of indigenous fauna in terrestrial and freshwater environments considering the following factors in terms of the descriptors contained in Schedule 3 Significant Ecological Areas – Terrestrial Schedule.....

5.4 Whilst there is a strong direction for avoidance of adverse effects, the RPS provides for an integrated and balanced approach whereby sustainable use of land and resources to provide for growth and development is allowed for when there are no practicable alternative and adverse effects are managed.

¹ At the time of writing National Policy Statement for Freshwater Management 2020, Resource Management (National Environmental Standards for Freshwater) Regulations 2020, and Resource Management (Stock Exclusion) Regulations 2020 had been gazetted and were to be made operative 3rd September 2020

5.5 The regional and district provisions of the AUP-OP include various provisions to maintain and improve wetland and terrestrial habitats. Avoiding and managing adverse effects through development of land that affects wetland and terrestrial systems, including (but not limited to):

- E1.2. (1) Freshwater and sediment quality is maintained where it is excellent or good and progressively improved over time in degraded areas.
- E1.3 (2) Manage discharges, subdivision, use, and development that affect freshwater systems to maintain or enhance water quality, flows, stream channels and their margins and other freshwater values [...]
- E3.2 (2) Auckland's lakes, rivers, streams and wetlands are restored, maintained or enhanced.
- E3.2 (6) Reclamation and drainage of the bed of a lake, river, stream and wetland is avoided, unless there is no practicable alternative.
- E3.3 (2) Manage the effects of activities in, on, under or over the beds of lakes, rivers, streams or wetlands outside the overlays identified in Policy E3.3(1) by: (a) avoiding where practicable or otherwise remedying or mitigating any adverse effects on lakes, rivers, streams or wetlands; and (b) where appropriate, restoring and enhancing the lake, river, stream or wetland.
- E3.3(3) Enable the enhancement, maintenance and restoration of lakes, rivers, streams or wetlands.
- E15.2 (1) Ecosystem services and indigenous biological diversity values, particularly in sensitive environments, and areas of contiguous indigenous vegetation cover, are maintained or enhanced while providing for appropriate subdivision, use and development.
- E15.2 (2) Indigenous biodiversity is restored and enhanced in areas where ecological values are degraded, or where development is occurring.
- E15.3 (1) Protect areas of contiguous indigenous vegetation cover and vegetation in sensitive environments including the coastal environment, riparian margins, wetlands, and areas prone to natural hazards.
- E15.3 (2) Manage the effects of activities to avoid significant adverse effects on biodiversity values as far as practicable, minimise significant adverse effects where avoidance is not practicable, and avoid, remedy or mitigate any other adverse effects on indigenous biological diversity and ecosystem services, including soil conservation, water quality and quantity management, and the mitigation of natural hazards.
- E15.3 (4) Protect, restore, and enhance biodiversity when undertaking new use and development.....

- E15.3 (5) Enable activities which enhance the ecological integrity and functioning of areas of vegetation, including for biosecurity, safety and pest management and to control kauri dieback.
- E15.3 (8) Recognise and provide for the management and control of kauri dieback as a means of maintaining indigenous biodiversity.

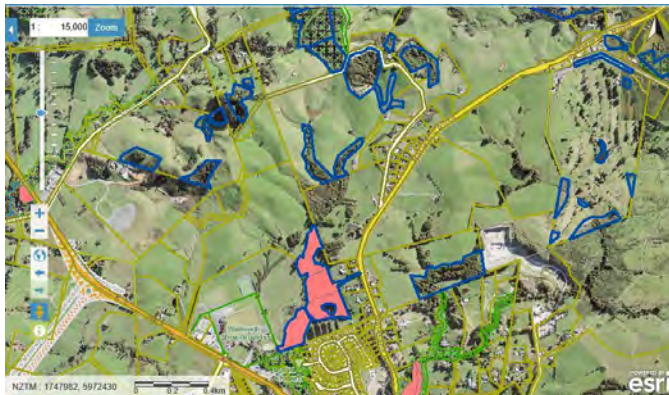
6.0 Assessment of terrestrial biodiversity effects

6.1 The key terrestrial biodiversity concerns as they relate to the proposed Precinct Plan provisions are outlined below. The concern is described, and I have included commentary on any relief sought.

A summary of this section is provided in Appendix 1 – Table 1.

6.2 Certainty regarding protection of high ecological value wetlands and bush habitats (inc. riparian areas) protected by covenants and/or the consistent application of Precinct Plan provisions relating to AUP-OP:

6.2.1 Figure 3 of the ecology report does not include all covenants, noting especially 139 Clayden Road and those to the West of the Precinct area. A copy of the map below was given to the author of the ecological report 19/08/2019.



6.2.2 There is a concern that wetlands and high value bush areas within, and additional to, existing protections (e.g. covenants and SEA overlays), and assessed as having high ecological values are not shown as 'retained stream and riparian enhancement' in Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2). Without repetition to the freshwater review, these areas primarily relate to streams, but have some riverine wetland; these areas are clarified in the ecology review memorandum by Mr Mark Lowe.

6.2.3 I note from the ecology report sec5.4 that the remnant on 139 Clayden Road is considered '*significant*'. Whilst the ecology report has not attempted to assess any of the terrestrial or freshwater habitats using the Significance Criteria of ChpB7.2.2(3), there is a high probability that additional areas within the Plan

Change area could meet, and therefore qualify, as a SEA. The covenant was inspected by Council appointed staff in 2014; only three weed species were identified; *Cestrum sp.* Arum Lily and Chinese Privet. The owners were commended on their weed control and supplementary planting.

- 6.2.4 Amendments to the RMA s76(4)(A) prohibits Council from blanket protecting trees, or groups of trees, unless they are scheduled. Council uses the Notable Trees and/or SEA's for this purpose. RMA covenants can be, and are, amended for various purposes, including for increasing development yield or infrastructure projects; this does not extend so readily to QEII covenants which are not governed by the same legislation. Notwithstanding any amendment of a covenant should be adequately 'mitigated' and/or 'offset', the *covenant* is not a failsafe for protecting biodiversity values. Furthermore, without scheduling areas of habitat as *significant*, Council's land acquisition policies are not directed at Covenants. This may mean terrestrial habitats, such as 139 Clayden Road will not be acquired (even at no cost to Council) without being scheduled.
- 6.2.5 For avoidance of doubt, the assessment criteria of AUP_OP Chp B7.2.2 relating to SEA's are not those that were used to identify significant areas for the purpose of rural subdivision pursuant of Auckland District plan (Rodney Sections) 2011 Rule 7.14.3. The two processes are entirely separate from one another. As per the map in Para5.2.1 there are numerous covenants across this geography that were not identified as SEA's and vice versa; a situation representative of across the Auckland Region.
- 6.2.6 Activity Table standard (A6) provides for, as a permitted activity, "*Vegetation alteration or removal for routine operation, maintenance and repair of existing tracks and proposed indicative greenway routes as shown on Precinct Plan 3 within the covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2*". The ecology report does not show or has assessed whether there are any existing tracks, and whether these are fit of purpose. I am not aware of any tracks; nor did I see any on my site visits. Activity Table standard (A7) states, "*removal of native vegetation shown as covenant bush.....*" is a non-complying activity. There seems a direct conflict between standards. Furthermore, none of the covenants allow for these activities within them.
- 6.2.7 Activity Table standards (A3 – A5). Deadwooding is not permitted in covenants as of right and may be detrimental to the health of the bush and fauna; the standard is contrary to the covenant and should be removed from the table. Biosecurity works are generally an obligation on the covenant owner; the standard does not need to be included in the table and is provided for within Chp E15, outside of covenants, so needs not be repeated. Similarly, A5 needs not be repeated as it is also provided for in Chp E15 and would only be provided for on a case by case

basis due to the covenant obligations. I submit the Plan Change is not the correct process to change conditions of a Resource Consent or s221 consent notice. Furthermore, QEII covenant cannot be changed via an RMA process.

- 6.2.8 Should any covenant area be acquired by Council, the areas would be vested under the reserves Act and would have an appropriate management plan developed. Any, and/or all, management requirements, including paths, would be considered at that time. As noted above, Council may not acquire all areas of bush and riparian areas. The covenants could stay with private landowners.
- 6.2.9 As noted above, the covenant areas may not be vested to Council. There is potentially a conflict with the greenways aspirations through provide property and the ongoing management of the bush/riparian areas. The application does not seem to assume any other outcome than the covenants being vested to Council, notably for the purposes of recreation, e.g. pedestrian connections. The applicant has not demonstrated that pathways can be formed along streams and/or within covenant areas (noting the above restrictions), especially due to the steep terrain and constraints of construction. It may be more appropriate to create tracks adjacent to bush / riparian areas, rather than within them; affording amenity with connectivity, whilst affording a separation / buffer to ecological values from residential creep or activities such as dumping of garden waste.
- 6.2.10 I requested a detailed analysis of infrastructure needs and habitat assessment for the area of indigenous vegetation, including 157, 185, 207 Matakana Road that is assigned SEA status. The SEA is a QEII covenant. The response by Mr Richard Montgomery, whom I believe has not visited the site and is not the author of the ecology assessment, suggests that any assessment can/should be undertaken at the time of development. I do not concur with his assessment. QEII covenants, as stated above, are not subject to RMA legislation and cannot be readily altered or amended through subdivision and/or development applications. Furthermore, they come with very stringent obligations on the covenant holder, some would argue more so than an RMA s221 covenant. I can only assume that Mr Montgomery is unaware of the stringent nature of QEII legislation. Notwithstanding, any amendment to an RMA covenant would also likely require appropriate mitigation / offsetting for the removal of habitat for the purposes of creating tracks or placement of infrastructure.
- 6.2.11 I believe in referring to any area excluded from development as “*retained stream and riparian enhancement areas*” does not truly reflect the importance they have as areas of forest remnant and/or wetlands. The Plan Change annotation is too narrow in its focus to streams.

6.2.12 Relief Sought:

Amend Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2) to annotate "*retained freshwater and terrestrial biodiversity areas*"²

Annotate and amend AUP-OP SEA overlay with areas that meet the significance criteria of Chp B7.2.2

Remove Activity Table standards (A3 – A7)

Fully evaluate all infrastructure and development requirements near or within any RMA s221 or QEII covenant or provide for Standards that avoid potentially adverse effects on biodiversity, e.g. tracks to be created alongside, but outside, of covenant areas.

6.3 The anticipated reclamation within the Precinct Plan is inconsistent with the direction of the Warkworth Structure Plan:

6.3.1 Mr Mark Lowe has provided analysis and commentary on stream reclamation within the proposed Precinct area. I will avoid any repetition in this memorandum, noting that the precinct is likely to reclaim wetland(s), and to acknowledge and agree with his assessment and any relief sought.

6.3.2 Relief Sought:

That the areas identified within the Precinct Plan as 'retained streams and riparian enhancement' are more consistent with the Protection Areas (not for development)' in the Warkworth Structure Plan and the extent of any deviation is considered by the hearing panel.

6.4 Insufficient provision for the active enhancement of watercourses and riparian margins.

6.4.1 Mr Mark Lowe has provided analysis and commentary on stream reclamation within the proposed Precinct area. I will try to avoid any repetition in this memorandum, noting that the precinct is likely to reclaim wetland(s), and to acknowledge and agree with his assessment and any relief sought.

6.4.2 The outcomes sought by the Warkworth Structure Plan was for active restoration and protection of areas identified as Protection Areas (not for development)'. The Warkworth Structure Plan states:

- "Protect and enhance existing bush/natural areas and create ecological corridors linking the Future Urban zone to other ecological areas".
- "The green areas allow the creation of continuous 'green corridors' across the growth area which can be restored with riparian planting".

² For avoidance of doubt, and for consistency with the Precinct as lodged, I shall continue to refer to these areas as 'retained stream and riparian enhancement', even though my preference is they be annotated differently.

- “The Green Network should also be proactively restored (e.g. planting up floodplain areas and riparian margins with appropriate species) if the environmental outcomes sought are to be achieved”.
 - “There are currently limited mechanisms to require the active restoration of these areas (i.e. riparian planting etc). Again, the plan change to implement the first stage of the structure plan will need to include specific provisions to require active restoration measures in these areas”.
- 6.4.3 The Ecology Report Section 10.6 [Aquatic and Riparian Habitat Enhancement] states: *“Most of the streams within the WLC site are currently unfenced and lack riparian vegetation”* and *“a programme of riparian planting would result in an increase in channel shade, woody debris inputs (e.g., potential instream habitat), improve streambank stability, encourage defined channel formation and improve overall ecological values.”* Whilst I agree that some streams / wetlands do not have riparian / buffer vegetation, I am not of the opinion that these represent the majority.
- 6.4.4 The Ecology Report also states: *“There is significant potential to enhance streams and wetlands within the plan change area through weed control, riparian planting, assigning suitable legal protection (i.e., covenant) and through increasing habitat connectivity and restoration of ecological corridors by minimising piping and reclamation of watercourses”*. Whilst there are quite good areas of riparian bush that require little augmentation other than weed and animal pest control, I agree with that statement. Suffice to say, the one area of wetland not annotated for reclamation is devoid of riparian buffer.
- 6.4.5 The Precinct Description states that, *“development of this urban zoned land will..... result in enhanced landscape and environmental outcomes”*, and one key objective is that, *“subdivision and development within the precinct provides for the protection and enhancement of identified landscape features within the Warkworth Clayden Road Precinct”*. I cannot agree. Most of the identified features are already protected via covenant, and those that require weed and/or pest animal control already have obligations on the landowner to improved them through active management irrespective of development. I do not understand how the development will significantly improve habitats above any beyond the status quo, whilst seeking reclamation of several freshwater habitats.
- 6.4.6 Key Policies include, *“enhance protected streams on Precinct Plan 2 through native planted riparian setbacks”*. Given that most wetlands and riparian bush areas are intact, there is little opportunity to enhance further other than a short reach of riparian buffer, as noted above. As noted above, most of the covenants currently have obligations on

the landowners, and the one covenant that does not have that requirement [139 Clayden Road] is already very well maintained.

- 6.4.7 I agree with Mr mark Lowe, when he states: “*Relevant statutory considerations are outlined above in section 4. Several of the provisions of the NPS-FM [2017], RPS and AUP:OP relate to seeking the enhancement, maintenance and restoration of terrestrial and freshwater systems, including at the time of development, including land use change.*”
- 6.4.8 I also believe it necessary that the Precinct provisions should include more specific objectives, policies, and standards in regard to the active restoration and protection of terrestrial habitats ecological values within the Precinct. It is my belief these are necessary with the Precinct Plan in order to meet a key objective of the Structure Plan in order to, “*create ecological corridors linking the Future Urban zone to other ecological areas*”. As noted in para5.2.1 there are a number of covenants to the west of the Precinct area, and the loss of significant lengths of stream reach will diminish any opportunity to provide for ecological connection to these areas.
- 6.4.9 The Precinct Plan includes a standard requiring that fifty percent of the ‘Special Landscape Yard’ shall be planted with native trees that achieve a height of 5 m or more on maturity. The Single House Zone which coincides with the ‘yard’ conflicts with this standard. There seems a disparity with standard H3.6.9 which allows for up to and including 60% impervious surfaces.
- 6.4.10 The Precinct Plan matters of discretion for modification or reclamation of streams includes ‘riparian planting’ (IXXX7.1(3f)). However, no similar matters of discretion are provided for wetlands or for vacant lot subdivision.
- 6.4.11 The Precinct Plan includes assessment criteria for when the greenways shown on Precinct Plan IXXX.9.1 are vested to council at the time of subdivision (IXXX.7.2(1a(xii))). However, this is assuming that greenways and any associated covenant will be vested to Council. I defer to the parks policy advisors, however in my discussion with them this is a political process and based on a strict set of criteria. The applicant should not be assuming that these areas *will* be vested to Council, and they could inevitably be maintained in private ownership. It may well be that land covenants are utilised to protect the areas shown as ‘*retained stream and riparian enhancement*’.
- 6.4.12 The Precinct Plan includes assessment criteria for stream modification and reclamation for the extent to which 10 m native riparian planting along each side of re-aligned streams (IXXX.7.2(3b)). It is noted that this only relates to streams and not wetlands, and those re-aligned, and not all streams / wetlands shown as ‘retained stream and riparian enhancement’ where riparian planting would enhance ecological values and provide for ecological corridors.

6.4.13 I agree with Mr Mark Lowe, when he writes, “As the Precinct Plan is written, it is not clear if riparian enhancement is required at the time of subdivision or if it may form offset or compensation actions to address residual adverse effects; this may lead to confusion and inconsistency at later resource consenting stages. If the planting is required at the time of subdivision it may not necessarily be considered additional at the time of consenting. Additionality is a key principle of offsetting sought by national guidance¹³ and Appendix 8 of the AUP:OP. The national guidance also outlines that to improve outcomes from environmental compensation actions, the offsetting principles should be followed as much as possible.”

6.4.14 Relief Sought:

Re-write appropriate policy description and provisions in order to achieve the desired outcomes of the Structure Plan relating to enhancement and maintenance of terrestrial and freshwater habitat, and their associated riparian margins where necessary, providing for ecological values and connections. I will address

That the Precinct Plan and standards be amended so:

- the active enhancement of retained streams is not to comprise any offset or compensation requirement for the reclamation of freshwater habitat; and
- is an anticipated outcome at the time of subdivision.

More specific objectives and policies (IXXX.2 and IXXX.3) in regard to the active restoration and protection of terrestrial habitats and riparian margins for ecological values within the Precinct Plan. For example:

Include standards (IXXX.6) directly relating to the areas identified as ‘retained stream and riparian enhancement’ to ensure the active restoration and protection of riparian margins for ecological values.

6.5 Proposed objectives and policies of the Precinct Plan

6.5.1 The proposed Precinct Plan objectives and policies do not sufficiently reflect the principle of the Warkworth Structure Plan to recognise the environment (WSP section 3.3.10.1) and Mahurangi River as Warkworth’s taonga. Under this principle of the Structure Plan are the following objectives:

- *The alignment of the Plan with environmental principles and outcomes is largely due to structuring the plan around the Green Network as outlined in [WSP]*

³ Maseyk, F., Usser, G., Kessels, G., Christensen, M., Brown, M. (2018). Biodiversity Offsetting under the Resource Management Act: A guidance document

section 3.3.1 In realising this, the plan proposes to create a continuous 'green corridor' across the study area that connects terrestrial and freshwater habitats with the Mahurangi River and Mahurangi Harbour.

- *The corridors will improve coverage of vegetation across the structure plan area and provide habitat for wildlife. This is important for improving the quality of existing terrestrial, freshwater and marine habitats and supporting their long-term resilience to change. The corridors will provide linkages between the Dome Valley Forest in the north, through to the Mahurangi River, and out into the Mahurangi Harbour and pest-free islands of the Hauraki Gulf in the east.*

6.5.2 The Precinct Plan description does not recognise the existing watercourses and wetlands, including those habitats that are assessed as having high ecological value and/or covenanted, and the importance of these terrestrial and freshwater habitats in improving ecological green corridor aspirations.

6.5.3 Relief Sought:

Include objectives and policies in the Precinct Plan that reflect the terrestrial and freshwater objectives within the Warkworth Structure Plan.

Update the precinct description to include reference to the existing and potential ecological value of the terrestrial and freshwater habitats and the importance of these areas for the health and quality of the Mahurangi River and ecological connectivity.

6.6 Stream reclamation being proposed as a restricted discretionary activity.

6.6.1 Mr Mark Lowe has provided analysis and commentary on stream reclamation within the proposed Precinct area. I will try to avoid any repetition in this memorandum, noting that the precinct as currently drafted is likely to reclaim wetland(s), and to acknowledge and agree with his assessment and any relief sought. The applicant has not sought relief to address wetland loss, whether purposefully or otherwise. I believe there should be consistency throughout the Precinct in terms of Chp E3.

6.6.2 I note that Resource Management (National Environmental Standards for Freshwater) Regulations 2020 prohibits earthworks that results in drainage of natural wetlands; Part 3, Sec53(1)(a).

6.6.3 The applicant has proposed that reclamation of freshwater habitats (e.g. and streams) other than those shown on Precinct Plan IXXX.9.2 is a restricted discretionary activity (IXXX.4.1 (A1)). The applicant through their s23 Response considers that the assessment criteria are very broad and essentially gives the Council the same powers and discretion over ecology as it would have in terms of the Auckland-wide provisions (ChpE3).

- 6.6.4 I disagree and it is the opinion of this reviewer that the existing AUP:OP framework is both adequate and suitable to assess any future resource consents for wetland reclamation within the proposed precinct.
- 6.6.5 Furthermore, the applicant has not demonstrated avoidance of reclamation of freshwater habitats within the Precinct area; and this will only be realised at detailed design / development stages. Whilst it may in part be the opinion of the applicant that some of the streams are in poor condition, the Environment Court has in the past found differently. *Long Bay-Okura Great Park Society Incorporated v North Shore City Council* Decision No 078/2008. The Court accepted that current poor stream health associated with current poor management of streams is not a valid baseline against which to determine environmental effects, and furthermore, the Court recognised that there was nothing to suggest that revegetation of Long Bay rural streams would not be effective quickly (paragraph 425).
- 6.6.6 The ecology report contains Figure 53: A potential masterplan for the WLC owned sections of the site (A Studio Architects A4.1). Perhaps, and the applicant may be able to clarify, the provisions have been written in such a way as to deliver on this conceptual design.
- 6.6.7 Relevant statutory considerations are outlined above in section 5. Whilst recognising the need for growth, several of these statutory considerations seek the avoidance of stream reclamation. Development should seek an integrated approach that manages adverse effects and realises maintenance and enhancement of terrestrial and freshwater systems.
- 6.6.8 Relief Sought:
- Rely on the existing AUP:OP provisions within chapter E3 for managing future proposed reclamation of freshwater habitats at a resource consent stage.
- Remove A1 and A2 from the activity table (IXXX.4) from the Precinct Plan.
- Remove matters of discretion IXXX.7.1(3) (Modification or reclamation of streams) from the Precinct Plan.
- Remove assessment criteria IXXX.7.2(3) (Stream modification or reclamation) from the Precinct Plan.

7.0 **Conclusions and recommendations**

- 7.1 The Ecology Report adequately describes some of terrestrial environments within the proposed plan change boundaries. Whilst overall the descriptions are considered accurate and adequate to undertake an informed assessment of the ecological values of the proposed plan change area, the lack of specific reporting in a number of key locations are considered

inadequate. These areas are principally 139 Clayden Road, and Tomlinson's Bush (QEII covenant).

7.2 The Ecology report summarises the actual or potential freshwater ecological effects as a result of the proposed plan change as:

- Has the *potential to increase fragmentation within the local landscape and within ecological sequences, through the removal of vegetation and through the provision of infrastructure such as roading and housing (which is potentially impassable for some species i.e., lizards)*
- Modification and reclamation of wetlands.
- The potential to result in loss of habitat for fauna and increased predation through introduction of domestic pets.
- Introduction of weed, through garden escapees
- An increase catchment imperviousness and has the potential to alter hydrology [velocity] in the downstream environment, thus leading to stream bank erosion and loss of terrestrial habitat.

7.3 The ecology report does suggest some recommendations relating to development, including:

- *Dense buffer planting of a minimum 5 m wide around bush... to reduce light penetration and [weed] invasion and kickstart natural regeneration.*
- *roading and pathways are situated where they surround vegetated areas rather than dissecting them*
- *Situating roads on the edge of reserve/ native vegetation areas.... as this reduces the likelihood of garden escapes negatively influencing native vegetation areas*

7.4 The recommendations in Para7.3 are certainly worth noting, present good ecological outcomes and are consistent with several other precincts I have been involved with over the years. However, it is not apparent from the proposed Precinct provision, and Figure 53 if this concept were to go ahead, how any of the ecological recommendations have been incorporated into the precinct framework.

7.5 This Technical Assessment identifies several key areas of concern with the proposed plan change provisions, including:

- The certainty regarding protection of high ecological value habitats by covenants and the consistent application of Precinct Plan provisions.
- The anticipated wetland reclamation within the Precinct Plan being inconsistent with the direction of the Waterworth Structure Plan.
- Insufficient provision for the active enhancement of terrestrial, freshwater, and riparian margins through subdivision and development; other than potentially through offsetting residual adverse effects relating to reclamation.

- Proposed Precinct Plan objectives and policies that do not sufficiently reflect the outcomes sought by the Warkworth Structure Plan regarding the area and Mahurangi River as Warkworth's taonga.
- A lack of detailed site-specific survey and reporting on several key habitats; potentially habitats that should be included in the AUP_OP SEA overlay, such as 139 Clayden Road

7.6 This technical assessment, overall, supports the plan change but with the modifications outlined below. The relief sought to address each of these concerns is discussed in this technical assessment and summarised within Appendix 1 (Summary of Areas of Concern and Relief Sought).

7.7 My technical position on submissions and further submissions are provide in Appendix 2 (Summary of Relevant Submissions and Further Submissions).

8.0 **Proposed changes to Precinct text**

8.1 I suggest an insertion to Precinct Description for directed biodiversity outcomes

Precinct Description

Biodiversity

Remnant patches of native vegetation will not be developed for urban purposes; stream and wetland margins will be restored. This will provide some protection to the important existing natural and ecological values which those areas hold and help protect those values over the long-term. Ecological corridors will be enhanced or established to connect those areas together, as well as to other terrestrial, aquatic, and/or marine habitats outside the Plan Change boundaries.

Ecological corridors will help improve the quality and resilience of habitats by facilitating movement of wildlife and providing opportunities to increase vegetation cover and biological diversity (especially native species). Creating these corridors will require revegetation of the intervening gaps between existing areas of native vegetation.

8.2 IXXX.X Objectives (X)

- Stormwater runoff is managed to enable the maintenance and enhancement of natural waterways and water quality, including downstream environments, protected covenants and Significant Ecological Areas.
- Biodiversity values and ecological corridors are maintained and/or enhanced through protection of Significant Ecological Areas, groups of trees, riparian and wetland margin restoration [at the time of development], ensuring adequate development setbacks, and through appropriate landscaping practices.

8.3 IXXX.X Policies (X)

Provide an indicative network of open space areas, including bush and wetland / stream margin protection areas, to protect and connect existing ecological values; provide for areas of public open space, as well as walkway and cycleway connectivity that does not diminish biodiversity values.

- Require, at the time of subdivision and development, a Green Network of 10-20m riparian buffers riparian planting of appropriate native species along the edge of permanent and intermittent streams, and wetlands to:
 - provide for ecological corridors through the PPC40 area;
 - maintain and enhance water quality and aquatic habitats, and;
 - Provide for walkways and/or development free buffers adjacent to areas of Significant Ecological Habitat
 - enhance and connect existing native vegetation and wetland areas within the catchment, and;
 - reduce stream bank erosion.

8.4 IXXX.X Policies (X)

Enhance wetlands and streams identified for enhancement using techniques such as boulder clusters; spur dikes, vanes and other rock deflectors; rock riffles; cobble or substrate; cobble floodways; root wads or large wooden debris; vegetated floodways; live siltation; erosion control blankets; living walls and culverts designed to enable fish passage.⁴

8.5 IXXX.X Standards – Streams and wetlands [To achieve stream enhancement works that improves biodiversity values, ecological connectivity, and safeguards water quality now and into the future]

1. Riparian margins must be planted either side to a minimum width of 10m, measured from the bank of the stream, or edge of wetland, and shall be kept free of footpaths or cycleways.
2. Any planting required, will be implemented in accordance with a council approved landscape plan and must be use eco-sourced native vegetation, be consistent with local biodiversity and planted at a density of 10,000 plants per hectare.
3. The riparian areas of a permanent or intermittent stream or wetland margins must be planted to a minimum width of 10 - 20m measured from the top of the stream bank and/or the wetland's fullest extent.

⁴ This is a similar approach as taken in PPC25 – Hudson Road

4. The riparian planting proposal must:
- a) Be in accordance with Appendix 15.6(3) (b – f) and 15.6(4) planting standards and requirements, and shall
 - (i) include a plan identifying the location, species, planting bag size and density of the plants;
 - (ii) use eco-sourced native vegetation;
 - (iii) be consistent with local biodiversity and ecosystem extent;
 - (iv) be planted at a density of 10,000 plants per hectare unless a different density has been approved on the basis of plant requirements.

8.6 IXXX.X Standards – Retained freshwater and terrestrial biodiversity areas [To achieve improvements to biodiversity values, ecological connectivity, and safeguards water quality now and into the future]

- 1 Areas identified as Retained Freshwater and Terrestrial Biodiversity Areas shall be kept free of development.

Memo prepared by:

Rue Statham

Ecological Advice Team

A handwritten signature in black ink, enclosed in a thin black rectangular border. The signature is stylized and appears to read 'Rue Statham'.

STATEMENT OF RUPERT STATHAM

Qualifications and expertise

1. My name is Rupert Edward George Statham (Rue Statham)
2. I hold the qualifications of Bachelor of Science in Earth and Environmental Sciences (Hons) and British Technical Enterprise Council qualifications in Arboriculture.
3. I am a Senior Ecologist with the Ecological Advice Team, Auckland Council; currently taking the role of Acting Team Manager. My experience extends to over 25 years in countryside / environmental / conservation management. Prior to moving to New Zealand I gained experience with organisations such as English Nature (now Natural England), National Trust (UK), British Trust for Conservation Volunteers (BTCV), Cornwall County Council, the Highways Agency (UK), and the Environment Agency (UK); I have also been privately contracted to individual landholders. My United Kingdom experience extends to the protection, rehabilitation and enhancement of natural areas, including Sites of Special Scientific Interest (SSSI) National Nature Reserves (NNRs), Local Nature Reserves (LNRs) and Areas of Outstanding Natural Beauty (AONB).
4. The last 14 years I have been employed by Auckland Council (nee. Rodney District Council). My role is, predominately, to peer review ecological aspects of land-use and subdivision resource consent applications, latterly I have been required to provide technical biodiversity input to policy/rules planning and review (Unitary Plan and National Policy).
5. I provide advice to landholders and developers with regards to the protection, rehabilitation and enhancement of natural areas for the purposes of RMA/Unitary Plan requirements, and/or voluntary natural heritage protection schemes; my current non-RMA focussed work extends to the preparation and submission of a translocation application to the Department of Conservation in relation to the absolutely protected species of *Paryphanta busbyi busbyi* (Kauri Snail) which was under threat from logging operations in Whangateau, Leigh.
6. I have completed and passed: Making Good Decisions Course (MfE - 2018), University of Auckland RMA training (2008), the Auckland Council Stream Ecological Valuation (SEV) training (2011) and provided expert evidence at the Environment Court (notably ENV-2008-AKL-I04, c.2010)

Appendices

Appendix 1. Summary of Areas of Concern and Relief Sought

Table 1: Relief Sought

Area of Concern	Relief Sought	Reasoning
<p>Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2)</p> <p>Certainty regarding protection of high ecological value wetlands & bush habitats (inc. watercourses) protected by covenants, and the consistent application of Precinct Plan provisions.</p>	<p>Rename Precinct plan annotations, '<i>retained streams and riparian enhancement</i>' to "<u>retained freshwater and terrestrial biodiversity areas</u>".</p> <p>Include all as '<u>retained freshwater and terrestrial biodiversity areas</u>' in Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2) and use symbology that clearly indicates this.</p> <p>Include all significant bush and riparian habitats as SEA in the RPS Overlay</p>	<p>While many of these habitats are within existing covenants, for clarity and certainty of the application of the relevant Precinct Plan provisions it is considered necessary to clearly indicate these in the SEA overlay and habitats as 'retained stream and riparian enhancement'.</p>
<p>Precinct Plan 1 (IXXX.9.1) and Precinct Plan 2 (IXXX.9.2).</p> <p>The anticipated watercourse reclamation within the Precinct Plan is inconsistent with the direction of the Warkworth Structure Plan, NPS-FM, RPS and regional provisions of the AUP:OP.</p> <p>Noting that Resource Management (National Environmental Standards for Freshwater) Regulations 2020 are more restrictive regarding wetland loss.</p>	<p>That the areas identified within the Precinct Plan as 'retained streams and riparian enhancement' are more consistent with the Protection Areas (not for development)' in the Warkworth Structure Plan and the extent of this deviation is considered by the hearing panel.</p> <p>Indicate clearly within the Precinct Plan that the active enhancement of retained streams is not to comprise any offset or compensation requirement for the reclamation of watercourses and is an anticipated outcome at the time of subdivision.</p>	<p>To be consistent with the NPS-FM, RPS and regional provisions of the AUP:OP and achieve the outcomes sought by the Warkworth Structure Plan.</p>

<p>Objectives (IXXX.2), policies (IXXX.3) and standards (IXXX6). Insufficient provision for the active enhancement of watercourses.</p>	<p>Include more specific objectives and policies (IXXX.2 and IXXX.3) regarding the active restoration and protection of terrestrial and freshwater values, and well as riparian margins for biodiversity gains within the Precinct Plan. Include standards (IXXX.6) directly linked to the areas identified as <u>‘retained freshwater and terrestrial biodiversity areas’</u> to ensure the active restoration and protection of terrestrial and freshwater habitats for biodiversity values</p>	<p>To not be inconsistent with the NPS-FM, RPS and regional provisions of the AUP:OP and achieve the outcomes sought by the Warkworth Structure Plan</p>
<p>Objectives (IXXX.2), policies (IXXX.3) and Precinct Plan Description. Inadequate recognition and protection of the Mahurangi river.</p>	<p>Include objectives and policies in the Precinct Plan that reflect the freshwater objectives within the Warkworth Structure Plan. Update the precinct description to include reference to the existing and potential ecological value of the watercourses within the Plan boundaries and the importance of these watercourses for the health and quality of the Mahurangi River.</p>	<p>The Mahurangi river is taonga and requires protection from the effects of urbanisation. This includes tributaries to the Mahurangi river.</p>
<p>(IXXX.4.1 (A4 – A7))</p>	<p>Rely on the existing AUP_OP provisions within chapter E3 for managing future proposed freshwater value reclamation at a resource consent stage. Rely on the existing AUP_OP provisions within chapter E15 for managing vegetation alteration and or maintenance at resource consent stage.</p>	<p>The non-complying status of wetland reclamation within the AUP_OP framework is considered appropriate given the direction for the retention, enhancement, and protection of freshwater values within the Warkworth Structure plan, as well as, the NPS-FM and RPS. AUP_OP framework and or reserve management plans are adequate for the maintenance of covenant</p>

	Remove A1 through to A7 from the activity table (IXXX.4) from the Precinct standards.	areas if any are to be vested to Council. RMA s221 Consent notice obligations are considered adequate for ongoing management should they remain in private ownership
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Appendix 2. Summary of Relevant Submissions and Further Submissions [FS]

Table 2: Summary of Relevant Submissions

Submission Point	Summary	Technical Position and Reasoning	FS Position	Technical Position and Reasoning (FS)
7.6 Auckland Council	It is sought for the precinct to be more consistent with the 'green network' shown in the Warkworth Structure Plan.	<p>Support submission:</p> <p>The green network referred to in the submission includes the areas identified as 'Protection Areas (not for development)' in the Structure Plan.</p> <p>The Auckland Council submission raises similar concerns discussed in this technical assessment which covers ecological linkages not provided for in the Precinct Plan, and them not being consistent with the Warkworth Structure Plan. This is a result of potentially a significant loss of stream and wetland values.</p> <p>The Structure Plan considers the protection and enhancement of these linkages through a future plan change as being essential and recognises not only the potential value of wetland and streams, but also the important ecosystem functional values they provide.</p> <p>Avoidance of wetland and stream reclamation is also sought by various provisions of the RPS and regional provisions of the AUP:OP.</p> <p>Noting that Resource Management (National Environmental Standards for Freshwater) Regulations 2020 are more restrictive regarding wetland loss.</p>	<p>FS4 and FS5 Oppose</p> <p>The Council seeks the green network be the same as the Structure Plan (no reasons given). The proposal follows the Structure Plan. It places greater emphasis on the two main tributaries lesser emphasis on ephemeral watercourses. It integrates green network, open space, and walking routes. This is part of the exercise to resolve the best outcomes for both green networks and a quality urban design.</p>	<p>Support submission 7.6</p> <p>Submission 7.6 seeks the proposed precinct plan be more consistent, not necessarily the same, as the Structure Plan.</p> <p>Reclamation of ephemeral streams is a permitted activity under chapter E3 of the AUP:OP. The reclamation anticipated under the proposed plan also include intermittent streams which the Structure Plan recognises for the important ecosystem functional values they provide, including those relating to hydrological and biogeochemical processes.</p>

<p>7.8 Auckland Council</p>	<p>Seeks to amend Plan Change 40 to achieve the ecological and biodiversity enhancements sought in the adopted Warkworth Structure Plan and relevant regional policy statement outcomes of the Auckland Unitary Plan.</p>	<p>Support submission: While the submission does not specify the exact nature of the amendments sought, the intent of the amendments sought is supported. With reference to terrestrial ecology and biodiversity this submission raises similar concerns discussed in this technical assessment which considers the proposed Precinct Plan objectives and policies do not sufficiently reflect the principle of the Warkworth Structure Plan to recognise Mahurangi River as Warkworth's taonga. This technical assessment also considers there is insufficient provision in the proposed plan for the active enhancement of terrestrial habitats including riparian planting where this would improve ecological values and connectivity between habitats.</p>	<p>FS4 and FS5 Oppose Insufficient information has been provided by the Council as to what additional provisions are being sought "to achieve ecological and biodiversity enhancements" and "relevant regional policy statement outcomes". It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions</p>	<p>Support submission 7.8 While the submission does not specify the exact nature of the amendments sought, the intent of the amendments sought is supported for the reasons outlined in this technical assessment.</p>
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<p>7.16 Auckland Council</p>	<p>Amend the precinct to ensure ten metre riparian planting along streams as indicated on Precinct Plan 2 are implemented through the development process and to clarify ownership and ongoing management.</p>	<p>Support submission: This technical assessment also considers there is insufficient provision in the proposed plan for the active enhancement of watercourses including riparian planting where this would improve ecological values and connectivity. This submission is supported as it also seeks the Precinct Plan provide more certainty regarding the mechanisms for active enhancement and ongoing maintenance of all streams and riparian margins shown on Precinct Plan 2 (notwithstanding submission point 7.6 seeks the inclusion of more streams within the 'retained streams' shown on the Precinct Plan). It is considered appropriate to amend the proposed plan to include objectives, policies and standards that more explicitly seek riparian planting where this would improve ecological values.</p>	<p>FS4 and FS5 Oppose The Plan Change does not propose to alter the AUP provisions as they relate to the streams in the precinct area and it is anticipated that future resource consent applications will need to address the relevant riparian matters as set out in the Unitary plan for all zones. Insufficient information has been provided by the Council as to what additional provisions are being sought to address riparian planting. It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	<p>Support submission 7.16 This technical assessment considers there is insufficient provision in the proposed plan for the active enhancement of watercourses including riparian planting where this would improve ecological values. While Council's specific concerns or any relief sought may not be clear, it is considered appropriate to amend the proposed plan to include objectives, policies and standards that more explicitly seek riparian planting where this would improve ecological values. Further recommendations are made within this technical assessment.</p>
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<p>7.23 Auckland Council</p>	<p>Amend the proposed precinct provisions to create an implementation mechanism for proposed standards that are presently unrelated to activities, and whose implementation is uncertain, for example: [...] iii. the absence of a mechanism in the precinct to require restoration planting of the 'Green network' as shown on Precinct Plan 2.</p>	<p>Support submission: This submission is supported as it seeks the Precinct Plan provide more certainty regarding the mechanisms for active enhancement and ongoing maintenance of all streams shown on Precinct Plan 2. The Precinct standards is written, it is not clear that riparian enhancement should be provided through subdivision and the activity standard requiring 10 m native riparian planting is restricted to re-aligned streams, not all streams or wetland areas.</p>	<p>FS4 and FS5 Oppose Insufficient information has been provided by the Council as to what additional provisions are being sought to create implementation mechanisms for the proposed standards. It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	<p>Support submission 7.23: For the reasons outlined in response to the submission. This technical assessment outlines several areas where relief is sought in relation to additional provisions to provide further clarity.</p>
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<p>7.31 Auckland Council</p>	<p>Amend the precinct provisions to achieve consistent recognition of, and provision for, high natural values; and ensure proposed zoning, SEA layers, precinct methods and Precinct Plans align. Tensions exists between the proposed zoning, and Precinct Plan 2's recognition of covenanted land with zoning promoting residential intensification proposed for land subject to and surrounding a Queen Elizabeth II covenant.</p>	<p>Support submission 7.31: The proposed Plan Change areas includes areas of high ecological value, as recognised by the exiting QEII covenants and SEA overlays. The ecology report stopped short of assessing whether any additional areas of high value habitat meet AUP_OP B7.2.2 significance criteria. The Ecology Report concludes that overall, the proposed Precinct Plan protects most high value habitat within the proposed plan change area. Further consideration of zoning proposed for the areas of high ecological values is supported, including zoning the additional areas of SEA, covenant areas and 'retained stream and riparian enhancement' areas' as Open Space.</p>	<p>FS4 and FS5 Oppose (FS5 position wording is similar but not identical) Insufficient information has been provided by the Council as to what additional provisions are being sought to create consistent recognition of SEAs and land subject to Trusts. The WLT understanding is that QEII land is appropriately shown on the Precinct Plan 2, but in any case, WLT land is not subject to any QEII covenant. The AUP clearly identifies what is allowed to be carried out within a SEA (within overlay D9). It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	<p>Support submission 7.31: For the reasons outlined in response to the submission. While Council's specific concerns or any relief sought may not be clear, further consideration of zoning proposed for the areas of high ecological values</p>
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<p>7.32 Auckland Council</p>	<p>Amend the precinct provisions to address any utilities and/or transport options (including walking and cycling) necessary to be constructed within or through land with high natural values including the Queen Elizabeth II covenant.</p>	<p>Support submission 7.32: The proposed Plan Change areas includes areas of high ecological value, as recognised by the exiting QEII covenants and SEA overlays. The ecology report and Clause 23 response fails to understand the legal and consenting implications relating to alterations and/or removal of habitat within covenant areas, including installation of utilities and/or transport options (including walking and cycling)</p>	<p>FS4 and FS5 Oppose (FS5 position wording is similar but not identical) Insufficient information has been provided by the Council as to what additional provisions are being sought to address utilities and transport infrastructure within land with high natural values. It is not clear from the submission what the Council's specific concerns are, and what amendments to the precinct provisions would address those concerns.</p>	<p>Support submission 7.31: For the reasons outlined in response to the submission. While Council's specific concerns or any relief sought may not be clear, further consideration of zoning proposed for the areas of high ecological values</p>
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<p>13.1 & 13.2 QEII National Trust</p>	<p>Amend the proposed zoning of the QEII covenanted land from Residential – Mixed Housing Urban and Residential - Mixed Housing Suburban to a more appropriate zone</p>	<p>Support submission 13.1 & 13.2: It appears that the two submission points are generally the same. QEII National Trust is an independent statutory organisation established to encourage and promote the provision, protection, and enhancement of open space for the benefit and enjoyment of the people of New Zealand. I believe that zoning the land residential contradicts the intent of the covenant for the purposes for which they are intended. Whilst it is unlikely that the covenant would ever be developed for housing, for surety, the underlying zoning should be more reflective of the intended purpose. I do not believe WLC has demonstrated that a higher housing is necessary throughout the entire Plan Change area or that other areas within the precinct are less suitable to higher density housing. The proposed zoning is inconsistent with the Warkworth Structure Plan. Residential activities, including tree alteration and habitat removal are clear threats to biodiversity and covenant values. Higher density housing could potentially be supported if buffers, e.g. paths and roads, were constructed adjacent to highly valued and sensitive biodiversity areas.</p>	<p>FS4 and FS5 Oppose (FS5 position wording is similar but not identical). WLC does not agree that the QEII covenanted land should be rezoned to a less intensive residential zoning. They believe the Plan Change provisions, together with the Auckland-wide provisions that apply (in particular chapters D9 and E15) and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied or mitigated. Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non-Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the Significant Ecological Area (SEA) overlay. The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within a SEA as a Discretionary Activity).</p>	<p>Support submission 13.1 For the reasons outlined in response to the submission. For avoidance of doubt, the Auckland-wide provisions provide for removal of vegetation within a SEA as a Controlled Activity for a dwelling and access, not as the submission believes as a discretionary activity. Noting that I do not believe it necessary to provide for a non-complying activity where covenants are more restrictive, as this creates conflict and confusion to land holders.</p>
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<p>13.3 QEII National Trust</p>	<p>Amend the proposed zoning of the two 'keyhole' areas (depicted on map in submission) to include as 'Protection areas (not for development)' zoning as earmarked in the Warkworth Structure Plan.</p>	<p>Support submission 13.3</p> <p>The applicant failed to survey, undertake accurate analysis, and provide robust reporting to substantiate their position.</p> <p>Access to both areas are quite constrained, more so the southernmost 'keyhole', where the gap between the bush areas is approximately 4m; potentially not wide enough for access to cater for Mixed Housing Urban, and potentially not enough even for a single house zoned access. The applicant has failed to demonstrate that sightlines etc. are possible for the 20m long access through this area of covenant. This analysis should not wait for a subdivision / development application as the applicants position is to change the zoning form that proposed in the Structure Plan.</p> <p>Should additional areas of SEA be added to the AUP_OP overlay, as recommended, the restrictions on development will be further constrained in the northern keyhole.</p> <p>The southernmost area measures approximately 3000m² which equates 50% more dwellings with higher density zoning, less (5) with single house zone, reducing to 1 dwelling with large lot zoning. In this my experience that developers generally maximise yield for any given area.</p>	<p>FS4 and FS5 Oppose (FS5 position wording is similar but not identical).</p> <p>In the absence of an indication of support from the current landowners of the two "keyhole" areas, WLC does not agree that these areas should be rezoned to "Protection areas (not for development)".</p>	<p>Support submission 13.3:</p> <p>For the reasons outlined in response to the submission.</p> <p>I do not believe the applicant has demonstrated adequately that development is appropriate within the two keyhole areas.</p>
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<p>13.4 QEII National Trust</p>	<p>Amend the proposed precinct provisions to include an objective to the effect of "Ensure effects of development do not compromise indigenous biodiversity".</p>	<p>Support submission 13.4: An objective that seeks appropriate management of adverse effects on indigenous biodiversity through the effect's management hierarchy is appropriate. It is noted that proposed policies 15 and 16 appear to lack a corresponding objective from which they cascade, and are directed to streams, not terrestrial habitats setback from the immediate riparian margin. I note that the WLC submission notes that duplication may exist with other chapters in the AUP_OP; however, their own proposed standards include precinct standards that duplicate AUP-OP, e.g. (A5) – (A7)</p>	<p>FS4 and FS5 Oppose Does not agree that an additional objective regarding indigenous biodiversity is necessary or appropriate. Part of the QEII covenanted land within the precinct is already a Significant Ecological Area (SEA) and the Auckland-wide provisions relating to SEAs will apply. The Auckland-wide provisions in chapter E15 will also be relevant to development outside the SEA. Introduction of an additional objective when this matter is adequately covered by the Auckland-wide provisions will cause unnecessary duplication and is not necessary or appropriate. The Plan Change provisions, together with the Auckland-wide provisions in chapter D9 and E15 and the restrictions in the covenant itself, will ensure that adverse effects on the QEII covenanted land are avoided, remedied, or mitigated. In particular Rule (A5) in the Plan Change provides that the removal of any native vegetation in an area shown as a covenanted area or significant bush on Precinct Plan 2 will be a Non-Complying activity. The total area of land that this rule applies to is greater than the total area of land that falls within the SEA overlay. The Plan Change therefore affords a higher level of protection to the existing vegetation and bush (including the covenanted land) than the Auckland-wide provisions (which provide for removal of vegetation within a SEA as a Discretionary Activity).</p>	<p>Support submission 13.4: For the reasons outlined in response to the submission. The protections offered by the AUP_OP for indigenous vegetation, riparian habitat, SEA overlays and the QEII covenant are noted, as are the duplications provided by the applicant in their Precinct standards. Also noted in the review are the discrepancies between AUP_OP and RMA s76(4)(A) for non-scheduled trees and groups of trees.</p>
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<p>13.5 QEII National Trust</p>	<p>Amend the proposed precinct provisions to include a policy to the effect of "Protect and enhance existing indigenous biodiversity vegetation within the area, ensuring that effects on indigenous biodiversity are avoided."</p>	<p>Support submission 13.5: An objective that seeks appropriate management of adverse effects on indigenous biodiversity through the effect's management hierarchy is appropriate. It is noted that proposed policies 15 and 16 appear to lack a corresponding objective from which they cascade, and are directed to streams, not terrestrial habitats setback from the immediate riparian margin. I note that the WLC submission notes that duplication may exist with other chapters in the AUP_OP; they have included precinct standards that do, e.g. (A5) – (A7)</p>	<p>FS4 and FS5 Support in part Oppose (i) for same reasons noted for 13.4 Support (ii): Does agree that the provisions that relate to stormwater should be strengthened and supports the inclusion of "stormwater management" as an additional matter of discretion for subdivision</p>	<p>Support submission 13.4: For the reasons outlined in response to the submission. The protections offered by the AUP_OP for indigenous vegetation, riparian habitat, SEA overlays and the QEII covenant are noted, as are the duplications provided by the applicant in their Precinct standards. Also noted in the review are the discrepancies between AUP_OP and RMA s76(4)(A) for non-scheduled trees and groups of trees.</p>
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<p>13.6 QEII National Trust</p>	<p>Amend the proposed precinct provisions to include further Matters of discretion for Vacant lot subdivision as follows: (i) Proposed measures to manage pest plants and animals affecting indigenous biodiversity" (ii) Proposed measures to manage sediment and stormwater to avoid impacts on indigenous biodiversity"</p>	<p>Support in part submission 13.6: Where vacant lot subdivision will result in the enhancement and/or protection of riparian margins of retained streams, the measures proposed to manage pest plants and animals within those enhanced and/or protected areas should be a matter of discretion.</p>	<p>FS4 and FS5 Support in part Oppose (i) for same reasons noted for 13.4 and 13.5 Support (ii): Does agree that the provisions that relate to stormwater should be strengthened and supports the inclusion of "stormwater management" as an additional matter of discretion for subdivision</p>	<p>Support in part submission 13.6: For the reasons outlined in response to the submission.</p>
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<p>13.7 QEII National Trust</p>	<p>Amend the proposed zoning of the land adjacent to the covenant area and the proposed precinct provisions to adequately protect the covenanted area.</p>	<p>Support submission 13.7 I do not believe WLC has demonstrated that a higher housing is necessary throughout the entire Plan Change area or that other areas within the precinct are less suitable to higher density housing. The proposed zoning is inconsistent with the Warkworth Structure Plan. Residential activities, including tree alteration and habitat removal are clear threats to biodiversity and covenant values. Higher density housing could potentially be supported if buffers, e.g. paths and roads, were constructed adjacent to highly valued and sensitive biodiversity areas.</p>	<p>FS4 and FS5 opposes WLC does not agree that amendments to the zoning or precinct provisions are necessary or appropriate. The Plan Change provisions, together with the Auckland-wide provisions that will apply and the restrictions in the covenant, will provide appropriate protection and ensure that any adverse effects on the covenanted land are avoided, remedied or mitigated.</p>	<p>Support submission 13.6: For the reasons outlined in response to the submission.</p>
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<p>14.1 David and Christine Pinker</p>	<p>Amend the zoning of 139 Clayden Road from Large Lot zone to Single House zone.</p>	<p>Neutral on submission 14.1 Large lot subdivision may be more appropriate for the site, due to topographical constraints; neither the submitter nor the applicant has provided any information to support their position.</p>	<p>FS4 and FS5 has not responded</p>	<p>Neutral on submission 14.1 For the reasons outlined in response to the submission.</p>
<p>14.3 David and Christine Pinker</p>	<p>Amend proposed Precinct Plan 2 to more accurately reflect the area of covenanted bush at 139 Clayden Road</p>	<p>Neutral on submission 14.3 As noted in the review, the covenant extends to the entire property, and not just the area of bush; as shown on the certificate of title. The area of bush is where the biodiversity values are, but the submitter may not be aware that the Plan Change process is not the correct process to amend the covenant area; this is an RMA s127 application. I agree that potentially the bush area could be added to the SEA overlay, and this may provide clarity at the time of subdivision and or s127 variation for where development should occur.</p>	<p>FS4 and FS5 has not responded</p>	<p>Neutral on submission 14.1 For the reasons outlined in response to the submission.</p>

To:	Petra Burns		
From:	Martin Peake		
Project:	PPC40 – Clayden Road – Warkworth	Project No.	P19006 Rev C
Subject:	Transport Review		
Date:	26 August 2020		

1. Introduction

Private Plan Change 40 - Warkworth Clayden Road application has been lodged by five cooperating landowners for the proposed re-zoning of approximately 102Ha of Future Urban Zone / Business Light Industry land to residential zones.

This technical note reviews the traffic aspects of the Private Plan Change (PPC) and supporting documentation and has been updated in response to additional submissions received following renotification of the plan change. The documents reviewed include:

- Section 32 Assessment Report, Tattico (dated 15 October 2019)
- Relevant attachments, including Appendix K – Transport Assessment, Traffic Planning Consultants, (dated February 2020)
- Submissions and Further Submissions
- Revised precinct provisions dated 20 August 2020 (v32)

A site visit was conducted on 16 August 2019 to observe the site and to understand any constraints or factors that may affect the requested land rezoning. The area is mainly rural in nature and much of it is inaccessible without land-owner permission.

2. Background

Auckland Council approved the Warkworth Structure Plan in June 2019. The structure plan was developed with input from the Supporting Growth Alliance (SGA), an alliance consisting of Auckland Council, Auckland Transport and NZ Transport Agency (NZTA). The approved Warkworth Structure Plan (WSP) sets out the proposed zoning for Warkworth to meet the anticipated housing and employment needs of the area.

The WSP divided Warkworth into three separate areas (Warkworth North, South and North East) with anticipated timelines for the development of each area. Warkworth North, which incorporates the PPC40 area, was anticipated to be the first area to be developed.

The structure plan details a comprehensive suite of improvements to the transport network including new road links that provide a connected network to support the development of Warkworth, provide walking and cycling routes and public transport. The SGA developed an Integrated Transport Assessment (ITA) that informed the WSP of the required staging of transport infrastructure, in combination with the anticipated development. The ITA included detailed traffic modelling of the proposed zoning, road networks and intersections in 2046. An Addendum to the ITA (dated 4 July 2019) provided guidance on further analysis and information that would need to be provided with any future Integrated Transport Assessment developed to support a plan change.

The proposed road network from the SGA ITA is illustrated in the figure in Attachment 1. Of particular relevance to the PPC, is the proposed Matakana Link Road (MLR) which provides a connection between SH1 and Matakana Road.

The Western Link Road (WLR) will connect SH1 to Mansel Drive in the south west and the WLR will form an intersection with SH1 and the MLR. The Sandspit Link Road (SLR) will link Matakana Road to Sandspit Road. The SLR would connect with the MLR intersection at Matakana Road. This road is not proposed to be constructed until the third stage of development in the north-east of Warkworth.

The MLR had a Notice of Requirement (NoR) approved and has recently had a number of appeals settled. Auckland Transport has funding to construct the MLR. The WLR is currently unfunded, but the developers of the land associated with Plan Change 25 have made an undertaking to construct the WLR to a collector road standard as part of the development of the PC25 area.

3. Site Description

The area subject to PPC40 is to the north of the centre of Warkworth and is largely undeveloped rural land and is zoned Future Urban. The topography is undulating and has a series of streams and watercourses.

The land is situated between SH1 to the west and Matakana Road to the east although it does not have a direct boundary with SH1. Between SH1 and the plan change area is land zone for Light Industry (predominantly owned by Goatley Holdings). To the north of the PPC area is the Rural-Urban Boundary and to the south of the site are Residential Single House and Open Space – Sport and Active Recreation Zones. The Open Space area includes the Warkworth Showgrounds.

Clayden Road is a gravel road for the most part and has an intersection with Matakana Road and loops along the eastern and northern edges of the site.

The Matakana Link Road (MLR) is to be constructed through the Plan Change area with completion to coincide with the completion of the Ara Tuhono Warkworth Motorway in 2022. The MLR will provide the main road access to the plan change area and will ultimately provide an arterial road between SH1 and Matakana Road. It is understood the road will likely be constructed in two stages. Whilst it is anticipated that the road will be constructed to its final four lane width, the first stage would be as a two lane road, in the second stage, the road would be reconfigured as four lanes as traffic demands require.

The MLR is proposed to have a signalised intersection with SH1 and a roundabout with Matakana Road. A number of intersections are proposed along the MLR which provide access to the plan change area and to the industrial land to the west of the PPC.

The land itself is currently rural in nature and is undulating and sloping.

4. The Proposal

The proposed zones for PPC40 consist of:

- 901 dwellings across Residential - Single House, Mixed Housing Suburban and Mixed Housing Urban and Large Lot zones
- Neighbourhood Centre (1690m²)

- “Recreation Facility” (referred to as the Northern Arena)

An area of the existing Business - Light Industry zone is proposed to be converted to residential where it lies north and south of the MLR and part of this zone to the south of the MLR is to be set aside for the Northern Arena.

The Warkworth Structure Plan¹ envisaged the following land uses in the Future Urban Zone:

- 939 dwellings across Residential Mixed Housing Suburban (350), Mixed Housing Urban (561) and Large Lot (23) zones
- Business Neighbourhood Centre (3,000m²)

PPC40 does not provide details of the number of dwellings in each of the proposed residential zones but the Transport Assessment indicates that there would be 405 low density dwellings and 496 medium density dwellings, a total of 901 dwellings.

The Recreational Facility is anticipated in the lodged application to be a “*major Recreational facility focused on swimming*”². The Transport Assessment describes the centre as a “*community focused swimming and fitness activity*”³. The exact use of the facility is not specifically defined within the application documents or the precinct provisions, but its size is proposed to be limited to 2000m² Gross Floor Area (GFA).

The Neighbourhood Centre was proposed in the WSP to be located at the eastern end of the MLR near the MLR / Matakana Road roundabout. The proposals relocate the centre to mid-way along the MLR adjacent to one of the main intersections. This is on the basis that this provides better access to the neighbourhood centre than the original location which had access limitations. The location will provide enhance access for pedestrians and cyclists being located more centrally within PPC40.

The proposed land uses allow for the construction of the Matakana Link Road through the site.

The PPC area is owned by several landowners. The majority of land (76Ha) is owned by cooperating landowners consisting of Warkworth Land Company, Whyte Light Trust (245 Matakana Road), and three smaller lots at 21, 35 and 43 Clayden Road. The balance of the land is owned by others and are not part of the cooperating landowners submitting the application. The balance has been included to create a logical boundary to the PPC area.

5. Proposed Precinct Transport Infrastructure

5.1 Proposed Road Network

The proposed road network within the plan change area is illustrated on Precinct Plan IXXX9.3 and for the land owned by the cooperating landowners in more detail in the Concept Masterplans submitted with the application (Attachment D – Design and Master planning).

The proposed road network consists of the MLR as an arterial road that would provide the main access to the PPC area. A collector road is illustrated running through the land to the north of the MLR. This provides access to a network of local roads. There are no details of the land to the south

¹ Appendix 3 Yield Calculations - Warkworth Structure Plan, June 2019, Auckland Council

² Planning Report, Tattico, October 2020, Para 6.15

³ Transport Assessment, TPC, February 2020, Para 3.5.2

of the MLR other than a local road running through the land proposed for the Recreational Facility and immediately adjacent residential area.

There is a significant gully that runs north south through the site. No transport connections across the gully are shown on the precinct plan other than the MLR. The Masterplan submitted includes a plan of the Built Environment – Transport (Figure A5.3) which indicates possible future links. The two plans are shown in Figure 1 with the future links shown on the Masterplan by grey arrows. The intended function of these links is not defined. If the connections are not provided, movement between the residential areas either side of the gully will be restricted to the MLR; this will result in poor connectivity for communities and could result in short vehicular trips occurring between these areas. These links should be included on the Precinct Plan to indicate to developers that these are to be provided or appropriate standards in the precinct provisions should be included for guidance to developers.



Figure 1 - Precinct Plan IXXX9.3 (left) and Masterplan Transport Plan A5.3 (right)

The land within the PPC area is steep in places. Roads would need to be designed so that gradient would meet Auckland Transport's latest design requirements should these roads be vested. The Infrastructure Report by Maven states that the maximum gradient will be 1 in 8 (12.5%).

The precinct provisions include two typical cross-sections of local and collector roads. Cycle facilities are illustrated as shared footpath / cycleways. Auckland Transport do not support the provision of shared paths, with their standards requiring separated cycle facilities. If the cross-sections are included in the precinct provisions, these should be amended to show separated cycle facilities.

5.2 Limited Access Road

Auckland Transport (AT) intends to designate the MLR as a Limited Access Road under the Land Transport Act 1974. AT is seeking that no vehicle crossing be constructed onto the MLR to avoid conflicts with pedestrians and cyclists and for the efficient operation of the corridor.

The precinct provisions have responded to this by designating the MLR as an arterial route and they rely on the underlying Auckland Unitary Plan (AUP) provisions for arterial roads and Vehicle Access

Restrictions (Section E27.6.4.1). As is discussed in Section 13.6, it is considered that relying on the underlying AUP provisions will not achieve the intended outcomes sought.

There may be instances prior to the construction of the intersections where land is developed along the MLR, but access will only be available directly from the MLR. In these circumstances, vehicle crossings may be temporarily permitted but would need to be removed once the alternative access becomes available.

5.3 Form of Matakana Link Road

Matakana Link Road is to be constructed by Auckland Transport, initially as two lanes, and then as four lanes as traffic demands require. The Transport Assessment does not provide any commentary on the capacity of the MLR to accommodate the forecast traffic demands of the MLR as a two lane road and thus does not assist in determining if the road may require upgrading to four lanes to accommodate PPC40.

5.4 Matakana Link Road Intersections

Precinct Plan IXXX9.3 includes the indicative location of four intersections along its length. The exact form of the intersection has yet to be confirmed, but it is likely that the intersections will either be signalised intersections or priority controlled left-in, left-out arrangements. The provision of the intersections will be the responsibility of developers and will not be provided by Auckland Transport as part of the construction of the MLR. This requirement should be included in the precinct provisions.

It is understood that the intersection locations have been agreed as part of the appeals for the Matakana Link Road. The western most intersection is provided for access to the Light Industry area and is not required for the PPC. It is anticipated that this intersection would be a T intersection.

The intersections at the eastern end of the MLR are anticipated to be formed from two left-in left-out (LILO) intersections; one serving the land to the north of the MLR, the other to the south of the MLR. It is understood that the LILO arrangements are proposed due to the proximity to the main MLR / Matakana roundabout. Whilst these movements will not permit full movements, the roundabout will facilitate U-turn movements. For the land to the north of the MLR, the indicative road network shows a local road being accessed from Clayden Road, this will enable access to that land for vehicles from Matakana Road.

For the land to the south of the MLR, it is understood that an additional intersection will be provided on to Matakana Road. This will allow motorists that wish to travel to Matakana to be able to do so without having to perform a U-turn on the MLR.

Whilst the LILO arrangements restrict right turning movements, there are alternatives that allow full access to the wider road network without requiring U-turns, other than at the MLR / Matakana Road roundabout. This is considered appropriate for safety and operational reasons.

The intersection onto Matakana Road is not shown on the Precinct Plan IXXX9.3. For completeness and to show the intent of how the block of land in the south eastern corner of the plan change area is to be accessed, an indicative intersection should be shown on the Precinct Plan.

6. Cycling and Walking

Section 3.2.2 of the Transport Assessment outlines the walking and cycling strategy for the plan change area and includes an extract from the Masterplan (Figure A5.4). The plan shows a network of possible greenways routes. Greenways routes are routes that will be developed for walking and cycling that generally follow green corridors such as alongside streams and gullies or within parks. The proposed network includes a north-south route along the gully running through the plan change area and east-west connections.

A comparison of the Masterplan figure and Precinct Plan IXXX9.3 reveals that the Precinct Plan has omitted an east-west greenway route running approximately halfway up the northern side of the development and along the western edge of the PPC area. It is considered that these routes would improve connectivity for pedestrians and cyclists through the area and should be included in the Precinct Plan.

The Masterplan Pedestrian Linkages figure (A5.4) shows a number of indicative connections to neighbouring lots. Not all these connections coincide with the locations of possible future links shown on the Transport figure (A5.3) of the Masterplan.

The Masterplan shows pedestrian links to the MLR which have been included on Precinct Plan IXXX9.3. No details of how pedestrians would be expected to cross the MLR are included in the Transport Assessment. Facilities for pedestrians to cross the MLR safely should be provided, particularly when the road is upgraded to four lanes. The pedestrian links across the MLR (as well as connections to it) should be shown on the precinct plan with standards included to ensure crossing facilities are provided as part of the development of the land.

The precinct provisions include an assessment criteria of crossings of the MLR, but this only relates to the greenways routes and does not deal with pedestrian crossings. There are linkages other than greenways to the MLR shown on the Precinct Plan IXXX9.3 (shown by green circles) which are likely to require a connection across the arterial road. As is discussed in Sections 0 and 13.8, the criteria would be better placed as a standard and new assessment criteria included relating to this issue.

The Rodney Local Board has developed a Greenways Plan of cycle routes which includes a number of routes through the plan change area. It is not clear how the PPC40 proposals relate to the Local Board plans, but the PPC proposals by and large facilitate the movements shown on the Local Board Greenways Plan. For clarity and to guide developers and decisions makers, the external connections to the Local Board Greenways Routes should be indicated on the Precinct Plan.

As discussed in Section 5.1, the cross-sections in the precinct provisions for the collector (and local) roads show shared pedestrian/cycle facilities. It is considered that the precinct provisions should require separated facilities to be consistent with AT standards and to ensure that the development has good cycle connections to the wider network. This would be consistent with Policy 7 to enable extensive cycling and walking.

7. Public Transport

Auckland Transport (AT) proposes to provide a bus route along the Matakana Link Road. This route would connect to the proposed temporary Park and Ride site near the motorway interchange on

SH1. This Park and Ride Site, is however, proposed to be moved to the south west once the southern interchange on the motorway is constructed.

A bus route is not proposed by AT along the PPC collector or local roads. It is understood that the designation for the MLR has allowed sufficient land for the construction of bus stops along its length, although the location of the stops has yet to be determined.

To enable residents to have transport choices, the bus stops along the MLR will need to be accessible for pedestrians. Approximately half of the area of the PPC north of the MLR is within 400m of the MLR and the majority of the plan change area is within 800m walk. Typically, 400m is considered to be good access and is used as a rule of thumb for assessing the accessibility of catchment areas to bus stops. For high frequency transport nodes (such as stations or bus hubs), pedestrians will walk further, 800m is usually considered to be appropriate. Taking into account the topography of the site, the 400m catchment would take in the majority of the higher density dwellings (less than 600m² site sizes).

The majority of the land to the south of the MLR is within 400m of the MLR.

On this basis, the proposed plan change area is considered to provide reasonable access to public transport. The precinct provisions should set out the expectation that the development include access to public transport along the MLR.

8. Trip Generation

8.1 Residential Trip Rates

The Transport Assessment uses trip generation rates derived from the Roads and Traffic Authority (RTA), New South Wales 'Guide to Traffic Generating Developments'. These have been compared against the trip rates used in the traffic modelling by the Supporting Growth Alliance (SGA) Integrated Transport Assessment (ITA) for the WSP and against surveyed trip rates in the SGA ITA⁴. The trip rates are summarised in Table 1.

Table 1 - Comparison of Transport Assessment Residential Trip Rates with SGA ITA Trip Rates

Peak	PPC40 Transport Assessment			SGA	
	Low Density	Medium Density	PPC40 TA Average Trip Rate ⁵	SGA Surveyed trip rate ⁴	SGA ITA Trip Rate
AM Peak	0.85	0.65	0.73	0.64	0.48
PM Peak	0.85	0.65	0.73	0.75	0.56
Daily	9.0	6.5	7.6	8.0	5.95

The table shows that the overall average trip rates used in the Transport Assessment (TA) are consistent with the surveyed trip rates for a residential development in Warkworth. This provides confidence that the residential rates are appropriate for the existing travel patterns in the town.

The SGA ITA trip rate is significantly lower than both the surveyed trip rate and the rate used in the Transport Assessment. This is because the SGA ITA has assumed that there will be a mode shift to

⁴ Supporting Growth Warkworth Structure Plan - Integrated Transport Assessment, Supporting Growth Alliance, 13 February 2019, Para 7.5.6

⁵ Average trip rate calculated from total number of trips for each time period divided by number of dwellings

walking and cycling and to public transport due to greater accessibility and provision for these modes. In addition, the SGA ITA assumes a reduction in household sizes.

The TA proposes 901 dwellings which is consistent with the original SGA ITA. However, the Addendum to the SGA ITA assumed a total of 933 dwellings in the Plan Change area. The proposed number of dwellings in the TA appears to conflict with the commentary in the SGA ITA Addendum report which suggests that there would be greater density of dwellings (and therefore more dwellings) on the Warkworth Land Company land. It is not clear, therefore, whether the number of dwellings could increase which would result in increased traffic generated by the Plan Change.

Based on the trips rates outlined above, Table 2 compares the number of trips forecast in the TA with the number of residential trips in the SGA ITA.

Table 2 - Comparison of Residential Trips - PPC 40 Transport Assessment v SGA ITA

	PPC 40 TA	SGA ITA
No. of Dwellings	901	939
AM Peak	666	450
PM Peak	666	526
Daily	6,869	5,587

The table shows that the forecast number of residential trips for the PPC40 area is greater than in the SGA ITA even though there is a smaller number of dwellings.

8.2 Recreation Facility

The TA has assessed the proposed Recreation Facility (Northern Arena) as a community focussed swimming and fitness facility. As such the assessment has assumed the facility would have a trip rate equivalent to a gym. It used a peak hour trip rate of 6vph/100m² and a nominal gross floor area (GFA) of 1,500m². This is equivalent to 90 trips per hour. The RTA Guide to Traffic Generating Developments has an evening peak rate of 9vph/100m², although the guide does note that the peak generation typically occurs between 6pm and 7pm on weekdays. Generation rates for swimming pools are not provided in the RTA guide.

The updated precinct provisions limit the size of the facility to 2000m² GFA in Standard 6.9(1). This would result in between 120 to 180 trips per hour depending on the trip generation rate (or an additional 30 to 90 trips). This would equate to an increase of around 1% of the total residential trips used in the assessment.

Notwithstanding, whilst the application indicates that this facility will likely be community focussed, the actual use of the site is ill defined and therefore it could be used as a regional facility which may host major sporting events. As a result, the trip rates associated with the site could be much greater. It is acknowledged that these events may not coincide with weekday peak periods, although school events attracting participants from a wider area may do so.

Based on the above, it is considered that the trip rate for the Northern Arena, is likely to underestimate the volume of trips. This facility would need further analysis once its actual use is more defined. As a result, the precinct provisions should ensure that the traffic and transportation effects of the facility are appropriately assessed. For clarity, the precinct provisions should better

define the nature and uses of the Recreational Facility through the Precinct Description and appropriate Objectives and Policies.

8.3 Neighbourhood Centre Zone

The TA has treated the Neighbourhood Centre zone as providing local commercial and retail services for the surrounding development and therefore has assumed no traffic generation associated with it. Whilst it is concurred that in general this zone is unlikely to generate any notably trips, its positioning immediately adjacent to the MLR is likely to attract vehicles passing by when travelling to surrounding suburbs or to those areas within the PPC area that are not directly accessible from the roads to the north of the MLR. Therefore, in considering the operation of intersections along the MLR, pass-by trips should be taken into account in assessing intersection performance.

8.4 Light Industrial (Goatley Holdings)

This area of land is outside of the PPC and is subject to a separate subdivision resource consent; the exact nature of trips was unknown when the TA for the PPC was developed. The TA has made an allowance for the Business – Light Industry land to the west of the plan change area as the trips associated with the development of this land will affect the operation of the MLR and associated intersections.

The TA reports that details of trip generation were not available at the time of writing, but a rate of 1.04 trips per 100m² was assumed together with an estimate of the GFA that could be developed based on information provided by Goatley Holding's traffic consultant. The trip rate would appear to be appropriate based on rates in the RTA Guide to Traffic Generating Developments.

8.5 Re-zoning Business Light Industry Land

A small area of land that is currently zoned light industry at the western end of the site is proposed to be re-zoned for Residential and for the Recreational Facility. The TA has not undertaken an assessment of the effects of the re-zoning of the land from a transportation perspective.

However, for this review, an assessment of the trips generated from the proposed zoning compared to the existing Light Industrial zoning has been undertaken. This is based on the number of properties in the area affected as shown on the Masterplan Figure A5.2 of Indicative Lot Sizes, which shows 55 medium density properties. The number of trips for these dwellings plus a 2,000m² Recreational Facility equate to 156 peak hour trips.

The number of trips that may be expected to be generated by the Light Industry has been calculated based on the assumptions included in the TA for building coverage, internal trips and trip rates. The area of land to be rezoned is not reported in the application documents, but this has been determined from the Auckland Council GIS. An allowance for the area required for the MLR that runs through the land has been included. Based on this, the number of forecast trips for the light industry is forecast to be 133 peak hour trips.

Therefore, from a transport perspective, the additional 23 trips from the re-zoning of the Business Light-Industry land to residential and for the Recreational Facility is not considered to have a

material effect. However, should the Recreational Facility operate as a regional facility or have different uses than those indicated, this facility may result in higher vehicle trips.

9. Trip Distribution

The TA presents trip distribution from the plan change area and the adjacent light industrial land. This was derived from the distribution of traffic in the traffic model developed for the Matakana Link Road Notice of Requirement application and from assumptions on the industrial traffic provided by Goatley Holdings' traffic consultant. The distribution is localised to the MLR including the intersections with SH1 and Matakana Road and at the intersections along its length.

Examination of Figure 14 and Figure 15 of the TA, indicates that right turns out of the White Light Trust (WLT) land at 245 Matakana Road to the south of the MLR are permitted. This is inconsistent with the anticipated left-in left-out arrangement proposed at the intersection. Further, no traffic volumes turning left into the northern part of this land are shown and there is no indication of turning movements associated with the Clayden Road intersection or an intersection on Matakana Road with the WLT land south of the proposed MLR / Matakana Road roundabout. It is not clear if traffic at the Matakana Road intersections not on the MLR has been excluded or included within the traffic turning movements on the MLR.

The trip distribution has only considered the scenario with the MLR constructed. No assessment of the trip distribution with the WLR and SLR has been undertaken. The WLR is within the Plan Change 25 area which is currently subject to appeals. The PC25 area is further advanced than the subject plan change, and therefore, depending on settlement of the appeals, this land could be developed earlier. The development of PC25 would result in the construction of the WLR either in part or whole (as a collector or arterial road) and would alter the distribution of traffic at the SH1 intersection.

The methodology adopted in distributing development traffic does not take into account the effects of delays and journey times on the network. This could have been achieved by utilising the SATURN model developed for the MLR NoR application although the changes may be marginal as there is limited route choice for traffic accessing the MLR. Use of the NoR SATURN model would have reduced the number of assumptions and provided greater consistency between this assessment and earlier assessments.

10. Traffic Assessment

The assessment of traffic effects has been limited to assessing the effects of PPC40 on the MLR intersections with SH1 and with Matakana Road for a forecast year of 2036.

The traffic flows used were based on the Matakana Link Road Notice of Requirement 2036 SATURN model. The traffic volumes associated with the land uses in the plan change area and the industrial zoned land to the west were extracted from the model and replaced with the forecast traffic flows with the distribution presented in Figures 14 and 15 of the TA. This represents the full build out of PPC40, and of the traffic volumes assumed for the industrial land west of PPC40 (Goatley Holdings' land).

It is unclear what development other than PPC40 was included in the SATURN model as this was not detailed in the TA (or the NoR TA). It is noted that the SATURN model predated the development of

the Warkworth Structure Plan and therefore assumptions about land uses may be out of date. However, the trip generation rates used in the PPC40 TA were higher than those used in the Structure Plan.

The TA assessed the operation of the intersections using the modelling package SIDRA. The layouts modelled were those layouts in the MLR NoR Transport Assessment. The intersections are discussed below.

10.1 Matakana Link Road / Matakana Road Roundabout

This intersection has been modelled as a single lane roundabout. This is forecast to operate satisfactorily with spare capacity in the AM peak with PPC40. In the PM peak, the roundabout is approaching what is considered to be the practical capacity on the Matakana Road southern leg of the roundabout (degree of saturation of 0.833 compared to a practical capacity of 0.85). As noted in Section 9, the development flows at the left-in left-out intersections at the eastern end of the MLR do not appear to represent the proposed operation. These would affect flows at the roundabout, which could potentially have a bearing on the operation of the roundabout in the PM peak which is close to practical capacity on Matakana Road (south).

10.2 Matakana Link Road / SH1 Signalised Intersection

The TA modelling for 2036 shows that the intersection is forecast to operate satisfactorily in the AM peak period.

For the PM peak, the intersection is operating at or over capacity on two movements; the right turn from SH1 (South) to the MLR and the southbound SH1 through movement. Queues on the right turn movement would extend beyond the available right turn storage and through the Hudson Road intersection. The TA argues that this queue is a 95th percentile queue and therefore would only occur occasionally and that the average queue is a more appropriate measure of the queue. However, even with the average queue (80m), this would extend beyond the available storage length and into the adjacent traffic lane. This would be a frequent occurrence (more than 50% of the time during the peak) and would create a safety issue particularly as the road has a posted speed limit of 60km/h. The 95th percentile queue is typically used for the assessment of queue lengths rather than average queues.

The TA refers to the 95th percentile right turn queue length reported in the SGA ITA modelling for the intersection in 2046 being 80m. However, this is not a like for like comparison. The SGA model is for a four armed signalised crossroads that includes the WLR, rather than a three arm T-intersection. This arrangement has a different balance of flows as the 2046 road network is fully developed and the right turn traffic volume from SH1 to MLR is much lower compared to the volume in the TA.

It is concluded that the assessment indicates that for the forecast flows, that improvements or changes to the intersection would be required to accommodate PPC40. The TA does not suggest what improvements would be required.

Notwithstanding, it is likely that the intersection will be constructed as a four arm intersection to allow for the future connection of the WLR. The addition of the fourth arm would impact on the operation of the intersection until the full anticipated WSP road network is completed.

It is therefore considered that the TA does not adequately assess the operation of this intersection. Further analysis with the WLR would be required during subsequent applications for subdivision or development for PPC40.

10.3 Matakana Link Road

The TA has not assessed the intersections along the MLR required to provide access to the plan change area. An assessment of these intersections will be required as part of any subdivision consent to demonstrate the safe and efficient operation of the intersections.

Discussions with Auckland Transport reveal that intersections along the MLR were considered during the development of the MLR. As part of this review, indicative layouts and modelled flows at the intersections have been obtained from AT. Using this information and the development trips shown in Figures 14 and 15 of the TA, an assessment of the intersections has been undertaken. This indicates there are possible intersection arrangements that would operate satisfactorily.

The TA should consider the operation of the MLR and implications for timing of the upgrade of the road to four lanes and if this is required as a result of PPC40 to assist AT in planning for the upgrade. Notwithstanding, the link flows on the MLR have been considered. Based on the peak hour traffic volumes abstracted from the intersection modelling for 2036 in the TA (Figures 16 to 19), and using the rule of thumb that the daily traffic volume is 5 times the sum of the AM and PM peak flows, the MLR is forecast to have 15,500 to 17,700 vehicles per day. This would be within the link capacity of a two lane road.

10.4 Future Year Assessments (2046)

The TA acknowledges that the two MLR intersections assessed above will be upgraded to four armed intersections with the construction of the WLR and the Sandspit Link Road (SLR). To demonstrate the satisfactory operation of these intersections in the year 2046, the TA presents modelling output from the SGA ITA at Figure 21 and Figure 22. The figures show that the intersections operate within capacity.

However, the SGA ITA modelling assumes lower residential trip rates compared to that assessed for PPC40. In addition, the SGA ITA does not include the traffic demands from PC25 which are greater than those originally envisaged in the WSP. Therefore, it is considered that the assessment is not a reliable test with respect to the effects of PPC40.

The SGA ITA did perform a stress test on the intersection by factoring all the traffic demands by 30%. This test revealed that there were operational issues forecast at the SH1/MLR intersection in 2046 should the anticipated mode shift not occur. This showed the right turn movement from the MLR to SH1 and the right turn movement from SH1 to WLR would be over capacity.⁶

The MLR/ Matakana Road roundabout which is anticipated to be upgraded to a two lane roundabout by 2046, was not flagged as a concern.

⁶ Integrated Transport Assessment, Supporting Growth Alliance, February 2019, Para 8.2.2, page 62

The stress test, whilst simplistic, shows that the SH1 / MLR intersection is sensitive to traffic demands. Further testing of the intersection would be required for any subsequent subdivision or development application for the plan change area.

10.5 Assessment Limitations

The traffic assessment has been limited to the intersections at either end of the MLR. No assessment of the wider network has been undertaken. The land uses for PPC40 are generally similar to those in the WSP, and thus the PPC40 appears to rely on the WSP assessment of the wider network.

Modelling of other intersections which serve PPC40 should ideally have been included such as Clayden Road / Matakana Road and any intersection between PPC40 and Matakana Road south of the MLR / Matakana Road roundabout. Whilst these would need to be assessed at subdivision stage, PPC40 should confirm the satisfactory operation of these intersections.

10.6 Commentary on Traffic Assessment

The assessment of the traffic effects has been based on a mix of inputs and assumptions:

- Base traffic demands obtained from the Matakana Link Road Notice of Requirement (MLR NoR) 2036 SATURN model
- Supporting Growth Alliance ITA intersection model outputs from 2046 (using demand flows from the SGA SATURN model)
- Manually distributed PPC40 development traffic volumes

There are different input assumptions between the MLR NoR SATURN model and the SGA ITA SATURN model. The MLR NoR model pre-dates the SGA ITA and the development of the Warkworth Structure Plan. Therefore, the land use assumptions will likely differ between the two models which will affect the traffic demands. In addition, the MLR NoR model was developed for the assessment of the Matakana Link Road and therefore has limited future roading infrastructure in comparison to the SGA ITA which includes the full suite of transport measures required to support the growth associated with the Warkworth Structure Plan.

PC25 altered the land uses that were originally envisaged in the SGA ITA. This will result in higher traffic volumes than were assumed within the WSP. As PC25 has occurred subsequent to the completion of the MLR NoR and SGA ITA models, the higher traffic demands will not have been included in the modelling assessments. It is acknowledged that the PPC40 TA was developed and submitted prior to the approval of PC25, as a result the PPC40 assessment has not taken into account the changes in land use assumptions for PC25.

Notwithstanding, the PPC40 trip rates for the residential development are greater than those in the SGA ITA as the SGA ITA assumed there would be a reduction in residential trips due to mode shift to active modes and public transport and smaller households. This provides a greater level of robustness in the PPC40 assessment.

As a result of the different models, including varying assumptions used in the TA, caution should be exercised in assessing the traffic effects where traffic volumes or modelling from the SGA ITA, the MLR NoR modelling and the modelling provided specifically for PPC40 are directly compared, or

there is reliance on the SGA ITA intersection model outputs to demonstrate future operation (e.g. for 2046).

It is considered that the forecast residential development flows for PPC40 provide a degree of robustness to the assessment in relation to the traffic modelling as they are based on surveyed residential trip rates for Warkworth. It would be envisaged that with walking and cycling improvements and access to public transport that there would be some mode shift from private vehicle use which will reduce the overall number of trips and hence traffic effects.

The analysis indicates that refinements to the SH1 / Matakana Link Road intersection will be required to support the development. Further modelling and assessment will be needed as part of consents for subdivision and this should include the MLR intersections with SH1 and Matakana Road.

The TA does not fully assess the traffic effects of the PPC including at key intersections between the plan change area and the existing network, intersections along the MLR and wider network.

Details of any transport upgrades required to support the PPC are not provided (including costs and who would be responsible for providing them). This includes analysis of whether the MLR is required to be upgraded from two to four lanes as a result of PPC40 which would assist AT in planning for its future upgrade.

11. Submissions

A total of 12 submissions were received on the plan change, of which seven had aspects relating to traffic and transportation issues. The submissions where they relate to transport are outlined below.

11.1 Submitter #01 – Warkworth Area Liaison Group

The issues raised by this submitter were in relation to the location and form of accesses to the White Light Trust land (WLT) and for connections across the MLR for pedestrians and cyclists.

The submitter requested that the main access to the WLT land to the north of the MLR should be from Clayden Road only and that the intersection between Clayden Road and Matakana Road should be located further north (submission point 1.2). This is on the basis that the left-in left-out (LILO) arrangement is restrictive and requires U-turn movements.

It is considered that the proposed arrangements allow for full access being shared between MLR and Clayden Road. The LILO arrangement allows for access to the land from the west and would reduce the volume of traffic travelling through the MLR / Matakana Road roundabout. For vehicles travelling from Matakana or from Warkworth via Matakana Road, access to the site can be gained via Clayden Road.

For safety reasons, right turn movements into Clayden Road from Matakana Road are not permitted when the Matakana Road roundabout is upgraded to two lanes. Vehicles travelling from Matakana would be required to U-turn at the roundabout before turning into Clayden Road.

Ultimately, whilst the LILO arrangements and the access via Clayden Road do limit turning movements at each intersection, removing uncontrolled right turn movements improves safety and minimises disruption to traffic flows on the MLR and Matakana Road.

The submitter requested that the main access to the WLT land to the south of the MLR should be provided on Matakana Road and only a left turn exit should be provided on the MLR. It is concurred that an access should be provided on Matakana Road. This should be in addition to the LILLO on the MLR. For safety and capacity reasons, it is considered that an access on Matakana Road should be limited to left-in left-out. The MLR / Matakana Road roundabout would enable U-turn movements to occur for those motorists travelling south towards Warkworth. For completeness it is considered that an indicative intersection on Matakana Road south of the MLR should be shown on the Precinct Plan IXXX9.3.

Submission point 1.4 requests that a subway be provided under the MLR to provide a pedestrian / cycle connection along the greenways as an at grade crossing is not desirable. There are personal security issues with grade separated facilities which can act as a deterrent for users, although it is accepted that grade separation is safer from a traffic perspective. A subway would be a major change to the design of the MLR. It is noted that the updated precinct provisions include an assessment criteria (7.2(1)(a) (xvii) which include the possibility of a walking track under the Matakana Link Road Bridge along the route of the north-south gully. As discussed in Sections 0 and 13.8 this assessment criteria would be better located as a standard.

It is noted that the connections across the MLR that are illustrated on the applicant's Masterplan Figure A5.4 (Pedestrian Linkages) are not shown on the Precinct Plans. Connections across the MLR should be shown on the precinct plans as the connections will be required as a result of the development of the area.

11.2 Submission #02 – Michael George Cronin

There were three main issues in relation to transportation raised by this submitter:

- Lack of east-west walkways / lane ways through the plan change area (Submission point 2.3)
- Lack of schools in the area will result in children being transported by car (submission point 2.4)
- The intersections along the MLR should be roundabouts rather than traffic signals (submission point 2.5)

With regards to the east-west pedestrian / cycle links, the MLR will have pedestrian and cycle facilities along its length which will provide for east west movements. The applicant's Masterplan also provides for east west movements within the residential area via "potential greenways routes". For clarity and to provide guidance to the developers, the precinct plans should be updated to include the routes included in the masterplans, linkages to the wider area and pedestrian connections across MLR.

For submission point 2.4, it is concurred that the development is not well integrated with schools in the vicinity of the site from a transport perspective. The Ministry of Education (MoE) has submitted on this point and acknowledges the need for new schools which they are working to provide. The development proposes to provide walking and cycling connections through the area and linkages to the wider network. Auckland Transport anticipates that bus stops will be provided on the MLR which would provide access to scheduled or school buses. Therefore, alternatives to travel by private vehicle will be available.

The submitter has requested that the intersection on the MLR should be roundabouts. It is acknowledged that roundabouts are considered more appropriate within the Safe System. However, as the MLR is to be four-laned, to design roundabouts that would operate safely would likely significantly increase the area of land required. Further, there are safety issues for pedestrians crossing multiple lanes uncontrolled. Connections for pedestrians could be provided via mid-block crossings but these would not necessarily be on the natural desire line for pedestrians created by the intersections, such as by the neighbourhood centre.

The MLR has been designed with traffic signal intersections in mind which will provide for pedestrian and cycling connectivity over the MLR, however, this has not been finalised and will be subject to design, assessment and approval as part of subdivision applications for the land. The precinct provisions do not specify whether the intersections along the MLR should be traffic signals. This is considered to be appropriate to allow for flexibility for alternative designs.

11.3 Submission #03 – NZ Transport Agency

The NZ Transport Agency (NZTA) does not oppose the plan change but seeks amendments and / or further information to provide certainty of the transport infrastructure required. Relief is generally sought by way of amendments to the precinct provisions.

The main issues that have been raised by NZTA are:

- Stronger objectives and policies to provide greater clarity as to the outcomes that the precinct should achieve and to assist evaluation (submission points 3.2 and 3.3).
- Ensure correct naming of the Matakana Link Road throughout the document (should not be referenced as Sandspit Link Road) (Submission Point 3.4)
- Supports limiting vehicle access onto the MLR, other than for pedestrians and cyclists (Submission Point 3.4).
- Supports subdivision not being in accordance with Precinct Plan 1 being non-compliant (Submission Point 3.5)
- Requests clarity between the precinct plans and text with regards to the number of intersections along the MLR (Submission Point 3.6)
- Seeks stronger matters of discretion and assessment criteria around vacant lot subdivision to ensure that they are appropriately assessed against the safety and efficiency of the State highway and wider network (Submission points 3,7, 3.8 and 3.10).
- Seeks stronger matters of discretion and assessment criteria around the Recreational Facility with particular regards to the traffic effects, traffic generation and parking as well as the safe and efficient operation of the transport network. (Submission points 3.9 and 3.11)
- The submitter considers that the Transport Assessment does not follow the Auckland Transport guidelines for an ITA and does not provide sufficient confidence to identify and recognise the potential implications on the transport system. (Submission Point 3.12)

The requests to strengthen the objectives, policies have been taken into account in the updated precinct provisions. Additional assessment criteria have been included but these are written as standards. To better address the issues raised by NZTA, further refinements of the standard and assessment criteria are required as discussed in Section 13.

It is agreed that the Transport Assessment does not strictly follow the AT guidelines for an ITA and does not necessarily address when upgrades are required to the transport system, including whether the MLR would be required to be upgraded to a four lane road as a result of the plan change.

11.4 Submission #04 – Middle Hill Limited for Tyne Trust

The submitter is seeking limitations on the development of the plan change land subject to the simultaneous construction of the MLR and WLR (Submission 4.4) and that the developers of PPC40 should provide contributions to the construction of the WLR (Submission 4.7). The PPC40 assessments do not show that PPC40 is dependent on the construction of the WLR and therefore it is not considered necessary to restrict development of PPC40 depending on whether the WLR is constructed or to contribute to its construction from a transport perspective. As the MLR is required for access to the bulk of the PPC40 land, the precinct provisions restrict occupancy of homes is proposed to be restricted until the completion of the MLR.

Assurance is sought that the network has sufficient capacity to accommodate PPC40 such that it does not compromise the ability to develop other areas of land, such as PC25. Should there be insufficient capacity, the submitter has requested that the development of the larger block of land for PPC40 should be limited to staged development. The Transport Assessment submitted for PPC40 concentrates on the MLR and the intersections with SH1 and Matakana Road. The assessment is limited in that it does not consider the wider transport network and does not take into account the increased traffic generated by PC25 (which was approved after the PPC40 application was submitted). It does highlight the potential operational issues at the SH1 / MLR intersection as a T intersection, but no analysis has been undertaken with the intersection as signalised cross-roads that include the WLR and rely on the SGA ITA assessment.

11.5 Submission #05 – Auckland Transport

Auckland Transport is concerned that the Transport Assessment submitted in support of the plan change does not follow the AT guidelines and that it does not provide sufficient information to fully assess the traffic effects of the plan change. AT is seeking further detail on the modelling assumptions and the effects of changes to the zoning of the business use land, including the introduction of the Recreational Facility.

The majority of AT's submission is seeking greater clarity and certainty in the precinct provisions including objectives, policies, standards, activities, matters of discretion and assessment criteria. The amendments sought would provide better guidance to developers as to what is expected and will assist in providing certainty that the appropriate measures are provided to avoid, remedy, or mitigate the effects of the plan change. With appropriate rules and standards, the changes requested would provide assurance that proposals that do not comply will be adequately assessed.

Elements of particular note are briefly outlined below.

- The Activity table is proposed to only apply to Mixed Housing Urban. However, the activities listed apply to the other zones in the precinct and therefore, the table should apply to all zones.

- Objective and Policies should be expanded to better set out the transport aspects of the precinct to guide developers and decision makers and to assist with the assessment criteria for the precinct.
- AT is seeking that the Recreational Facility should not automatically be non-notified (submission point 5.16).
- If a large residential development occurs that does not require subdivision, e.g. a retirement village, the precinct plans and provisions should ensure that the appropriate transport infrastructure is provided (submission point 5.35). It is agreed that to avoid this risk, that the provisions should include for large scale developments, at least as a Restricted Discretionary activity.

The requirement for the Recreational Facility to be specifically notified has been removed in the revised precinct provisions, but the notification requirements now relate to all Restricted Discretionary activities on a non-notified basis. As development / sub-division will likely affect at least the AT road network, it is considered that the normal notification criteria should apply.

The amendments sought by AT are supported from a transportation perspective and it is noted that many of the suggested changes by this submitter have been included in the updated precinct provisions.

11.6 Submission #07 – Auckland Council

The submitter is seeking that precinct provisions be made more prescriptive to ensure that cycling and walking facilities are provided as part of the development so that the provisions provide better guidance for developers on what is expected and to assist decision makers to evaluate proposals against those expectations.

The updated precinct provisions have gone some way to addressing the concerns raised, but further refinement and detail is required to set out the facilities to be provided through appropriate objectives, policies, and standards. The precinct plans should be reviewed to include the greenways routes through the precincts, including linkages to the wider network and across the MLR.

11.7 Submission #12 – Ministry of Education

The submitter supports the provision of walking and cycling connections to enable safe access to all forms of housing and social infrastructure in the area.

11.8 Submission #15 – Mahurangi Community Sport & Recreation Collective (MCSRC)

MCSRC are concerned that the plan change will not provide access to the Warkworth Showgrounds for cycling and walking and that the location of the access from PPC40 may not be in an appropriate location.

Precinct Plan IXXX9.3 does show a connection into the Showgrounds from a greenways route connection. However, it is not clear if this is in a suitable location for the future development of the showgrounds site. A connection to the Showgrounds is supported from a transport connectivity perspective, but this would need to be in an appropriate location taking into account routes through the plan change area and the requirements for the existing and future needs of the Showgrounds.

The proposed Policy 12 in the precinct provisions refers to access to adjacent land and would encompass the showgrounds. However, it is considered that the objectives would need to be expanded to include connections to the surrounding land uses, not just the transport network as indicated in Objective 4. Assessment criteria 7.2(1)(a) (xii) includes an assessment of the walkway network being in accordance with Precinct Plan IXXX9.3 which includes a connection to the Showgrounds. This criteria should be expanded to include cycleways particularly as cycle tracks and facilities are proposed within the showgrounds. Specific mention should be included of the showgrounds.

11.9 Submission #17 – Stellan Trust

The submission by Stellan Trust is seeking precinct provisions that avoid or mitigate adverse traffic effects that would compromise the subdivision or development of the Light Industry Zone accessed from the two western most intersections along the Matakana Link Road.

Objective 8 of the precinct provisions sets out the general principle that the effects of the subdivision or development of the precinct should remedy or mitigate adverse effects on the efficient operation of the transport infrastructure. This would include the two intersections of concern to the submitter.

Assessment criteria 7.2(1)(a)(xv) and (xvi) require the preparation of transport assessments and safety audits that demonstrate that any intersections associated with the subdivision or development of the precinct does “not have adverse effects on the function of the surrounding transport network including Matakana Link Road”. It is considered that assessment criteria (xvi) in particular, would address the request made by the submitter, although this only relates to restricted discretionary activities. As discussed in Section 13.6 and 13.8, these Assessment Criteria would be better provided as Standards.

11.10 Submission #19 – Warkworth Properties Limited

The submitter is seeking that the Precinct Plans be updated to show a revised alignment of the Matakana Link Road slightly to the northwest that would avoid the Western Link Road extending through the submitter’s property should the WLR be terminated at the SH1/MLR intersection.

Following a comparison of the approved resource consent drawings for the MLR and the plan included as Annexure B attached to the submission, the approved alignment matches the alignment sought by the submitter. Whilst the alignment of the MLR is shown indicatively on the precinct plans, the extent of the precinct where it meets SH1 is only the width of the MLR corridor. Therefore, there is no flexibility within the precinct extents to adjust the MLR alignment. To avoid potential conflicts between the precinct plans and the MLR alignment at a later date, it is considered that the precinct plans should be updated to reflect the approved resource consent MLR alignment where the MLR connects to SH1.

12. Plans and Policies

The TA briefly describes how the transport aspects of the plan change meet the objectives and policies of Chapter E27 of the Auckland Unitary Plan (AUP). The Assessment of Environmental Effects provides further commentary on wider plans and policies.

13. Precinct Provisions and Plans

The applicant submitted revised precinct provisions dated 23 June 2020 (v2). The revised provisions address a range of traffic issues raised by submitters, particularly Auckland Transport (AT) and NZ Transport Agency (NZTA). The following sections provide comment on the updated precinct provisions.

13.1 Precinct Description

The precinct description refers to a “greenway” network which consists of a “network of tracks and walkways”. It is considered that this definition is not sufficiently descriptive and should refer to cycling as well as walkways. This would better align with the anticipated use of this network and the proposed Rodney Local Board greenway routes.

The purpose of the proposed recreational facility is not defined in the precinct description other than a standard limiting the gross floor area. Outlining the intended purpose of the facility would better guide developers and decision makers when assessing and reviewing proposals. There is a concern that the facility could be developed as a regional recreational facility which could have implications for the operation of the transport network with higher trip generation rates and parking demands which have not been assessed as part of the plan change application. Further guidance of the intended use and scale of the facility should be indicated through the objectives and policies.

13.2 Objectives

The revised provisions address many of the issues raised by submitters and now recognise the need for the precinct to provide for the safe and efficient operation and integration with the transport network, including cycling and walking.

It is considered that Objective 6, should be expanded to read “... connect it to the wider transport network, including public transport.” This would highlight the requirement to provide connections to public transport along the MLR and reflect that the precinct should provide travel choices. It is acknowledged that AT does not intend to provide bus routes within the precinct itself, but only along the MLR.

With the above modification, the objectives from a transport perspective are supported.

13.3 Policies

Policy 7 refers to the precinct to “Enable extensive active walking and cycling ...” and to “futureproof key walkway/cycleway routes”. AT’s submission (Submission Point 5.7) requests that the policy be amended to refer to “provide” rather than “enable”. This submission is supported as the use of “provide” creates greater certainty and expectation that facilities will be provided by the developers of the precinct rather than potentially setting aside routes or areas for facilities to be provided by others in the future. This would better align with Objective 4.

Policy 12 and 14 have been inserted in response to AT Submission Point 5.5. These additions are supported as they set out expectations in the development of the precinct. However, as discussed in Section 13.9 below with regards to Precinct Plan IXX.9.3, additional detail is required on the

precinct plan to show key transport connections on the boundary of the precinct, including the Western Link Road (WLR) and proposed Local Board greenways connections.

Other amendments to the Policies from a transport perspective are supported.

13.4 Activity Table

The revised provisions have expanded the activity tables and provide greater definition of the activity status of uses. However, further refinement is considered necessary to ensure that various activities are appropriately controlled.

For all zones, Activity Table IXXX4.1(A17) makes any subdivision that does not comply with the access points on the MLR, and pedestrian / cycle connections to the MLR as non-complying activity. The description is similar to the description in standard IXXX6.4, Limited Access. The activity tables for the specific zones contradict this activity with subdivision not complying with standard IXXX6.4 as discretionary. It is considered that to avoid confusion, that Table IXXX6.1 (A17) should be updated to refer to standard IXXX6.4 and that this should apply to development as well as subdivision. Corresponding amendments to the other activity tables should be made.

The non-complying activity status of IXXX4.1(A17) is supported for subdivision and development.

Table IXXX4.5(A3) for MHU zoned land states development that does not comply with AUP standard E27.6.4.1(3), Vehicle Access Restrictions would be non-complying. It is assumed that this is proposed to prevent vehicle crossings being provided onto the MLR. However, as is discussed in Section 13.6, the AUP standard would not necessarily restrict vehicle crossings on the MLR. Therefore, the activity should also refer to a standard in the precinct provisions that specifically prevents vehicle crossings along the MLR.

Table IXXX4.5 relates to Residential – Mixed Housing Urban (MHU). There is no table provided for Residential Mixed Housing Suburban (MHS), even though there is land zoned MHS. An activity table relating to MHS should be included.

13.5 Notification

The precinct provisions allow restricted discretionary activities to be processed on a non-notified basis. However, there are still likely to be effects on third parties, such as Auckland Transport, NZTA or neighbouring landowners, such as the construction of intersections on the MLR.

Taking AT as an example, whilst AT would be involved with the Engineering Plan Approval process, this may be too late for AT to provide sufficient input into the design to achieve outcomes that align with the intended operation, performance, and safety of the road network. Therefore, it is considered that activities should be subject to the standard notification tests. This does not necessarily mean that an application would be publicly notified but may only result in limited notification.

13.6 Standards

The only proposed standard relating to transport is Standard IXXX6.4 Limited Access. This relates to the provision of intersections along the MLR.

The previous standard limiting the provision of vehicle crossings directly onto the MLR has been deleted. This may be because the precinct now proposes to designate the MLR as an arterial road and intends to rely on the underlying AUP controls for Vehicle Access Controls (E27.6.4.1). However, the AUP provisions do not specifically address the restriction sought from AT and outlined in the PPC40 TA to prevent vehicle crossings on the MLR.

It is considered that a standard should be included to strengthen the AUP controls so that there is a clear expectation from developers and decision makers that vehicle crossings are not to be provided, other than for pedestrian or cycle access. The standard should further make it clear that if a vehicle crossing is provided in lieu of vehicle access being available from an alternative road, that once the alternative access is provided, that the MLR vehicle crossing is removed with appropriate reinstatement.

There are numerous assessment criteria that relate to transport that are written as standards and would be better included as standards. This would set out expectations to developers as to the requirements of the transport infrastructure for the precinct. The relevant criteria include IXXX.8(1) (x) - (xiv) and (xvii).

An additional standard should be included to restrict vehicle crossings directly across the collector roads within the precinct where separated cycle facilities are provided.

Assessment criteria (xiv) relates to road cross sections and provides two typical cross-sections. It is considered that the cross-sections should be deleted and replaced by descriptions of the road reserve width and the elements to be provided for local and collector roads. Elements include the number of lanes, footpaths, separated cycle paths (for collector roads), berms and parking. It is noted that the cross-sections provided differ to the description of the facilities described in the Transport Assessment (shared footpath/cycle way compared to separated path). The total dimension of the corridor width for the local road is incorrect and is stated as 17m whereas the specific dimensions total 18m. For the purposes of the precinct provisions, should the cross-sections remain, the construction detail should be omitted as this is a matter for detail design.

13.7 Matters of Discretion

Item IXXX7.1(1)(e) only relates to the MLR. However, it is likely that an intersection will also be required on Matakana Road south of the proposed MLR/Matakana Road roundabout. It is considered that the item should be updated to read "... with Matakana Link Road and Matakana Road."

13.8 Assessment Criteria

As for the matters of discretion, the assessment criteria should relate to all subdivision and not just vacant lot subdivision.

As discussed in Section 13.6 (Standards), there are various assessment criteria which should be Standards (IXXX7.2(1)(x) – (xiv) and (xvii)). Moving these to the standards would require appropriate consequential changes to, Assessment Criteria and reference to the standards in the activity tables.

As highlighted in Section 13.1 (Precinct Description) a definition of a greenway would assist in their assessment, as a greenway is not defined in the AUP and therefore is open to interpretation.

13.9 Precinct Plans

It is considered that for clarity and to align with the proposed Masterplans submitted with the plan change request (including walking and cycling and Built Environment elements), that the following amendments or additions be included on Precinct Plan IXXX9.3:

- a) Add transport infrastructure external to the precinct to provide context and which the precinct will need to integrate. This includes the Western Link Road, Rodney Local Board greenways routes and pedestrian connections to adjacent land (e.g. Warkworth Showgrounds).
- b) Include an indicative intersection on Matakana Road south of the MLR / Matakana Road roundabout (possible as a left turn in, left turn out only intersection).
- c) Clearly show pedestrian / cycle connections within the precinct that are not proposed to be part of the greenways network (see comment below).
- d) Show indicative locations of pedestrian / cycle crossing facilities across the MLR.
- e) Highlight pedestrian / cycle connections at the precinct boundary to the wider pedestrian / cycle network.
- f) Show possible future connections (road and pedestrian) across the north-south gully north of the MLR as included in the Precinct Master Plan Figure A5.3 and A5.4.

The applicant provided commentary on the revised precinct provisions stating that the precinct plans had been updated to show differences between the greenways routes and other pedestrian / cycle routes. However, the legend only refers to greenways routes and these are the only pedestrian / cycle facilities included (other than connections to the MLR). The non-greenways pedestrian and cycle routes should be shown on the precinct plan.

In response to the submission by Warkworth Properties Limited (Submission #19), the alignment of the Matakana Link Road should be revised slightly to the north west to reflect the alignment of the MLR as shown in the approved resource consent dated 15 June 2020.

14. Summary and Conclusions

The traffic and transportation effects of Private Plan Change 40 have been reviewed. It is concluded that the Transport Assessment (TA) has not fully demonstrated the traffic effects of the plan change.

The proposed development within PPC40 is similar in scale to that envisaged by the Warkworth Structure Plan (WSP) with the exception of the addition of the Recreation Facility. The Transport Assessment does however utilise higher residential trip rates than the WSP which results in higher traffic demands. This provides a level of robustness in the assessment of the plan change traffic, should the mode shift to walking, cycling and public transport assumed in the WSP analysis not occur.

The analysis used inputs from the Traffic Assessment prepared for the Notice of Requirement (NoR) for the Matakana Link Road. The NoR assessment pre-dates the development of the Warkworth Structure Plan and the recently approved Plan Change 25; the PC25 had a higher traffic generation rate than that envisaged by the WSP due to changes in land use assumptions. The TA for the NoR

did not provide details of the land uses assumed. Therefore, the base traffic demands (non-development traffic) used to assess PPC40 may be under-represented. This would be off-set by the higher trip rates used in the PPC40 TA.

The Transport Assessment limited the analysis of the traffic effects to the Matakana Link Road intersections with State Highway 1 (SH1) and with Matakana Road. No assessment was undertaken of the wider transport network. The land uses for PPC40 are generally similar to those in the WSP, and thus the PPC40 appears to rely on the WSP assessment of the wider network.

The assessment highlighted that there are potential operational issues at the MLR / SH1 intersection, but no improvements were identified.

The Transport Assessment has therefore not demonstrated fully that the transport network can accommodate the forecast plan change traffic and has not identified any transport infrastructure that would be required to support it.

The transport implications of rezoning of the Business - Light Industry land at the western end of the plan change area to residential land for the proposed Recreational Facility have not been assessed in the TA. However, based on the assumptions in the TA, a review of the forecast traffic generation from the re-zoned land indicates that there would be similar trip generation compared to the Light Industry. Therefore, from a traffic generation perspective it is concluded that there would be no additional effects as a result of the land being rezoned. Assessment of other traffic effects would be necessary, such as parking, access arrangements and safety but these would be covered by the precinct provisions.

The Recreation Facility is poorly defined within the precinct provisions. Whilst the plan change application expects it will be a community facility, there are no controls (other than the gross floor area) and thus there is scope that this facility could service the wider region and more major events could occur. The facility therefore has the potential for significant traffic and parking effects if major events do occur. Should the facility be approved, appropriate controls within the precinct provisions should be included to ensure that the traffic effects of the activity are fully assessed.

The relocation of the neighbourhood centre from the location proposed in the Warkworth Structure Plan at the eastern end of the Matakana Link Road is supported. The revised location mid-way along the Matakana Link Road provides full access from all directions on the Matakana Link Road, whereas the original location had restricted access. It will be located more conveniently within a walkable distance for a larger catchment area of residents thereby reducing private vehicle trips.

Walking and cycling facilities are proposed within PPC40. These generally coincide with the Rodney Local Board Greenways routes and would provide connectivity through the precinct and to the wider area, once the full network of routes is completed. It is noted, however, that there are discrepancies between the precinct plans, the proposed Masterplan for PPC40 and the Local Board Greenways plans. It is considered that the precinct plans should be reviewed and revised to include the Masterplan and Greenways routes including connections to the wider network, across the MLR and across the gully that runs north-south through the precinct.

PPC40 will be serviced by public transport which will be routed along the MLR. Auckland Transport plans to provide a bus route along the MLR which will link to the planned temporary Park and Ride

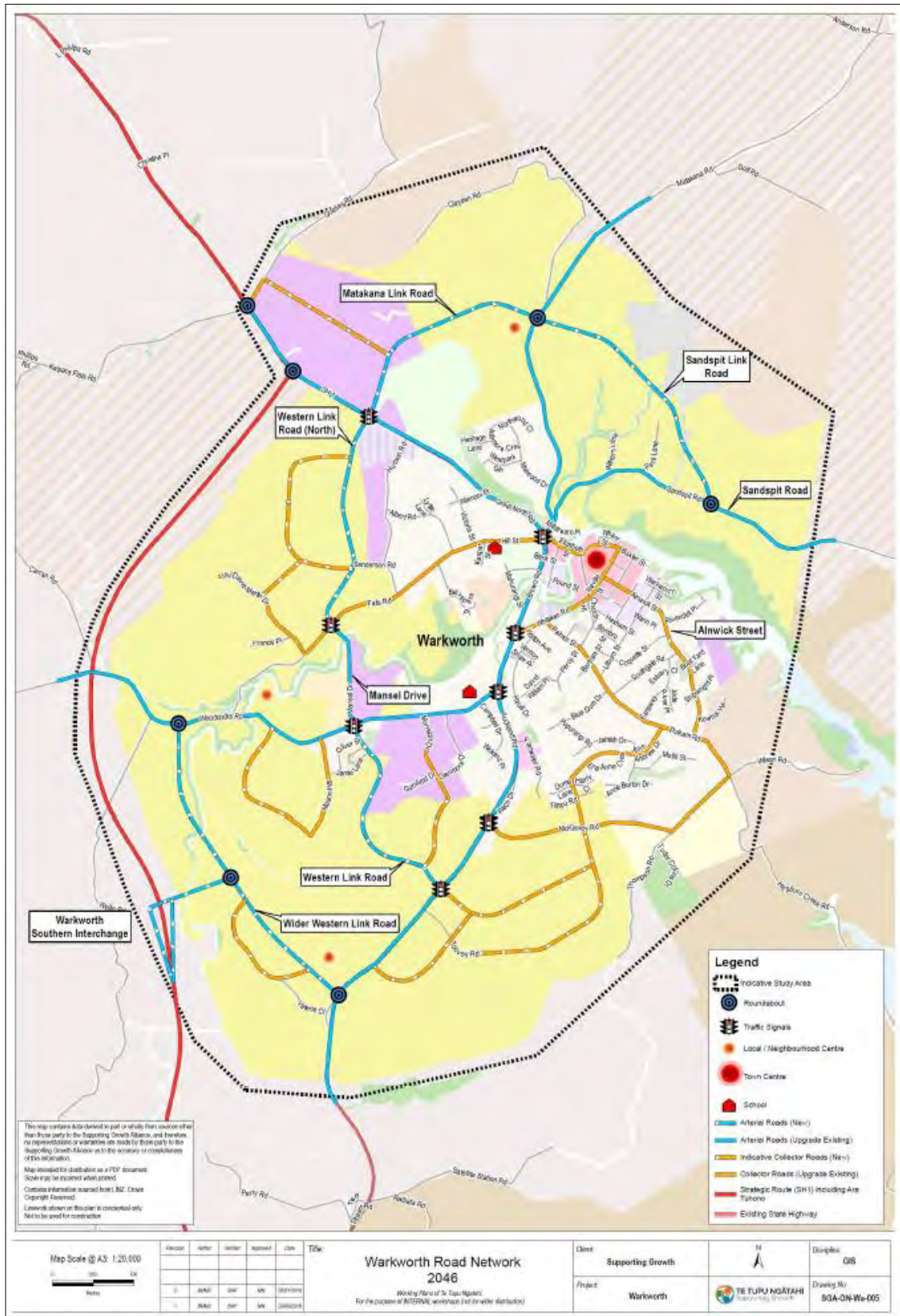
site off SH1. Whilst the location of bus stops is yet to be confirmed, a high proportion of PPC40 is within a walkable 400m catchment of the MLR which will enhance accessibility to public transport.

The precinct provisions have been reviewed in light of the assessment. It is considered that the provisions need to be developed to ensure that expectations are clearly set out for developers and decision makers on the development of the transport infrastructure within the precinct, and that there are appropriate controls and assessment criteria. The key matters identified include:

- Minor amendments to the Objectives and Policies.
- Adjustments are made to the Activity Tables to cover all proposed residential zones, including development as well as subdivision is included in the tables.
- Notification should be subject to the normal notification tests.
- Standards are developed (based on those transport issues listed in the provisions' assessment criteria) that provide clear guidance to developers and decision makers over the transport infrastructure requirements for the proposed precinct.
- Consequential changes are made to the matters of discretion and assessment criteria as result of the modifications to the standards and ensure the traffic and transportation effects for the safe and efficient operation of the road network within the precinct and the wider transport network are assessed.
- Precinct Plan IXXX9.3 is updated to comprehensively include transport elements including connections to the wider network and consistency with the submitted precinct Masterplan.
- The Precinct Plans should be updated to modify the alignment of the Matakana Link Road on the approach to SH1 to reflect the consented MLR alignment.

In conclusion, based on the review of the Transport Assessment, it has not fully assessed the effects of PPC40. The revised precinct provisions (20 August 2020 v32) have gone some way to providing confidence that the precinct will achieve the appropriate transport outcomes. However, further refinement is required to provide guidance to developers and decision makers on transport related matters through appropriate standards and assessment criteria. This is necessary to ensure that the traffic effects are appropriately assessed at development / subdivision stage or where development does not comply with the relevant standards.

Attachment 1 – Proposed Road Arterial and Collector Road Network⁷



⁷ Supporting Growth Alliance, Integrated Transport Assessment, February 2019, Figure 36

24 August 2020

To: Petra Burns, Planner, Auckland Council
From: John Stenberg, Principal Urban Designer

Subject: Private Plan Change 40: Warkworth – Clayden Road – Submissions Assessment

1.0 Introduction

- 1.1 I have undertaken a review of the submissions in relation to any likely urban design effects arising from suggested changes to the plan change.

I have a Bachelor of Planning, and Bachelor of Social Sciences in Geography and Economics and have over 23 years' experience as an urban designer. That experience includes District Plan development (NSCC District Plan), Strategic Planning (award winning City Blueprint and Action Plan NSCC 2001), regeneration projects (centres capital works program NSCC 2003-2010), managing design process, procurement and outcomes (award winning Hurstmere Green 2013 by Sills van Bohemen Architects, and Devonport Library 2013), the design of public spaces (St Peters Square – Weekday Cross Nottingham 1996), design and development briefs for Wilford-Canal Street and design review of development proposals. I currently sit as an urban designer on the Hobsonville Urban Design Panel (four years), in addition to being called upon to review Council's major projects.

- 1.2 In writing this memo, I have reviewed the following documents:

- Private Plan Change 40: Updated 20.08.2020
- Urban Design Assessment & Neighbourhood Design Statement September 2019, Ian Munroe & A Studio Architects
- Submissions 1 through 20
- Further FS1 through FS10
- Summary of Submissions and Further Submissions

2.0 Key Urban Design Issues

- **Community Connectivity**
 - Connections from outside the area, and regionally significant influences
 - Neighbourhood connections to important attributes such as open space, local centres and community facilities.
 - Legible and logical placement of activities
- **Hierarchy of Streets and Open spaces**
 - Appropriateness of street hierarchy and street typology
 - Land use and design supporting the functions of streets, including cycling and walking
 - Efficient and connected road pattern supporting permeability, in conjunction with open space hierarchy and linkages
 - Safe open spaces with overlook from passing traffic and land-use activities
- **Block layout**
 - Efficient block size to support flexible housing use and non-residential activities where indicated on structure plan
 - Lot layout enabled that reduces rear sites, encourages development fronting streets

These matters have at a general level been provided by the structure plan and through precinct plan and existing AUP-OP provisions. However, reliance on the A studio's Master Plan which has not been tested through a consenting process does not necessarily mean that everything shown is achievable or appropriate in terms of generating adverse effects. The applicants are also of the view that the Master Plan was just a concept as a means to test and inform long-term design concepts rather than a fixed design. The proposed precinct plan also has a degree of flexibility.

3.0 Applicant's urban design assessment

The urban design assessment (Sept 2019) prepared by Ian Munroe (urban designer) and A Studio Architects assessment follows topic headings derived from the Regional Policy Statement (Section B AUP-OP)

"the development should achieve a well-connected, integrated built form outcome, with residential areas having high amenity, and being healthy, attractive and safe" (page 19)

"non-residential activities support the needs of people and the local community" (page 24)

"the development should maintain or enhance the character of Warkworth township and the area, and provide adequately for infrastructure" (page 26)

"open spaces should be well integrated and physically connected where possible" (page 28)

"reverse sensitivity effects with adjacent land uses are managed" (page 30)

At a general level the urban design assessment provided is supported. There are some comments within the assessment that also relate to the assessment of submissions and further submissions and are shown below.

5.2.g. Streams through the site (draining to the south) are also constraints but they also offer opportunity for natural amenity and site-specific character...

5.3. c. Although in urban design terms 'park edge roads' are the preferred response to public open space edges, ...the gradient of some of the steeply-incised stream edges raises practical questions of whether a public road edge would be practicably achieved...The upshot of this is...[they] may not be consistently achievable.

6.1.i [Comment on the proposal] Specific Precinct provisions proposed that go beyond the 'normal' AUP: OP zone controls, and which will help to implement the Precinct Plan maps, include of note:

vii. Resource consent assessment matters requiring specific urban design issues to be addressed including the preference for park-edge roads where that is practicable and to maximise opportunities for passive surveillance from future dwellings across public open spaces.

7.8.a. "we understand that this would enable an indoor-sport facility in a residentially compatible way"

7.14.f. As noted earlier, our preference would be for park-edge roads around all or at least a majority of the green corridors, as this is the optimal means of integrating these features into a new development. However, this will be dependent on the detailed engineering at subdivision stage and whether it is possible to align roads abutting these features.

The assessment recognises the role streets play in providing good amenity outcomes next to open space, and the need for an indoor-sports facility to be integrated in a 'compatible way' with the surrounding residential development.

I support the need for streets next to reserves of any type, given that they impart street life to the edge of the spaces, provide excellent passive surveillance opportunities, allow easy monitoring of open space and avail themselves overtly for easy and understandable access and use by the community.

The 'recreational facility' should be stipulated as 'indoor', as such a facility can internalise noise and effects of lighting more effectively than outdoor facilities. I agree that such a facility needs to be integrated within a residential zone in a compatible way, with the facility responding to street frontages and any public space that it abuts. Given the nature of such facilities this has implications for site selection and location.

4.0 Submissions

Having reviewed the submissions, there are two groups which focus on urban design matters.

1. Provision of more green spaces integrated into the housing development area and the need for an attractive walking and cycling network, and greenway walkways. (Submissions 2.2, 2.3, 5.7, 5.26)
2. Indoor recreation facility, assessment criteria for transport related matters including access, reference only to a 'recreational facility', and the adequacy of transport effects being part of any assessment, including safe access, 'transport including access, parking, and traffic generation. (Submissions 3.8, 3.11, 5.22, 5.23, 5.31)

5.0 Assessment of submissions and urban design effects

Submission 2.2, 2.3 seek greater provision of green spaces and walkways and Submission 5.26 the role cycling and walking network is provided in conjunction with any subdivision.

While there is arguably a case for the provision of more open space and walkway/cycleway linkages, I consider that making the best use of space and linkages provided in the structure plan is important to achieve an appropriate level of amenity and access to recreational space for the future 2,000 - 3,000 residents of this neighbourhood.

I consider that these submissions 2.2 and 2.3 can be accepted in part, to the extent that stronger referencing in the assessment of these open space and greenway spaces takes account their visually availability from the public street network where practicable, to ensure

- their legibility and ease of access by the neighbourhood's residents,
- the safety of these spaces, through overlook form streets, and the monitoring of these public spaces is supported, and
- their use and the visual expression and contribution to neighbourhood amenity is apparent to all.

The applicants Urban Design Assessment generally supports roads next to parks and public open spaces, however it raises an issue that topography in this locality could limit the practicality of achieving streets adjacent to all these spaces. It is also appropriate to offer 'greenway' spaces which are removed from road activities over short distances to offer a different and potentially more tranquil experience.

It is considered that assessment should consider the practicable need to provide a level of surveillance to open space and public greenway reserves from the street network to support CPTED (crime prevention through environmental design) outcomes and provide legible and easy access to these spaces. The inclusion of such an assessment would also create a more balanced assessment in the light of Policies (IXXX.3 Policies 15, 16 and 17) that can be used and elevated to undermine such outcomes.

Indoor Recreation Facility

I do not support the reference to 'recreation facility' as Auckland Transport submission 5.22 suggests, but agree that consistency is provide throughout the precinct provisions. The use of recreational facility is too broad and opens up facilities which have a considerable ability to impact on residential amenity, particularly noise, lighting, hours of use. An indoor facility has major advantages of being able to moderate these effects to levels compatible with the residential setting and provide a greater level of certainty to investors and residents.

To this extent I consider that the reference in IXXX.3 Policy 8 to 'indoor' recreation facility be retained, and the Activity Table IXXX.4.5 Residential - Mixed Housing Urban Zone A1 and A2 to include the reference to 'indoor recreation facility' for consistency reasons (an argument made in

submission 5.22) along with other referencing within the precinct plan. As noted in the Further Submission 5.8 by White Light Trust and WLC the use of 'indoor' recreation facility is a term used in the Warkworth Structure Plan.

Submissions 5.23 (re-matters of discretion) and 5.31 (re-assessment criteria) both identify the need for a broader range of transport effects, including safe access and well-designed and located parking in relation to IXXX 7.2 (2) Indoor recreation facility.

I can support the intent of the recommendation, albeit I'm not sure how the references relate to the latest copy of the plan change provide, however consider that to ensure that 'safe access' and 'well-designed' are not confined to geometry, inclusion of a reference to crime prevention through environmental design (CPTED) is also appropriate to safety, building layout and design and car parking design and location.

It is appropriate to support the adequacy of access across broadly, including the appropriateness of pedestrian and cycle access, its legibility, convenience, and safety, including CPTED considerations.

6.0 Conclusions and recommendations

Overall, the Private Plan Change can be supported subject to the changes identified in the above section relating to:

1. Assessment Criteria IXXX.7.2 include a statement to the effect that 'public open space and greenway spaces consider the public street network to support legibility, ease of visual access and CPTED principles.'
2. Retention of the reference in IXXX.3 Policy 8 to 'indoor' recreation facility, amend Activity Table IXXX.4.5 Residential - Mixed Housing Urban Zone A1 and A2 to include the reference to 'indoor recreation facility' and for consistency reasons (argument made in submission 5.22) other referencing within the precinct plan.
3. IXXX7.1 Matters of Discretion relating to the indoor recreation facility, include a broader range of effects to be considered, and that those matters relating to 'access' is sufficiently understood to include CPTED considerations.
4. IXXX7.2 Assessment Criteria relating to the indoor recreation facility is broadened as recommended and better refined for clarity as follows

3(d) "Traffic generation effects can be accommodated within the transport network, safe access is provided to the site, including for pedestrians and cyclists, and sufficient well-designed and well-located parking is provided"

APPENDIX 8

RECOMMENDED MODIFICATIONS TO PLAN CHANGE 40

Recommended modifications to Plan Change 40

Red and **black** text is from the plan change as notified, proposed by the applicant

Struck out **red** and **black** text are deletions undertaken post-notification, by the applicant over the course of the two updates circulated by the applicant on 23 June 2020 and 27 August 2020

Blue text is additional wording added post-notification at both the 23 June and 27 August 2020 updates to the plan change by the applicant

Green text is additions and deletions (struck out **green text**) recommended by council in response to relief sought by submitters.

[Green text] in square brackets are explanation notes by council indicating the removal and or replacement of maps and plans, and text to be included in other parts of the AUP(OP).

**PRIVATE PLAN CHANGE 40 : ~~MODIFIED REQUEST : 26 August 2020 v35~~ COUNCIL'S
RECOMMENDED MODIFICATIONS**

PART A – AMENDMENT TO AUCKLAND UNITARY PLAN GIS VIEWER (MAPS)

Map 1 – Proposed Rezoning of IXXX Warkworth Clayden Road Precinct

Notes:

1. The proposed change to the viewer (maps) has not been made.
2. The map is shown to place the changes in context.

Map number:	1
Geographic area:	North
Current zones:	Future Urban zone and Business Light Industry zone
Proposed zones:	Residential – Mixed Housing: Urban Residential – Mixed Housing: Suburban Residential – Single House Residential – Large Lot Zone Rural Countryside Living Business – Neighbourhood Centre Zone Business – Light Industry

PART A AMENDMENT TO THE MAPS

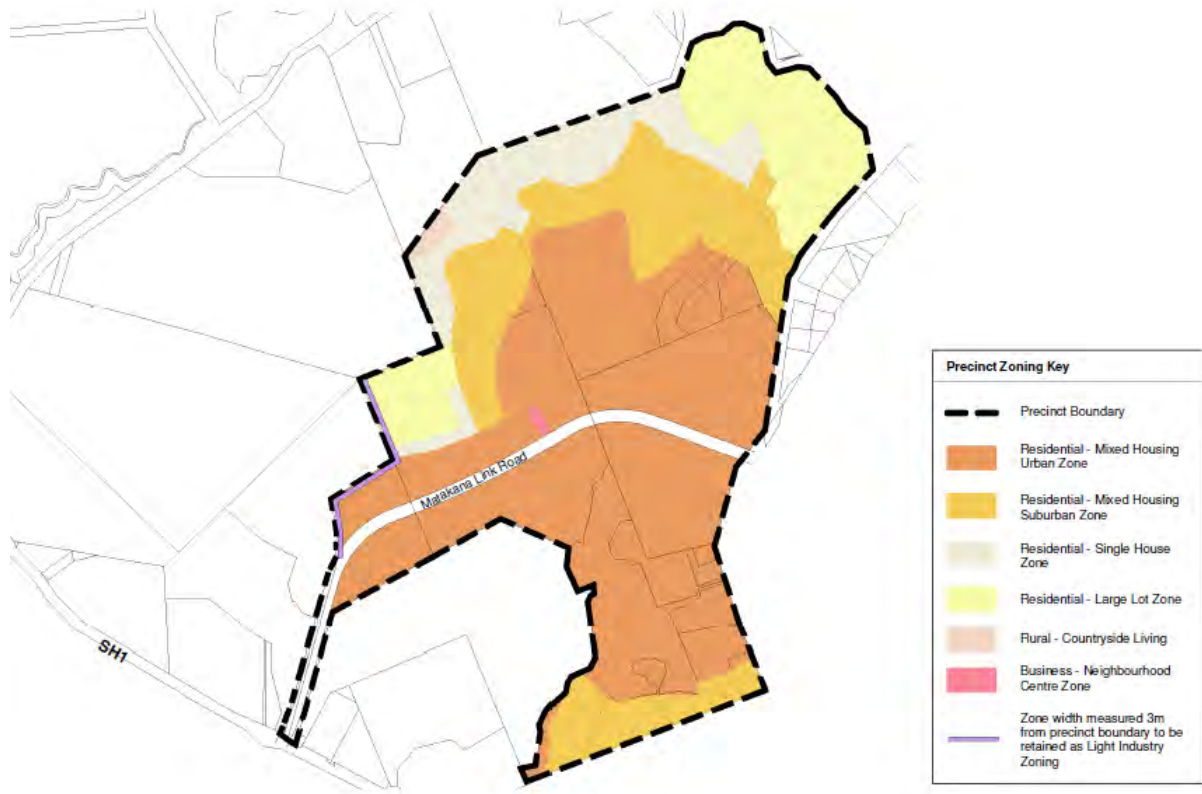
ZONING

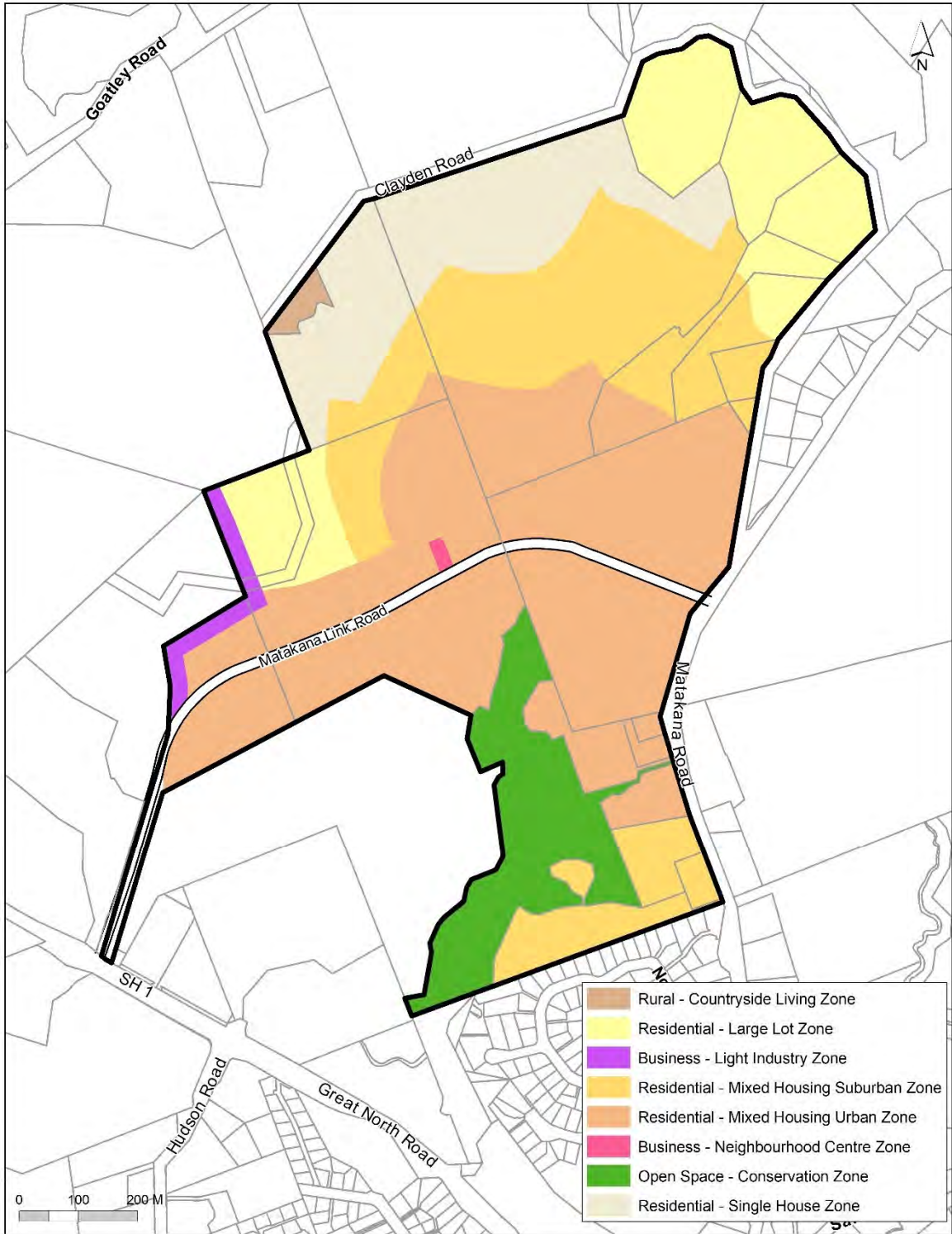
That the land currently zoned Future Urban Zone be rezoned Residential - Mixed Housing Urban, Residential - Mixed Housing Suburban, Residential - Single House, Residential - Large Lot Zone, Rural – Countryside Living Zone and Business-Neighbourhood Centre Zone as shown on the following zoning plan.

That the land currently zoned Business- Light Industry Zone be substantially rezoned Residential – Mixed Housing Urban, with the interface area retained as Light Industry, as shown on the following zoning plan.

Map 1 -- Zoning

[Map 1 deleted and replaced]



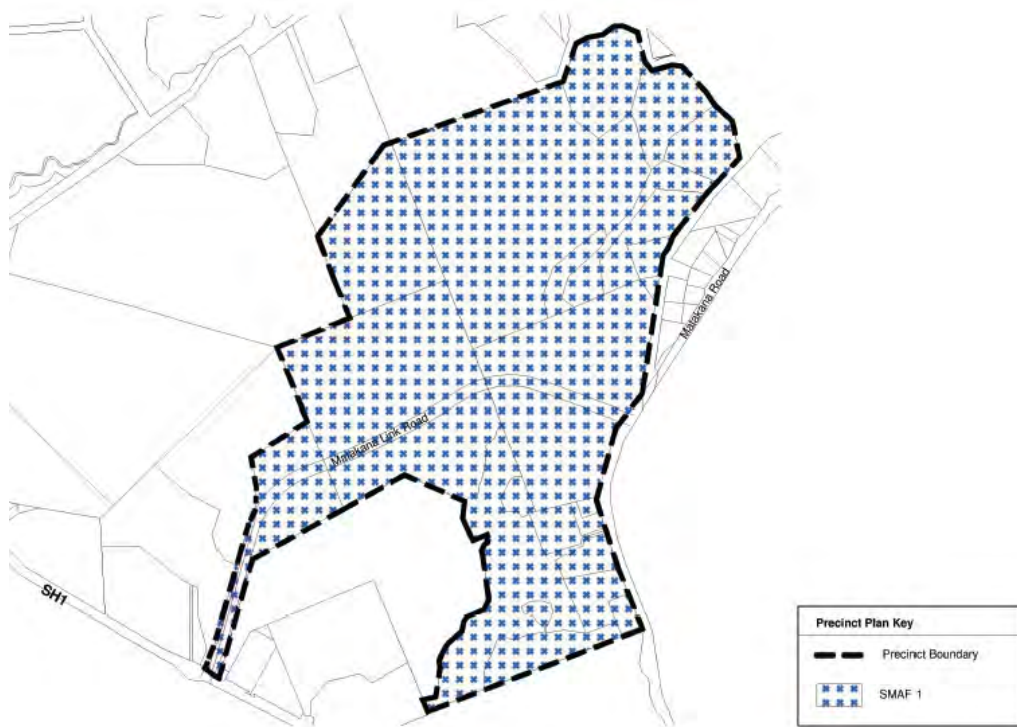


Warkworth Clayden Road - Zoning map

CONTROLS

The land shown below be identified as “SMAF1” in the ‘Controls’ map.

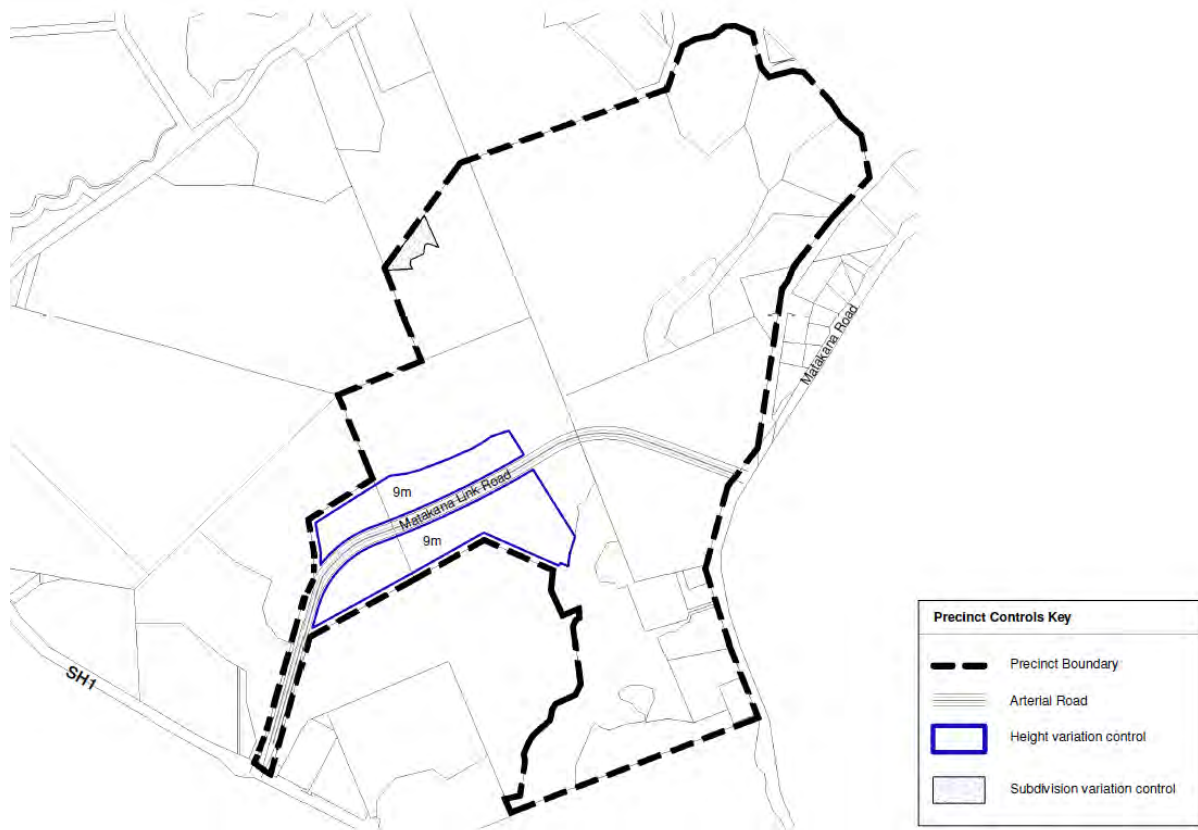
Map 22 – Control: SMAF1

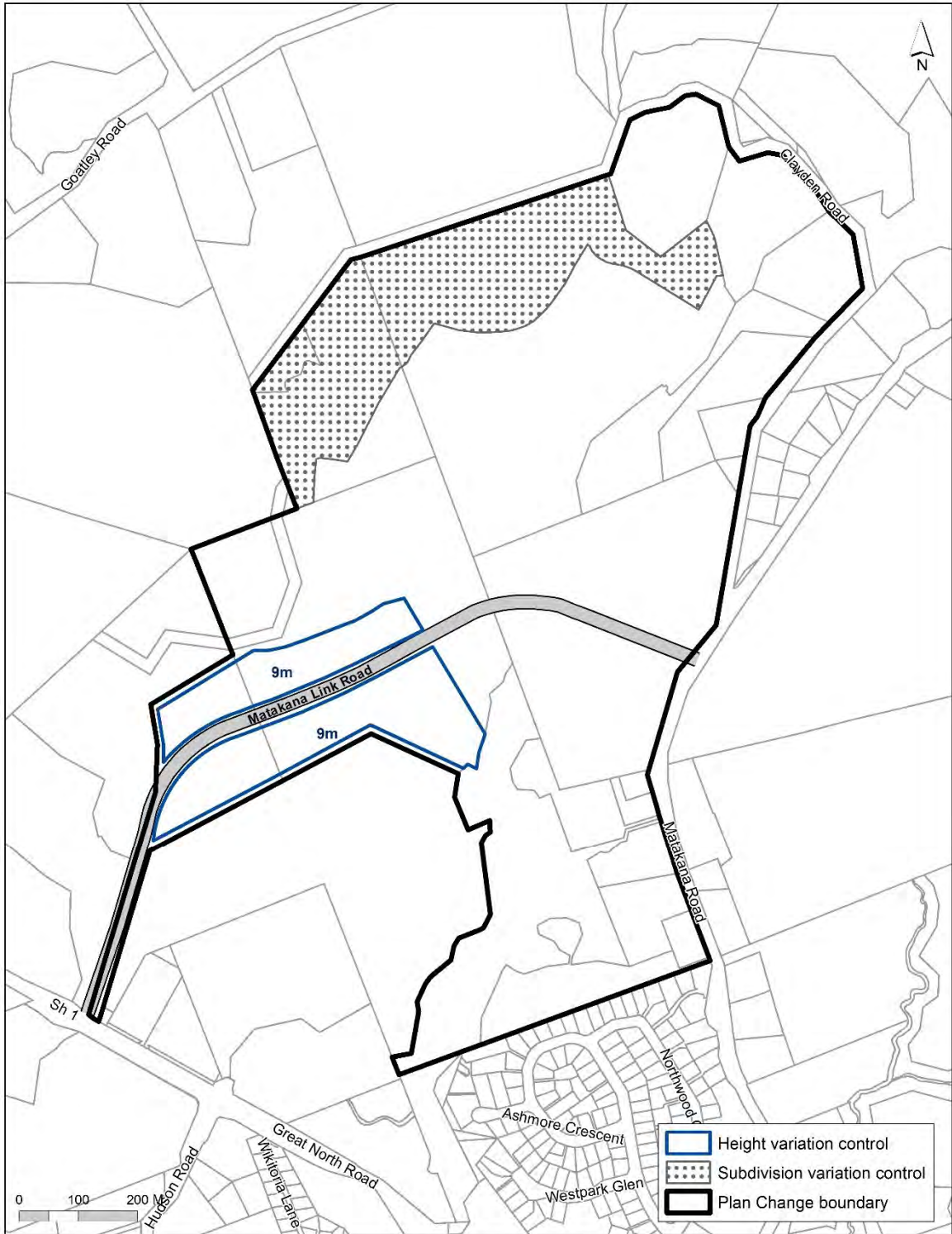


Map 32 – Control: Height Variation Control, Subdivision Variation Control, Arterial Roads

[Map 3 deleted and replaced]

**[Subdivision Variation Control imposing a minimum net site area of 1000m² – Table E38.8.2.4.1
Subdivision of sites identified in the Subdivision Variation Control in the AUP(OP) is to be updated
with text reflecting this]**





Warkworth Clayden Road - Controls map

MAP 4 – Notable Trees overlay



[AUP(OP) Schedule 10: Notable Tree schedule is to be updated with text for any tree recommended to be included in the schedule]

PRECINCTS

The land shown below be identified as 'Warkworth: Clayden Road' in the 'Precinct' Map.

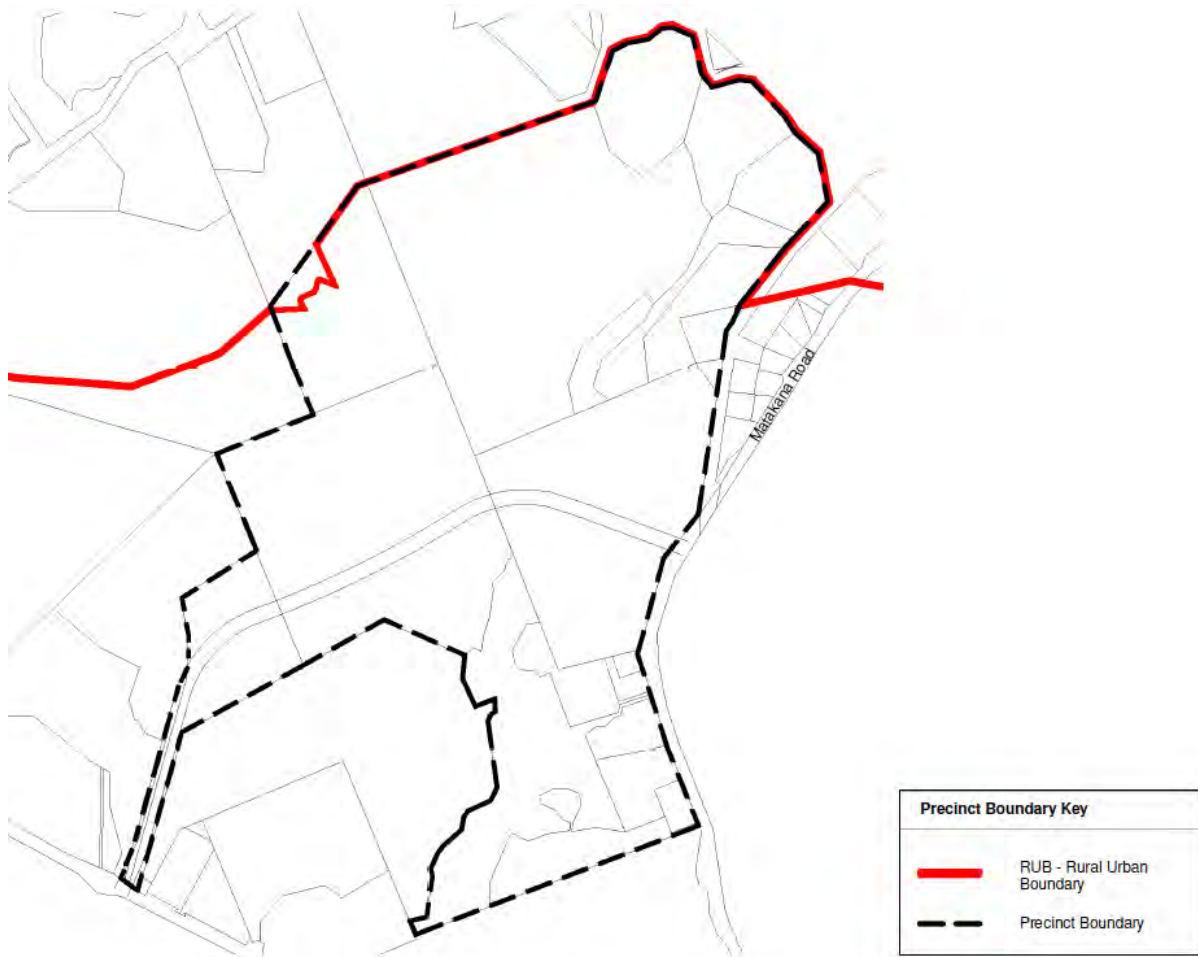
Map 3 –Precinct Boundary of IXXX Warkworth Clayden Road Precinct



RURAL URBAN BOUNDARY

The location of the Rural Urban Boundary on the planning maps be modified as shown below.

Map 4 –Rural Urban Boundary



PART B AMENDMENT TO IXXX WARKWORTH CLAYDEN ROAD PRECINCT

Insert the following new precinct provisions:

IXXX Warkworth Clayden Road

IXXX.1 Precinct description

The Warkworth Clayden Road Precinct assists in providing for growth within the Warkworth area. The land slopes up to the north to adjoin the Rural Urban Boundary. The ridgeline that demarks the northern extent of the precinct topography of the site with the back drop of Dome Valley and key the bush clad streams reaching up the slopes toward it, are valued as ~~creates~~ landscape and ecological environmental benefits to features within the precinct. The development of this urban zoned land will create a range of housing types, respond to the topography of the precinct, and result in enhanced landscape and environmental outcomes. The planned ~~Sandspit~~ Matakana Link Road creates good connectivity to this part of Warkworth with direct connections to State Highway 1 and the new Highway to the south.

A range of zonings apply within the Precinct. The zoning of land within this Warkworth Clayden Road Precinct is Rural – Countryside Living, Residential - Large Lot, Residential - Single House, Residential - Mixed Housing Suburban, Residential - Mixed Housing Urban, and Business - Neighbourhood Centre zones. A small portion of land within the Precinct will be retained as Business – Light Industry zoned land to enable a 3-metre buffer to the Business – Light Industry zoned land to the north west. Retaining a small portion of land as Business – Light Industry is to assist in managing reverse sensitivity and other effects that may arise as a result of the adjacent Business zoned land. ~~Employment opportunities are retained in the Light Industrial zone to the west.~~ The Residential - Mixed Housing Urban zone applies to the more intensive residential opportunity created around the ~~Sandspit~~ Matakana Link Road and the future public transport options this offers with direct access to and views across the Warkworth Showgrounds. Residential - Mixed Housing Suburban zone medium density housing is provided in the northern area of the Precinct. Low density Residential - Single House zoning is provided on the Rural Urban Boundary fringe with particular controls applying along the interface between the Countryside Living zone and the Residential - Single House zone and the Rural – Countryside Living zone, where rural character is to be maintained and lower levels of residential intensification enabled. A small area of land is zoned Residential - Large Lot and Rural - Countryside Living. These zones and controls are designed to create a lower density interface and a landscape buffer between the urban and rural areas.

Provision is made for a ~~local~~ neighbourhood centre designed to provide services to the northern Warkworth community and yet be complementary to the Warkworth town centre.

~~Provision is made for a~~ An extensive greenway network ~~providing~~ a network of tracks and walkways along streams and ~~connecting~~ to the broader network outside the precinct.

Special provision is made for the northern arena, a planned ~~indoor~~ recreational facility.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

IXXX.2 Objectives

The following objectives apply in addition to the relevant overlay, Auckland-wide, and zone objectives.

- (1) Provide for residential urban growth within the northern Warkworth area.
- (2) Apply urban zoning efficiently to protect against future urban expansion into Warkworth's valued rural hinterland.
- (3) Enhance the character of the rural – urban interface through limitations in key locations on housing density, building location, height and enhanced landscaping.
- (4) Create an accessible residential development with safe and integrated vehicle, walking and cycleway connections while supporting the safety and efficiency of the surrounding transport network.
- (5) ~~Manage reverse sensitivity issues at the interface between the residential and light industrial land.~~ Provide an appropriate interface between the existing light industry zone and the new residential areas to manage reverse sensitivity effects.
- (6) Subdivision and development is coordinated with the delivery of the transport, infrastructure and services required to provide for development within the precinct and connect it to the wider transport network.
- (7) Subdivision and development recognises and provides for Matakana Link Road and the strategic transport connection this makes through the Warkworth Clayden Road Precinct which support growth in the wider Warkworth area.
- (8) Subdivision and development within the precinct occurs in a manner which remedies or mitigates adverse effects on the safe and efficient operation of transport infrastructure and services.
- (9) Subdivision and development within the precinct provides for the protection and enhancement of identified landscape features within the Warkworth Clayden Road Precinct.
- (10) Provide amenity for, and manage effects from operations within the industrial area to the north west of the Warkworth Clayden Road Precinct including heliport operations, on activities sensitive to noise within the area identified on the Precinct Plan IXXX.9.1.
- (11) Protect and enhance the ecological values of the streams and areas of indigenous vegetation within the precinct.
- (12) Subdivision and development provide riparian margins and design stormwater management function to respect natural processes through best practicable options to protect the high ecological values and maintain good water quality and enhance degraded water quality present in the receiving environment.
- (13) Subdivision and development is co-ordinated with the delivery of the transport infrastructure and other infrastructure and services required to provide for development within the precinct and connect it to the wider transport and other infrastructure networks.
- (14) Subdivision and development within the precinct occurs in a manner which avoids, remedies or mitigates adverse effects on the safe and efficient operation of transport infrastructure and services.
- (15) Subdivision and development recognises, protects and supports strategic transport connections through the precinct which support growth in the wider Warkworth area.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

IXXX.3 Policies

~~The following policies apply in addition to the relevant overlay, Auckland-wide, and zone policies.~~

- (1) Provide a range of diverse residential zones and therefore housing options to help meet community needs.
- (2) Locate high density more intensive housing adjacent to the Sandspit Matakana Link Road and overlooking the Warkworth showgrounds and Mahurangi tributaries and supporting public transport.
- (3) Create low density housing along the urban-rural - urban boundary to form a transition from urban to rural uses.
- (4) Create the opportunity for local shops to service the neighbourhood, by zoning a suitable area of land for a “neighbourhood centre”.
- (5) Create an intensively landscaped interface along the rural urban boundary.
- (6) Protect landscape values by preventing ~~Prevent building development~~ on the special landscape areas shown on Precinct Plan 1 and requiring ~~incentivise~~ the planting of these landscape elements, and applying the height variation control to limit building heights in sensitive locations.
- (7) ~~Provide~~Enable extensive active walking and cycling networks and futureproof key walkway/cycleway routes, ~~and vest these key routes in the Council.~~
- (8) Create the opportunity for a ~~major indoor~~ recreation facility adjacent to the Warkworth showgrounds.
- (9) Create a landscaped buffer and require “no complaints covenants” on the properties adjacent to the industrial zoned land so as to manage reverse sensitivity issues.
- (10) ~~Avoid direct vehicle access from individual sites on to the Sandspit Matakana Link Road, while allowing direct to~~ pedestrian and cycle access.
- (11) ~~Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation to enhance in-stream values and avoid stream bank erosion. on-site detention and retention and protection of streams shown on Precinct Plan IXXX.9.1 by way of land covenant at the time of subdivision.~~
- (12) Require subdivision and development to provide transport infrastructure within the precinct and to provide connections to adjoining land in accordance with Precinct Plan 3.
- (13) Mitigate the adverse effects of stormwater runoff from all impervious areas in the precinct through a treatment train approach which assists in maintaining high water quality and enhances poor water quality.
- (14) Require subdivision and development to be co-ordinated with the provision of transport infrastructure and services identified in the precinct plan.
- (15) Require subdivision and development to protect and enhance permanent streams and identified intermittent streams on Precinct Plan 2.
- (16) Enhance protected streams on Precinct Plan 2 through native planted riparian setbacks.
- (17) Require subdivision and development to protect the landscape values of the ridgeline of the knoll adjacent to the north western boundary of the precinct
- (18) Require “no complaints covenants” on the properties adjacent to the Warkworth Show grounds so as to manage potential reverse sensitivity issues regarding -noise and lighting
- (19) ~~–~~Create a special yard buffer on the properties adjacent to Tomlinsons Bush so as to manage the interface between the bush and adjacent residential land.
- (20) Manage the design and construction of residential buildings within area identified on the Precinct Plan IXXX.9.1. so as to mitigate the adverse potential noise effects -and manage potential reverse sensitivity effects on operations within the industrial area to the north west of the Warkworth Clayden Road Precinct including heliport operations.
- (21) Require subdivision and development to be co-ordinated with the provision of transport infrastructure and other infrastructure and services identified in the precinct plan.

~~(20)(22)~~ Require subdivision and development to provide transport networks within the precinct and to provide connections to adjoining land in accordance with Precinct Plan 3.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

IXXX.4 Activity table

The provisions in any relevant overlays, Auckland-wide provisions and zones apply in this precinct, unless otherwise specified below, except the following:

~~(a) E3.4.1 : Activity Table relating to Lakes, Rivers, Streams and Wetlands: Activities (A1), (A48), (A49)~~

~~(b)(a) E.12.4.1: Activity Table relating to -Land Disturbance – District: Activities (A6) and (A10)~~

Activity Table IXXX.4.1 – IXXX.4.6 specify the activity status of regional and district land use, development and subdivision and activities in, on, under or over the beds of streams in the Warkworth - Clayden Road North Precinct pursuant to sections 9(2),9(3), 11 and 13 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

A blank in the activity status column means that the activity status in the relevant overlay, Auckland-wide or zone provision applies and one or more precinct standards applies.

Note

Activities and standards apply to vegetation removal within SEA overlay as listed in Chapter E15 Vegetation management and biodiversity.

Table IXXX.4.1 All zones

Activity	Activity status	
Use		
Development		
(A1)	New buildings and additions	
(A1) {rp}	New reclamation or drainage, including filling over a piped stream not shown as a Reclamation of retained streams other than those shown on IXXX.9.2 Precinct Plan 2 IXXX.9.2	RD
(A2) {rp}	New reclamation or drainage, including filling over a piped stream shown as a Reclamation of retained streams shown on IXXX.9.2 Precinct Plan 2 IXXX.9.2	NC

(A3)	Deadwood removal within covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2.	P
(A4)	Biosecurity tree works within covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2.	P
(A5)	Emergency tree works within covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2.	P
(A6)	Vegetation alteration or removal for routine operation, maintenance and repair of existing tracks and proposed indicative greenway routes as shown on Precinct Plan 3 within the covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2	P
(A27) [rp/dp]	Removal of any native vegetation shown as covenanted bush or area of significant bush "Covenanted Area" or "significant bush" on Precinct Plan IXXX9.2, not otherwise provided for on Precinct Plan IXXX9.2, except this shall not preclude: (i) removal of deceased or damaged limbs or trees that could create a fall hazard; (ii) clearing of bush up to 2m wide to create public tracks.	NC
(A38)	Activities sensitive to noise within the area shown on precinct plan IXXX9.1 as Noise Management Area, Noise Measurement Line and Covenant Sensitive Area that complies with Standard IXXX6.6	P
(A49)	Activities sensitive to noise within the area shown on precinct plan IXXX9.1 as Noise Management Area, Noise Measurement Line and Covenant Sensitive Area that does not comply with Standard IXXX6.6	NC
(A510)	Landscaping in accordance with Standard IXXX.6.3	C
(A611)	Any development of the land shown on Precinct Plan IXXX.9.1 as <u>subject to the Special Landscape Yard</u> that is not landscaped in accordance with Standard IXXX.6.3	NC

(A7)	Construction or use of a vehicle crossing onto Matakana Link Road	NC
Subdivision		
(A812)	Subdivision sites (either less than 1ha or 1ha and greater) complying with standard E38.8.2.3 and generally in accordance with Precinct Plan IXXX.4.1 Subdivision involving parent sites of 1ha or greater complying with Standard E38.8.2.1 or E38.8.3.1, and Standard IXXX.6.6, and generally in accordance with Precinct Plans IXXX.9.1, IXXX.9.2 and IXXX.9.3	RD
(A913)	Subdivision involving parent sites of less than 1ha complying with Standard E38.8.2.1 or E38.8.2.3 and Standard IXXX.6.6 and generally in accordance with Precinct Plans IXXX.9.1, IXXX.9.2 and IXXX.9.3.	RD
(A7) (A1014)	Any subdivision that is not in general accordance with Precinct Plan 1 Rule IXXX.4.1. Subdivision that does not comply with Standard IXXX.6.6.	NC D
(A115)	Subdivision <u>or development</u> that does not comply with the 'access points onto Matakana link Road', 'eastern access', and / or 'pedestrian and cycle connection to Matakana Link Road' as shown on Precinct Plan IXXX.9.3.	NC

Table IXXX.4.2 Rural - Countryside Living Zone

Activity	Activity status
Use	
Development	
(A1)	Any building or structure (excluding fencing less than 2m in height) within the Special Landscape Area. New buildings and additions to buildings within the Special Landscape Area on Precinct Plan 1
	NC

Table IXXX.4.3 Residential - Large Lot Residential Zone

Activity		Activity status
Use		
Development		
(A1)	<u>Integrated residential development</u>	
(A2)	<u>Supported residential care accommodating greater than 10 people per site inclusive of staff and residents</u>	
(A3 1)	Any building or structure (excluding fencing less than 2m in height) within the Special Landscape Area. New buildings and additions to buildings within the Special Landscape Area on Precinct Plan 1	NC
(A4 2)	New buildings and additions to buildings on a site subject to <u>within</u> the Special Landscape Yard on Precinct Plan 1 that do not comply with Standard IXXX.6.3	NC

Table IXXX.4.4 Residential - Single House Zone

Activity		Activity status
Use		
Development		
(A1)	<u>Integrated residential development</u>	
(A2)	<u>Supported residential care accommodating greater than 10 people per site inclusive of staff and residents</u>	
(A2 1)	Buildings within the “Special Subdivision Control Area” that do not comply with standard IXXX.9.1. New buildings and additions to buildings that do not comply with Standard IXXX.6.1	D

(A32)	New buildings and additions to buildings on a site subject to the within the Special Yard on IXXX.9.1 Precinct Plan 1 that do not comply with Standards IXXX.6.2	NC
(A3)	Any building or structure (excluding fencing less than 2m in height) within the "Special Landscape Yard" New buildings and additions to buildings within the Special Landscape Yard on IXXX.9.1 Precinct Plan 1 that do not comply with Standard IXXX.6.3	NC
Subdivision		
(A4)	Any subdivision in the "special density subdivision control area" area shown in Precinct Plan 1 that does not meet the minimum net site size requirements in Standard Rule IXXX.6.5. 4.1.	NC

Table IXXX.4.5 Residential - Mixed Housing Urban Zone

Activity		Activity status
Use		
Community		
(A1)	Recreation Facility in the location shown on Precinct Plan 1 as Special Use Overlay – Sporting Recreation Facility complying with Standard IXXX.6.9	RD
(A2)	Recreation Facility in the location shown on Precinct Plan 1 as Use Overlay – Sporting Facility not complying with Standard IXXX.6.9	D
Development		
(A3)	<u>Integrated residential development</u>	
(A4)	<u>Supported residential care accommodating greater than 10 people per site inclusive of staff and residents</u>	
(A53)	Development that does not comply with standard E27.6.4.1(3)	NC

(A 6 4)	Construction of a road that does not comply with Standard IXXX.6.4 Limited Access	NC
(A 7 5)	New buildings and additions to new buildings that do not comply with Standard IXXX.6.1	D
(A 8 6)	New buildings and additions to buildings on a site subject to within the Special Landscape Yard on IXXX.9.1 Precinct Plan 1 that do not comply with Standard IXXX.6.3	NC
(A 9 7)	Residential activity within the area shown on Precinct Plan IXXX9.1 as Noise and Lighting Sensitive Area that complies with Standard IXXX6.7	P
(A 10 8)	Residential activity within the area shown on Precinct Plan IXXX9.1 as Noise and Lighting Sensitive Area that does not comply with Standard IXXX6.7	NC
(A 11 9)	Residential activity on a site subject to within the area shown on Precinct Plan IXXX9.1 as Special Yard Tomlinsons Bush that complies with standard IXXX6.3A	P
(A 12 0)	Residential activity on a site subject to within the area shown on Precinct Plan IXXX9.1 as Special Yard Tomlinsons Bush that does not comply with standard IXXX6.3A	D
Subdivision		
(A 13 1)	Any subdivision not complying with standards IXXX.6.4	D

Table IXXX.4.6 Business – Neighbourhood Centre

Activity		Activity status
Use		
Development		
(A1)	Development that does not comply with standard E27.6.4.1(3)	NC

(A2)	Construction of a road that does not comply with Standard IXXX.6.4 Limited Access	NC
Subdivision		
(A3)	Any subdivision not complying with standards IXXX.6.4.	D

Table IXXX.4.7 Business – Light Industry Zone

Activity	Activity status
Use	
Development	
(A1)	<u>New buildings and additions</u> Any building NC
(A2)	Earthworks and/or landscaping associated with any bund. <u>CP</u>

IXXX.5 Notification

- (1) ~~Any application for resource consent for an activity listed in IXXX.4 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991; and particular regard will be given to the following; Any application for resource consent for a restricted discretionary activity listed under IXXX.4 will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under sections 95A(9) or 95B(10) of the Resource Management Act 1991; provided that:~~
- ~~(a) Any application for a residential activity in the Noise Management Area on IXXX.9.1 Precinct Plan 1 that does not comply with Standard IXXX.6(2) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991; and~~
- ~~(b) Any application for a residential activity in the Noise and Lighting Sensitive Area on IXXX.9.1 Precinct Plan 1 that does not comply with Standard IXXX.6.6A will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.~~
- ~~(c)~~(a) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration, in relation to Rules IXXX.6.6 and IXXX.6.7 which manages reverse sensitivity effects, to the operator of the heliport which is protected by the rule from such effects.
- ~~(d)~~(b) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration, in relation to Rules IXXX.6.6A which manages reverse sensitivity effects, to the operators/clubs of the Warkworth Showgrounds which is protected by the rule from such effects.

IXXX.6 Standards

(1) Unless specified in Standard IXXX.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in Activity Tables IXXX.4.1 to IXXX.4.6 above.

(2) The following Auckland-wide and zone standards do not apply to the activities listed in activity tables above:

~~(a) Activity Table IXXX.4.1 All zones:~~

~~Activity (A6): E38.8.2.3 does not apply to subdivision in Single House Zone where land is subject to special subdivision control area shown on IXXX.9.1 Precinct Plan 1 and Standard IXXX6. 5 applies~~

~~Activity (A7): E38.8.3.1(3)-(5) does not apply to subdivision in Single House Zone where land is subject to special subdivision control area shown on IXXX.9.1 Precinct Plan 1 and Standard IXXX6. 5 applies~~

~~(ab) Activity Table IXXX.4.4 Residential – Single House Zone:~~

- ~~Activity (A1): H3.6.6 Building height standard of 8 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard IXXX.6.1 Height Variation Control applies~~
- ~~Activities (AX), (AX): H3.6.8 Yards. The relevant yard in Table H3.6.8.1 Yards does not apply where~~
 - ~~Standard IXXX.6.2 Special Yard applies~~
 - ~~Standard IXXX.6.3 Special Landscape Yard applies~~

~~(be) Activity Table IXXX.4.5 Residential – Mixed House Urban Zone:~~

- ~~Activity (AX) H5.6.4 Building height standard of 11 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard IXXX.6.1 Height Variation Control applies~~
- ~~Activity (AX) H5.6.8 Yards. The relevant yard in Table H5.6.8.1 Yards does not apply where~~
 - ~~Standard IXXX.6.3 Special Landscape Yard applies~~

~~(3) Activities listed in Activity Tables IXXX.4.1 to IXXX.4.6 must comply with Standards IXXX.6~~

~~The overlay, Auckland-wide, and zone standards apply in this precinct unless otherwise specified below:~~

IXXX.6.1 Special Height Limit

Purpose: To reduce the height of buildings adjacent to the Rural Boundary interface.

- (1) The maximum height limit in the Single House zone in the area shown as “special height limit” on Precinct Plan 1 (IXXX.9.1) shall be 5m for any part of a building that is within 10m but further than 6m from the Rural Urban Boundary.

IXXX.6.1A Height Variation Control

Purpose: To reduce building height below the standard zone height, where the standard zone height would have adverse effects on the rural backdrop of Dome Valley

~~(1) The maximum height limit in the Mixed Housing Urban zone in the area shown as “special height limit 1” on Precinct Plan 1 (IXXX.9.1) shall be the same as rule H.4.6.4 ‘Building Height’ in the Mixed Housing Suburban zone.~~

- (1) ~~(1)~~ If the site is subject to the Height Variation Control, buildings must not exceed the height in metres shown for that part of the site on the planning maps.

IXXX.6.2 Special Yard

Purpose:

- to form a transition from urban to rural uses;
- to ~~avoid~~prevent buildings on the upper slopes of identified parts of the precinct which contribute to the landscape values and amenity of the Warkworth Clayden Road precinct

~~(1) All buildings on sites subject to the “special yard” control shown on I1XXX.9.1 Warkworth Clayden Road: Precinct Plan 1 must be set back from the Rural Urban Boundary for a minimum distance of 6m.~~

A building or parts of a building on sites shown as subject to the Special Yard on IXXX.9.1 Precinct Plan 1 must be set back 6m from the boundary as shown on Precinct Plan 1.

~~(2) All land within the “special yard” shown on Precinct Plan 1 shall be landscaped. Fifty percent of the yard. A minimum of 50% fifty percent of the area shall be planted in native trees that will attain a height of at least 5m when mature.~~

~~(3) The yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.~~

IXXX.6.3 Special Landscape Yard

Purpose:

- to provide a landscape buffer and manage reverse sensitivity effects; and
- to maintain a reasonable standard of residential amenity for sites adjoining business land.

(1) A building or parts of a building must be set back from the precinct boundary by ~~30~~6m where sites are subject to the Special Landscape Yard on IXXX.9.1 Precinct Plan 1.

~~No building or structure shall be built within the “Special Landscape Yard shown on Precinct Plan 1. This rule does not apply to fencing less than 2m in height.~~

~~(2) A minimum of Fifty percent of the~~A 10m wide strip of the Special Landscape Yard measured from the boundary of the precinct ~~“Special Landscape Yard shall be planted with~~ with indigenous vegetation in native trees that will attain achieve a height of at least 5m or more on maturity when mature, forming a planted visual buffer along the precinct boundary.

~~(3) The yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.~~

IXXX.6.3A Special Yard Tomlinsons Bush

Purpose:

- to provide a buffer adjacent to Tomlinsons Bush.

(1) A building or parts of a building must be set back from the legal boundary with Tomlinsons Bush by 6m where sites are subject to the Special Yard Tomlinsons Bush on IXXX.9.1 Precinct Plan 1.

IXXX.6.4 Limited Access

Purpose:

- to avoid direct vehicle access from individual sites onto Matakana Link Road; and
- to have safe and efficient operation of transport infrastructure.
- To provide for separated cycle facilities on collector roads
- To avoid direct access from individual sites onto collector roads

(1) ~~Road junctions~~ intersections with ~~the Sandspit~~ Matakana Link Road servicing the precinct, shall be limited to three, to be located as in the general location identified as Access Points onto Sandspit Matakana Link Road on ~~I1554.9.1~~ IXXX.9.3 Warkworth Clayden Road: Precinct Plan 3 except

(a) that the intersections from the north and south connecting with the easternmost access point identified on IXXX.9.3 Precinct Plan 3 shall be limited to a left turn in/left turn out intersection with Matakana Link Road only, and may be offset from each other by a maximum distance of 100m.

(2) Separated cycle facilities shall be provided on collector roads as defined in Precinct Plan IXXX.9.1

(3) No vehicular access from any property shall be allowed directly onto a collector road as defined in Precinct Plan IXXX.9.1

~~(a)(b) No vehicular access from any property shall be allowed directly onto the Sandspit Link Road for the frontage shown indicatively on I1554.9.1 Warkworth Clayden Road: Precinct Plan 1~~

~~IXXX.6.5 Subdivision Standards – Special Subdivision Control Area in Single House Zone~~

~~Purpose: To create larger sites along a portion of the northern boundary of the precinct identified as a “Subdivision Control Area”.~~

~~(1) Proposed sites in The minimum net site area in the area shown as “Special Subdivision Control” on IXXX.9.1 Precinct Plan 1 must comply with the minimum net site area of shall be 1,000m² net site area.~~

~~IXXX.6.5A Subdivision Standard – Planting~~

~~Purpose:~~

~~‘Special Yard’ – to form a transition from urban to rural uses;~~

~~“Special Landscape yard” – to provide a landscape buffer and manage reverse sensitivity effects and to maintain a reasonable standard of residential amenity for sites at the Business Light Industry zone interface.~~

~~(1) All land within the “special yard” shown on Precinct Plan 1 shall be:~~

- (i) ~~6m in width measured from the Precinct Boundary~~
- (ii) ~~Landscaped area with no less than A minimum of 50% of the area shall be planted in native trees indigenous vegetation that will attain a height of at least 5m when mature.~~
- (iii) ~~Legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.~~
- (iv) ~~This planting shall occur at the time of subdivision of the land to create any title or titles less than 5,000m².~~

(2) ~~All land within the 'Special landscape yard' shown on Precinct Plan 1 shall be;~~

- (i) ~~6m in width measured from the precinct boundary~~
- (ii) ~~Landscaped area with no less than 50% of the area planted in indigenous vegetation that will attain a height of at least 5m when mature.~~
- (iii) ~~Legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.~~
- (iv) ~~This planting shall occur at the time of subdivision of the land to create any title or titles less than 5,000m².~~
- (v) ~~Fifty percent of the 'Special Landscape Yard shall be planted with native trees that achieve a height of 5m or more on maturity.~~

~~A 6m landscaped screening area in the location shown on Precinct Plan 1 shall be provided. This area shall be intensively planted and maintained with native trees and shrubs. The 6m distance shall be measured from the zone boundary.~~

- (vi) ~~All sites that contain a special yard under rule IXXX.6.1 provide a covenant which requires 50% of the yard area to be planted in native trees that will attain a height of at least 5m when mature, and the covenant provides for the maintenance and protection of this planting in perpetuity.~~

IXXX.6.55.B Residential Subdivision Standard – Stormwater Subdivison and development standard – Riparian margins for streams and wetlands

Purpose:

- To achieve stream enhancement works that improves biodiversity values, ecological connectivity, and safeguards water quality now and into the future. assist in land stability and the ecology of streams

~~(1) At least fifty percent of any riparian yard required under the zone provisions shall be planted in native vegetation~~

~~(1) The riparian margins of any permanent or intermittent stream or any wetland must be planted to a minimum width of 10m measured from the top of the stream bank and/or the wetland's fullest extent.~~

~~(2) The planting shall;~~

- ~~(a) Use eco-sourced native vegetation,~~
- ~~(b) Be consistent with local biodiversity, and~~
- ~~(c) Be planted at a density of 10,000 plants per hectare.~~

~~(3) Riparian margins shall be kept free of footpaths and cycleways.~~

IXXX.6.6 Noise Management Area, Noise Measurement Line and Covenants

Purpose: As any residential site west of the Noise Measurement Line shown on Precinct Plan 1 and within the Noise Management Area, may be exposed to noise levels from either or both the

Heliport and the adjacent industrial area, the controls identify the location at which noise measurement shall be undertaken in terms of noise levels for the Warkworth Heliport at 38 Goatley Road and the adjacent industrial area, and requires “no complaints” covenants, and mechanical ventilation, to address noise issues

~~For the purposes of measuring consented noise levels for the Warkworth Heliport on 38 Goatley Road, the “nearest residential boundary for noise measurement within the precinct shall be taken as the “noise measurement line” shown on Precinct Plan 1. The condition shall not apply to the residential sites west of the noise measurement line.~~

(1) ~~For the area identified on Precinct Plan 1 as “no complaints covenant area” a-A ‘no complaints’ covenant is registered against any~~ the certificate of title for the site in the Noise Management Area and Covenants shown on IXXX.9.1 Precinct Plan 1. The covenant acknowledge: ~~ing:~~

- ~~the site location is adjacent to an industrial area and a consented heliport and that the residents will not complain about any permitted activity meeting the Auckland wide district plan standards, or any heliport or any helicopter activity operating lawfully, or any helicopter operation at any time responding to an emergency flight including search and rescue or fire fighting. under and complying with the conditions of consent of Resource Consent XXXX;~~ and
- for residential sites west of the Noise Measurement Line shown on Precinct Plan 1, that the site is within the Noise Measurement Line and that when determining whether the Heliport at 68 Goatley Road complies with the noise limits in the conditions of its resource consent, noise levels will be measured from the Noise Measurement Line and not from the boundary of the residential sites west of the Noise Measurement Line, as would otherwise be required by the conditions of consent.

(2) When determining whether any activity carried out on the adjacent light industrial zoned land complies with the noise limits in E25.6.19, noise levels are to be measured at the “Noise Measurement Line” and not at the closest residential boundary.

(3) Any residential building or part of a residential building within the Noise Measurement Area shown on IXXX9.1 Precinct Plan 1 must provide ventilation and/or an air conditioning system(s) that satisfies the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.

IXXX.6.7 Noise and Lighting Sensitive Area

Purpose: To help manage potential reverse sensitivity issues regarding noise and lighting issues associated with the Warkworth Showgrounds by requiring a no complaints covenant and mechanical ventilation or air-conditioning.

(1) A no complaints covenant shall be registered against the certificate of title for the sites adjacent to the Warkworth Showgrounds at which active sports and recreation activities are carried out in the Noise and Lighting Sensitive Area on IXXX.9.1 Precinct Plan 1. The covenant shall acknowledge the site is adjacent to the Warkworth Showgrounds including existing and future active sports and recreation activities and that the residents will not complain about any permitted activity meeting district plan standards, or any sports activity or sporting event that is being lawfully operated or carried out.

- (2) Any residential building or part of a residential building within the Noise and Lighting Sensitive Area shown on IXXX9.1 Precinct Plan 1 must provide ventilation and/or air-conditioning systems that satisfy the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.

~~IXXX.6.7 Landscape Screening Area~~

- ~~(1) A 6m landscaped screening area in the location shown on Precinct Plan 1 shall be provided. This area shall be intensively planted and maintained with native trees and shrubs. The 6m distance shall be measured from the zone boundary. This planting shall occur at the time of subdivision of the land to create any title or titles less than 5,000m².~~

IXXX6.8 High Contaminant Yielding Materials

Purpose:

- to maintain water quality by limiting the release of contaminants from building materials to streams, and Mahurangi East catchment

- (1) The total area of high contaminant roofing, spouting, cladding or external architectural features on a site must not exceed 5m².

IXXX6.9 Maximum Gross Floor Area Recreation Facility

Purpose:

- to indicate the size of recreation facility anticipated in Warkworth Clayden Road Precinct

- (1) The maximum gross floor area of any recreational facility in the location shown on Precinct Plan 1 shall be 2,000m² gross floor area.

IXXX6.10 Greenways – Walking and cycling infrastructure

- (1) Walkways and cycleways shall be provided within the greenways shown on Precinct Plan IXXX.9.1 and are vested in the Council at the time of subdivision.:

- (a) Shall be constructed to a walking track standard similar to that constructed in Regional Parks, or in the case where the greenway follows vested roads, constructed to normal footpath standards as appropriate;
- (b) Shall provide connections to greenways on public or private land outside the land subject to resource consent, and are futureproofed by constructing track access to the boundary of the application site;
- (c) Where they are adjacent to a stream that does not qualify for esplanade reserve, but is required to provide the 10m riparian margin by IXXX.5.B; the walkway and cycleway shall be have a width of 5m and be adjacent to and not within the 10m riparian margin required by IXXX.6.5;.
- (a) Where the off-road greenway is not indicated on Precinct Plan IXXX.9.1 to be adjacent to a stream and it is intended to be vested, the walkway and cycleway shall be a minimum width of 10m.

IXXX6.11 Integrated residential development and supported residential care

- (1) Transport infrastructure including walking and cycling as indicated in IXXX9.3 shall be provided as part of the development

IXXX.7A Assessment –controlled activities

IXXX.7A.1 Matters of discretion

The Council will restrict its discretion to the following matter when assessing a controlled activity resource consent application, in addition to the matters specified for the relevant controlled activities in the overlay, Auckland wide or zone provisions:

- (1) Landscaping in accordance with Standard IXXX.6.3

(a) Landscaping effects

~~(a)~~(b) Reverse sensitivity on adjacent LIZ land

- (2) Earthworks and/or landscaping associated with any bund in the Business Light Industry zone**

(a) Erosion and sedimentation effects

(b) Land stability

IXXX.7 Assessment – restricted discretionary activities

IXXX.7.1 Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- ~~(1) Vacant Lot~~

~~-Subdivision~~

~~(a) The matters of discretion listed at E38.12.1(7)~~

~~The location of the facility~~

~~Building scale~~

~~(b) Landscaping~~

~~(b)~~(c) Transport including ~~a~~Access, walking and, cycling infrastructure, traffic generation and parking

~~(c)~~(d) The design and operation of any intersection with Matakana Link Road

~~(d)~~(e) Stormwater management

~~(e)~~(f) The extent to which ~~g~~Greenway connections are provided

~~(e)~~(g) The extent to which riparian margins are provided adjacent to streams and wetlands

- ~~(1)~~(2) ~~Indoor~~ Recreation Facility in the location shown on IXXX.9.1 Warkworth Clayden Road: Precinct Plan 1:

~~(a) Building scale~~

~~(b) Landscaping~~

~~(c) ~~Parking~~ Transport including access, parking and traffic generation~~

~~(d) Interface with residential development~~

~~(e) Interface with Warkworth Showgrounds~~

~~(2) Modification or reclamation of streams~~

- ~~(a) Stream ecology~~
- ~~(b) Base flow~~
- ~~(c) Management of water flow~~
- ~~(d) Offset mitigation~~
- ~~(e) Stream bed level~~
- ~~(f) Riparian planting~~
- ~~(g) Overland flow.~~
- ~~(h) Providing for growth and development~~

IXXX.7.1A Assessment criteria – Controlled Activities

The Council will consider the relevant assessment criteria identified below for controlled activities, in addition to the assessment criteria specified for assessment of the relevant controlled activities in the zone, Auckland wide or overlay provisions:

(1) Landscaping in accordance with Standard IXXX.6.3

(a) The extent to which:

- (i) The landscaping and bund form a visual buffer between the industrial area to the west of the precinct and the housing within the Precinct.
- (ii) The suitability of plant species to the location and the height and density of plants species when mature.

IXXX.7.2 Assessment criteria - Restricted Discretionary Activities

The Council will consider the relevant assessment criteria identified below for restricted discretionary activities, in addition to the assessment criteria specified for assessment of the relevant restricted discretionary activities in the zone, Auckland wide or overlay provisions:

~~(2) Vacant Lot (1) Subdivision~~

~~(a) In addition to the matters of discretion listed at E38.12.2(7), Design and layout;~~

~~The extent to which:~~

- ~~(i) The proposal contributes to the implementation of policies and in particular IXXX.3(1)-(5).~~
- ~~(ii) Subdivision layout is consistent with Precinct Plans 2 and 3.
Intersections to local roads accessing the Matakana Link Road are limited to the locations identified on Precinct Plan.
The eastern access to Matakana Link Road is confined to a 'left in/left out' only road connection.~~
- ~~(iii) Subdivision layout is designed to meet the minimum lot sizes of Rule I1XXX.6.5 (special subdivision control) to retain a lower density at this rural urban interface and provide a transition from urban to rural land uses.~~
- ~~(iv) Subdivision layout is designed to ensure that no sites require vehicular access from the Matakana Link Road. Sites shall be serviced from local roads, laneways JOAL's, or other suitable mechanisms.~~

(b) Streams, wetlands and stormwater

The extent to which:

- (i) Sites that include streams shown on Precinct Plan 2, have complying practical building platforms clear of identified stream areas.
- (ii) Earthworks are managed in such a way as to provide high quality erosion and sediment control measures.
- ~~(iii) The erosion and sediment control measures shall provide for and include use of the stormwater management ponds shown in Precinct Plan 2, and establishment of the wetland(s). ,shown in Precinct Plan 1.~~
- (iv) The cumulative effect of the approach to stormwater management is in accordance with an approved Stormwater Management Plan and achieves a 'treatment train' process based on a ten year attenuation standard which mitigates urban stormwater, quality issues and controls runoff from roads and other impervious surfaces.

- ~~(iii) The greenways shown on Precinct Plan IXXX.9.1 are vested in the Council at the time of subdivision:

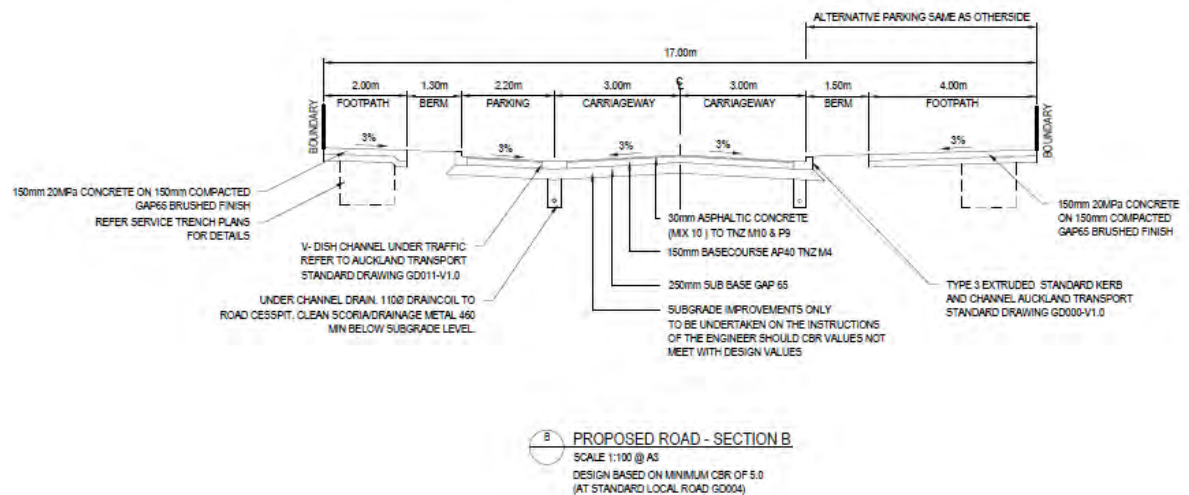
 - where they are on land subject to any resource consent application, are constructed to a walking track standard similar to that constructed in Regional Parks, and vested in the Council, or in the case where the greenway follows vested roads, constructed to normal footpath standards as appropriate;
 - connections to greenways on public or private land outside the land subject to resource consent, are futureproofed by constructing track access to the boundary of the application site.~~

(c) Transport

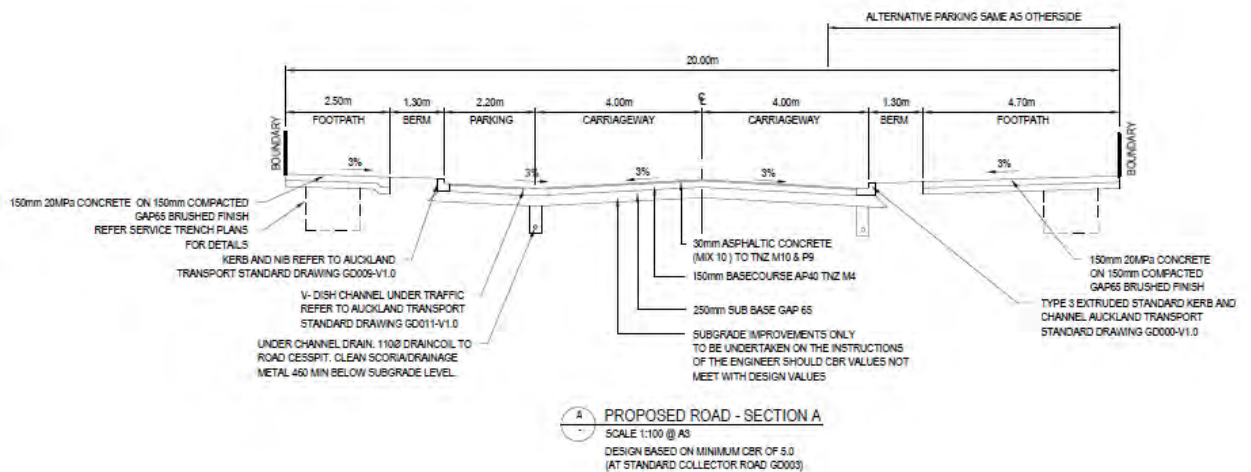
The extent to which:

- (i) The staging of any subdivision or development, including any residential or business zoned site, relying on access to Matakana Link Road is such that completed homes or businesses are not occupied prior to Matakana Link Road becoming operational
- (ii) A walkway and cycleway network, generally in accordance with Precinct Plan 3 IXXX9.3 including roads and open space area, is created to ensure an interconnected neighbourhood. This includes connections to the footpaths, cycleways and known bus stops on Matakana Link Road.
- ~~(iii) Separated cycling facilities are provided on collector roads to integrate with cycling facilities on Matakana Link Road, and to generally meet the typical road cross-section shown in the diagram.~~
- ~~(iv) Local and collector roads shown on Precinct Plan IXXX9.3 are designed to generally meet the typical cross sections shown below or such other similar cross section as agreed with Auckland Transport.~~

~~Typical road cross-section: Local road [cross-section deleted]~~



Typical road cross-section: Collector road [cross-section deleted]



- (v)(iv) The intersection design of any road intersection with Matakana Link Road as shown on Precinct Play 3 is supported by a transport assessment and safety audit demonstrating the intersection will provide a safe, efficient and effective connection to service the expected subdivision and development. This includes safe and convenient provision for pedestrians and cyclists.
- (vi)(v) The transport assessment and safety audit demonstrate the design and operation of the proposed intersection will not have adverse effects on the function of the surrounding transport network including Matakana Link Road.
- (vii)(vi) The greenway network crossing of the Matakana Link Road occurs either at at-grade pedestrian crossing facilities at the access points on to the Matakana Link Road shown on Precinct Plan 3, or as a walking and cycling track underneath the Matakana Link Road bridge.
- ~~(viii)(i) The cumulative effect of the approach to stormwater management is in accordance with an approved Stormwater Management Plan and achieves a 'treatment train' process based on a ten year attenuation standard which mitigates urban stormwater, quality issues and controls runoff from roads and other impervious surfaces.~~

~~(3)(2) Indoor Recreation Facility~~

The extent to which:

- ~~(a) The indoor recreation facility is located within the land area identified on Precinct Plan 1.~~
- ~~(b)(a) The height of the building complies with height variation control.~~
- ~~(c)(b) Landscaping, particularly front yard and the yard adjoining residential zoned land provides a reasonable amenity to the neighbourhood.~~
- ~~(d)(c) Traffic generation effects can be accommodated within the transport network, safe access is provided to the site, and sufficient well designed and well located parking is provided.~~
- ~~(e)(d) The interface with the Warkworth Showgrounds provides a good built and landscaped amenity, and a degree of visual overlooking of the showgrounds.~~

~~(4) Stream modification or reclamation~~

The extent to which:

- ~~(a) Streams can be retained through re-alignment and raising of stream beds to integrate with land contouring;~~
- ~~(b) Ten metre riparian native planting will be provided along each side of any re-aligned stream;~~
- ~~(c) Where streams are proposed to be reclaimed with no vertical or horizontal re-alignment, the degree and extent of off-setting, and compensation;~~
- ~~(d) Management of water flow is achieved to prevent flooding of residential sites;~~
- ~~(e) Base flows to the head of retained streams affected by any reclamation of a permanent stream are maintained;~~
- ~~(f) Reclamation is required to achieve the minimum road grade requirements.~~
- ~~(g) Development potential will be lost without reclamation works, balanced against the ecological value of the stream to be reclaimed.~~
- ~~(h) The ecological classification of the underlying stream is maintained.~~
- ~~(i) The 'effects management hierarchy' (avoidance, remediation, mitigation, offset) has been applied.~~
- ~~(j) The degree of mitigation or offset where changes to the vertical and horizontal alignment are proposed.~~

IXXX.8 Special information requirements

~~There are no special information requirements in this precinct.~~

IXXX.8.1 Transport and safety

An application for subdivision and development that proposes an intersection with the Matakana Link Road must be accompanied by the following information as a minimum:

- (1) A transport assessment and safety audit prepared by a suitably qualified person for any proposed intersection with the Matakana Link Road**

IXXX.8.2 Riparian planting plan

An application for any subdivision or development that requires the planting of a riparian margin under IXXX.5.B must be accompanied by the following information as a minimum:

(1) A planting plan prepared by a suitably qualified person

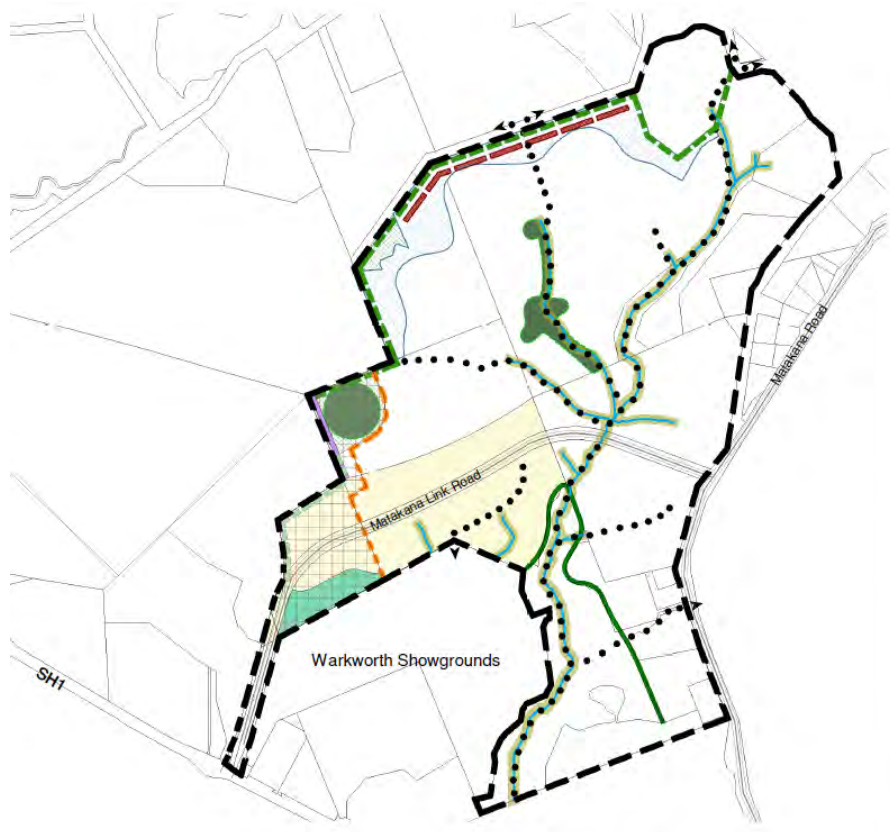
(a) The planting plan must;

(a) Identify the location, species, planting bag size and density of the plants;

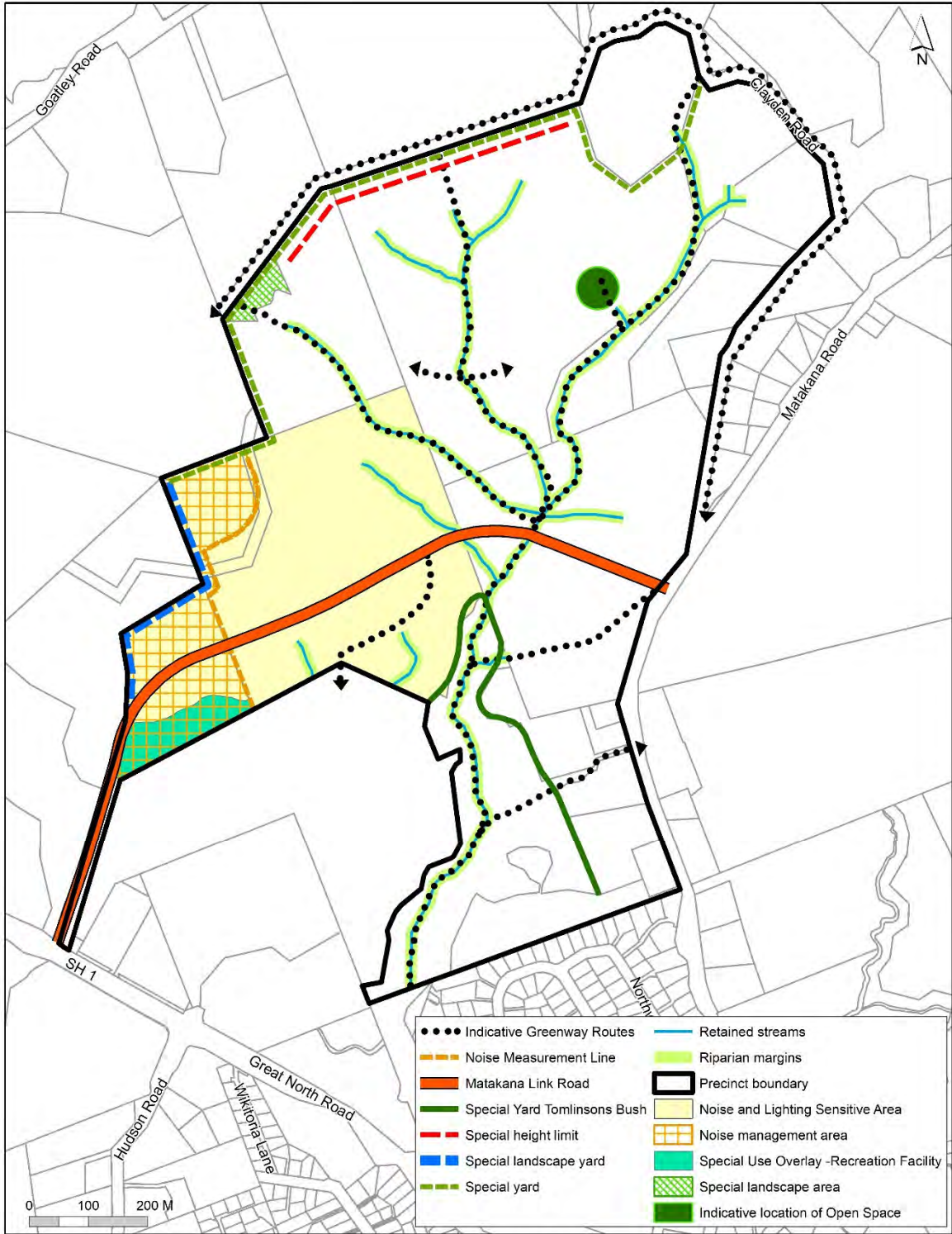
(b) Confirm detail on the eco-sourcing proposed for the planting

(c) Take into consideration the local biodiversity and ecosystem extent.

IXXX.9.1 Warkworth : Clayden Road Precinct Plan 1: Spatial provisions
[Precinct plan 1 deleted and replaced]

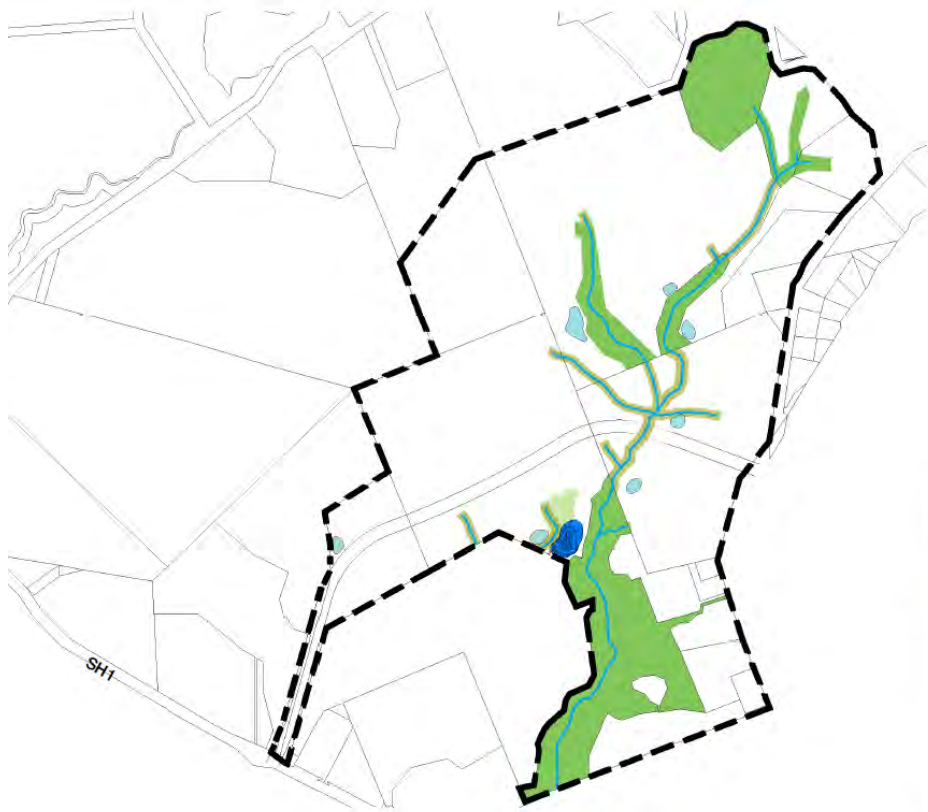








Precinct Plan Key	
	Precinct Boundary
	Indicative Greenway Route
	Arterial Road
	Special Yard
	Special landscape yard
	Special Yard Tomlinsons Bush
	Noise Measurement Line
	Noise and Lighting Sensitive Area
	Noise Management Area, Noise Measurement Line and Covenants subject to Standard DXXX.6.6
	Special height limit
	Zone width measured 3m from precinct boundary to be retained as Light Industry Zoning
	Recreation Facility
	Special Subdivision Control Area
	Special Landscape Area
	Retained streams & riparian enhancement
	Indicative Location of Open Space

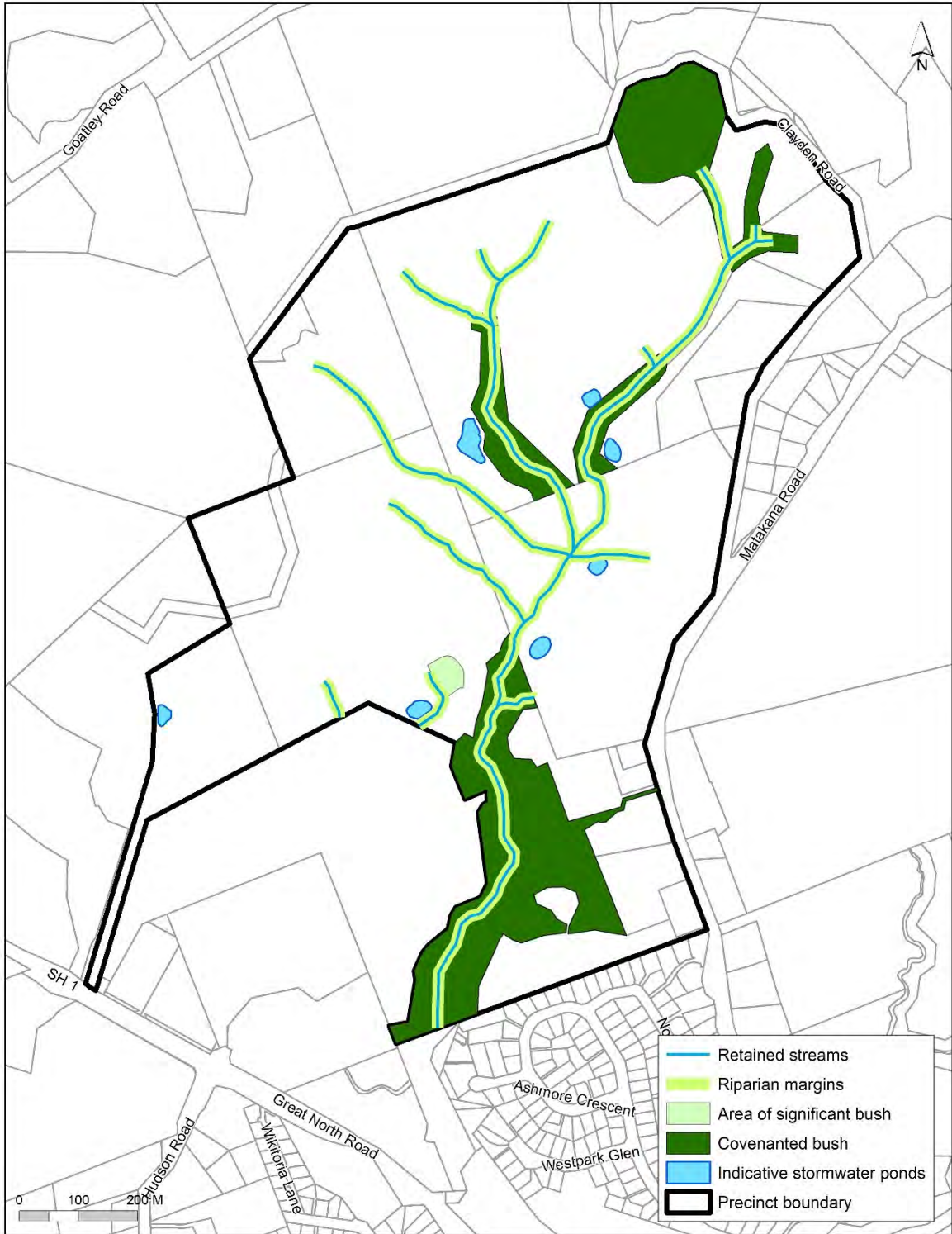


Warkworth Clayden Road - Precinct plan 1 -Special features

IXXX.9.2 Warkworth : Clayden Road Precinct Plan 2: Environment
[Precinct plan 2 deleted and replaced]

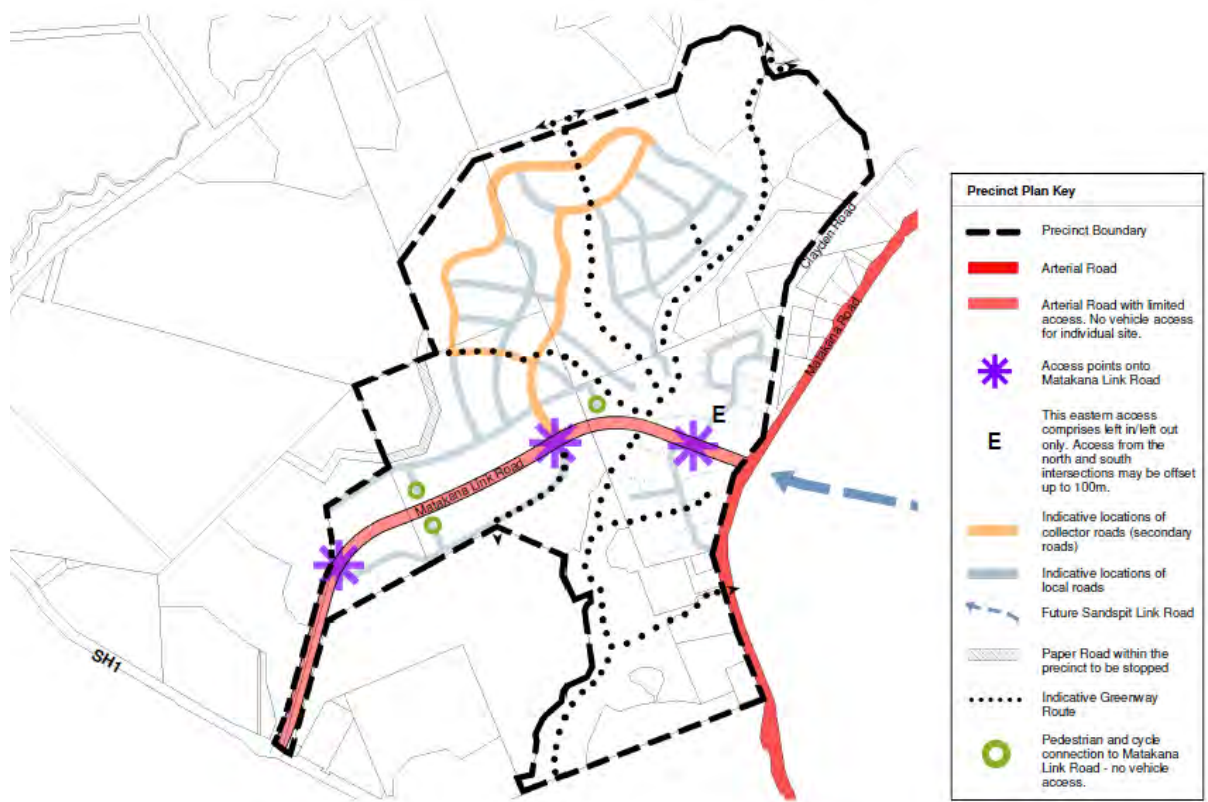


Precinct Environment Key	
	Precinct Boundary
	Retained streams & Covenanted bush
	Area of significant bush
	Retained streams & riparian enhancement
	Indicative location of stormwater basin for M.L.R
	Indicative location of stormwater management basins for precinct.

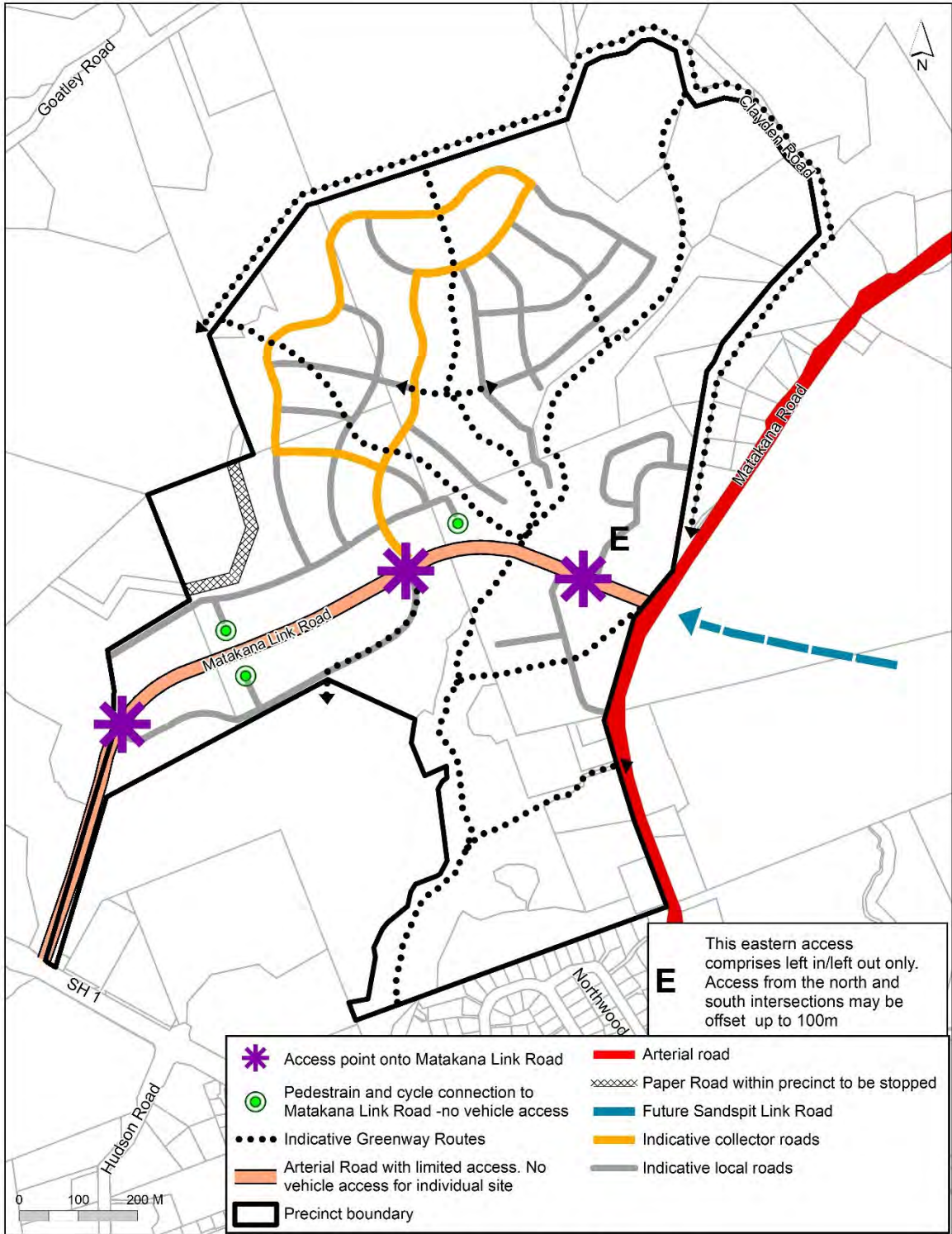


Warkworth Clayden Road - Precinct plan 2 - Environment

IXXX9.3 Warkworth : Clayden Road Precinct Plan 3: Transportation
[Precinct Plan 3 deleted and replaced]



Precinct Plan Key	
	Precinct Boundary
	Arterial Road
	Arterial Road with limited access. No vehicle access for individual site.
	Access points onto Matakana Link Road
E	This eastern access comprises left in left out only. Access from the north and south intersections may be offset up to 100m.
	Indicative locations of collector roads (secondary roads)
	Indicative locations of local roads
	Future Sandspit Link Road
	Paper Road within the precinct to be stopped
	Indicative Greenway Route
	Pedestrian and cycle connection to Matakana Link Road - no vehicle access.



Warkworth Clayden Road - Precinct plan 3 - Transport

APPENDIX 9

UPDATED PLAN CHANGE (23 JUNE 2020 AND 27 AUGUST 2020)

PRIVATE PLAN CHANGE 40 : MODIFIED REQUEST : 26 August 2020 v3

PART A – AMENDMENT TO AUCKLAND UNITARY PLAN GIS VIEWER (MAPS)

Map 1 – Proposed Rezoning of IXXX Warkworth Clayden Road Precinct

Notes:

1. The proposed change to the viewer (maps) has not been made.
2. The map is shown to place the changes in context.

Map number:	1
Geographic area:	North
Current zones:	Future Urban zone and Business Light Industry zone
Proposed zones:	Residential – Mixed Housing: Urban Residential – Mixed Housing: Suburban Residential – Single House Residential – Large Lot Zone Rural Countryside Living Business – Neighbourhood Centre Zone Business – Light Industry

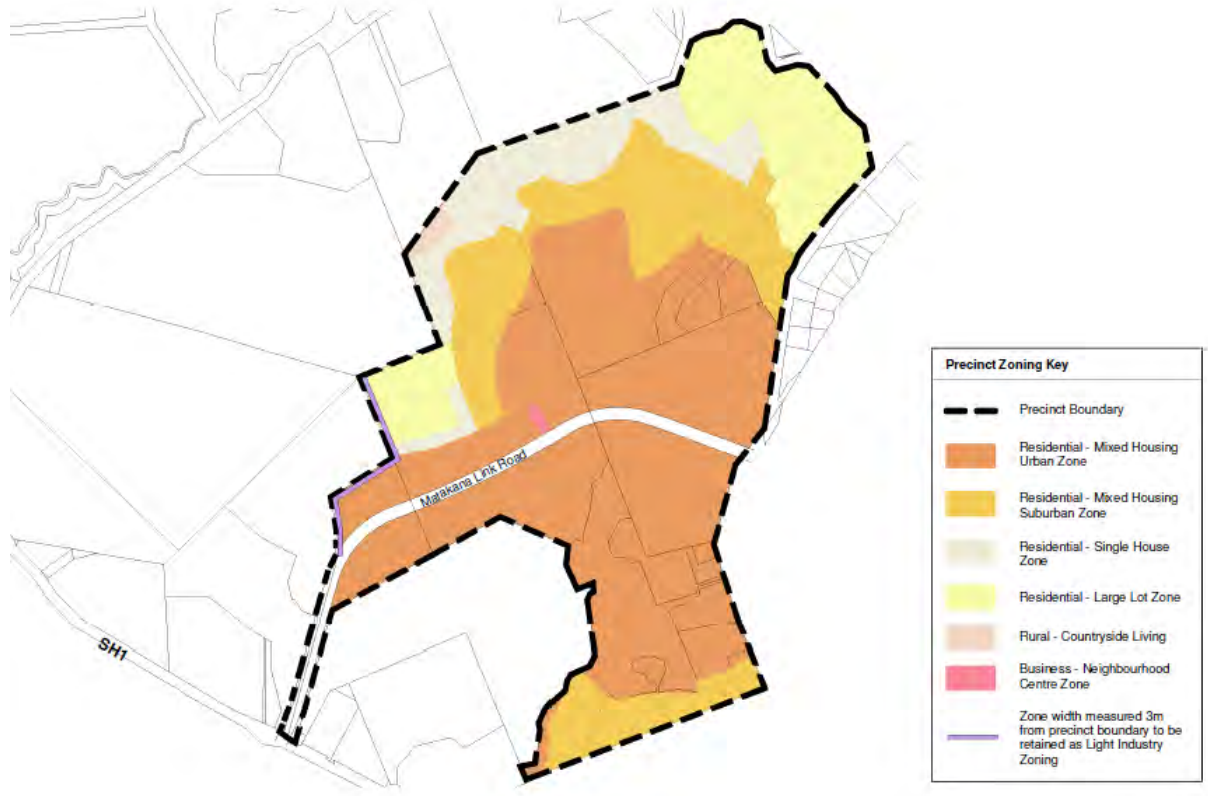
PART A AMENDMENT TO THE MAPS

ZONING

That the land currently zoned Future Urban Zone be rezoned Residential - Mixed Housing Urban, Residential - Mixed Housing Suburban, Residential - Single House, Residential - Large Lot Zone, Rural – Countryside Living Zone and Business-Neighbourhood Centre Zone as shown on the following zoning plan.

That the land currently zoned Business- Light Industry Zone be substantially rezoned Residential – Mixed Housing Urban, with the interface area retained as Light Industry, as shown on the following zoning plan.

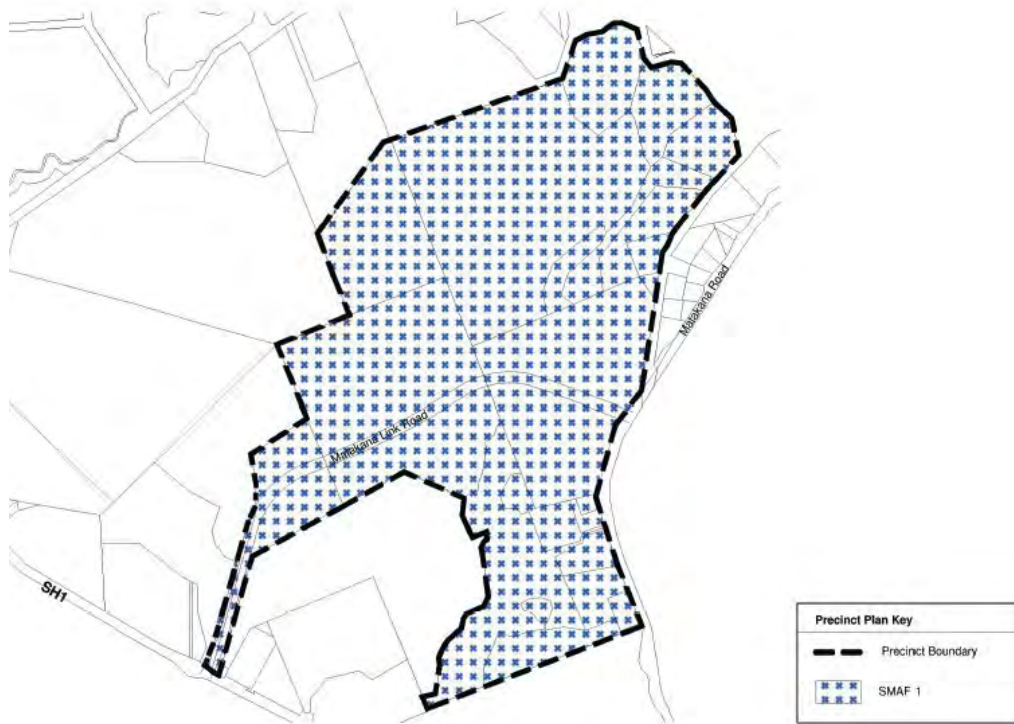
Map 1 - Zoning



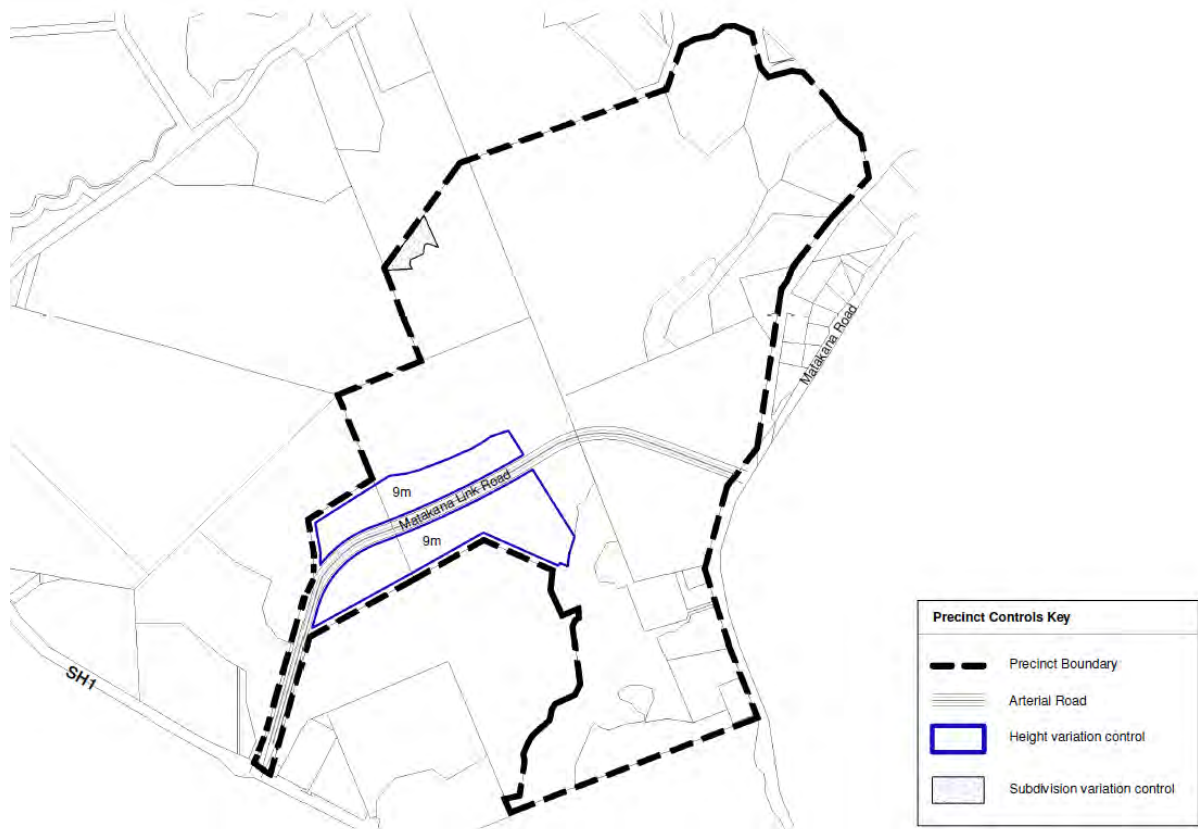
CONTROLS

The land shown below be identified as "SMAF1" in the 'Controls' map.

Map 2 – Control: SMAF1



Map 2 – Control: Height Variation Control, Subdivision Variation Control, Arterial Roads



PRECINCTS

The land shown below be identified as 'Warkworth: Clayden Road' in the 'Precinct' Map.

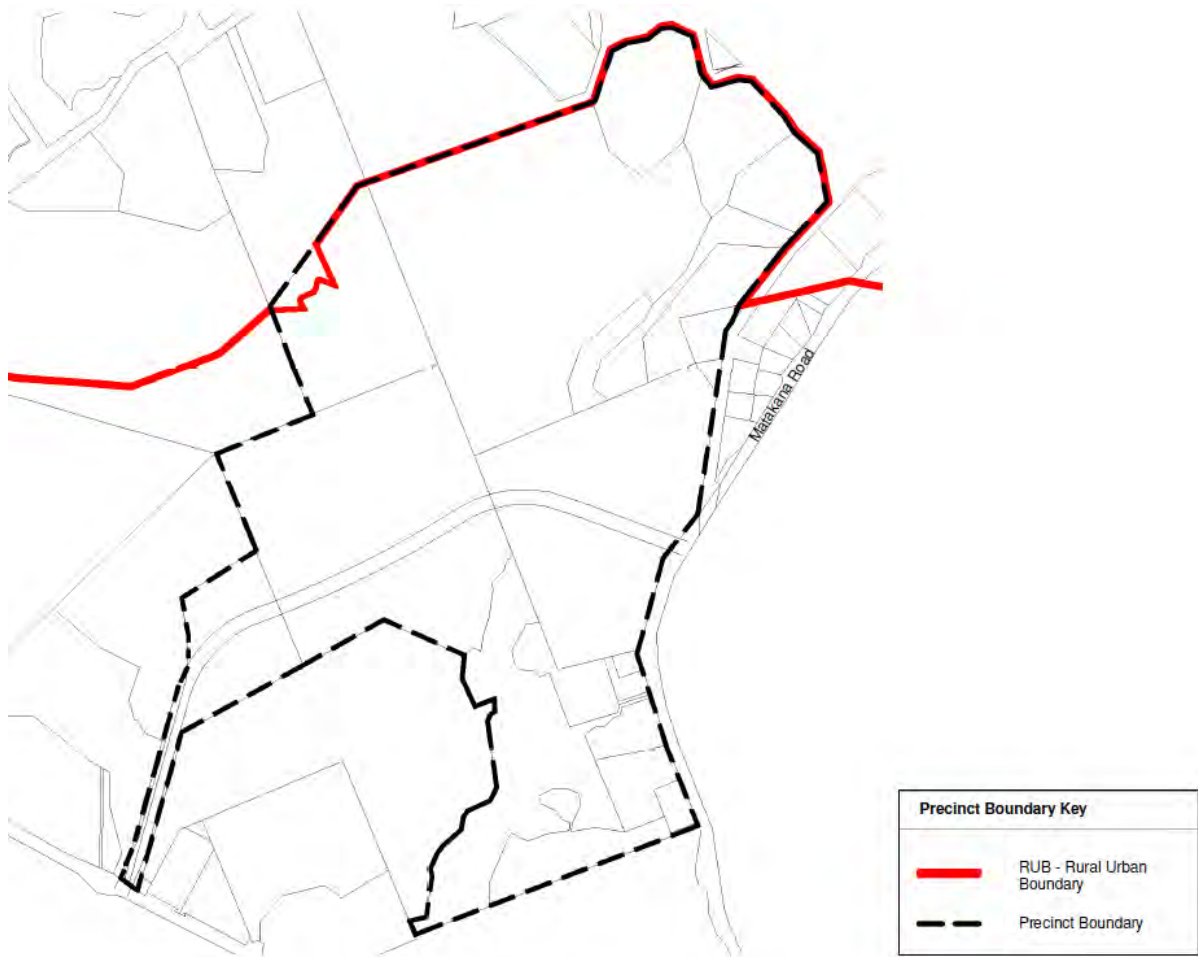
Map 3 –Precinct Boundary of IXXX Warkworth Clayden Road Precinct



RURAL URBAN BOUNDARY

The location of the Rural Urban Boundary on the planning maps be modified as shown below.

Map 4 –Rural Urban Boundary



PART B AMENDMENT TO IXXX WARKWORTH CLAYDEN ROAD PRECINCT

Insert the following new precinct provisions:

IXXX Warkworth Clayden Road

IXXX.1 Precinct description

The Warkworth Clayden Road Precinct assists in providing for growth within the Warkworth area. The land slopes up to the north to adjoin the Rural Urban Boundary. The topography of the site with the back drop of Dome Valley and key bush clad streams, creates landscape and environmental benefits to the precinct. The development of this urban zoned land will create a range of housing types, respond to the topography of the precinct, and result in enhanced landscape and environmental outcomes. The planned Sandspit Matakana Link Road creates good connectivity to this part of Warkworth with direct connections to State Highway 1 and the new Highway to the south.

A range of zonings apply within the Precinct. The zoning of land within this Warkworth Clayden Road Precinct is Rural – Countryside Living, Residential - Large Lot, Residential - Single House, Residential - Mixed Housing Suburban, Residential - Mixed Housing Urban, and Business - Neighbourhood Centre zones. A small portion of land within the Precinct will be retained as Business – Light Industry zoned land to enable a 3-metre buffer to the Business – Light Industry zoned land to the north west. Retaining a small portion of land as Business – Light Industry is to assist in managing reverse sensitivity and other effects that may arise as a result of the adjacent Business zoned land. ~~Employment opportunities are retained in the Light Industrial zone to the west.~~ The Residential - Mixed Housing Urban zone applies to the more intensive residential opportunity created around the Sandspit Matakana Link Road and the future public transport options this offers with direct access to and views across the Warkworth Showgrounds. Residential - Mixed Housing Suburban zone medium density housing is provided in the northern area of the Precinct. Low density Residential - Single House zoning is provided on the Rural Urban Boundary fringe with particular controls applying along the interface between the Countryside Living zone and the Residential - Single House zone and the Rural – Countryside Living zone, where rural character is to be maintained and lower levels of residential intensification enabled. A small area of land is zoned Residential - Large Lot and Rural - Countryside Living. These zones and controls are designed to create a lower density interface and a landscape buffer between the urban and rural areas.

Provision is made for a local neighbourhood centre designed to provide services to the northern Warkworth community and yet be complementary to the Warkworth town centre.

Provision is made for a greenway network providing a network of tracks and walkways along streams and connecting to the broader network outside the precinct.

Special provision is made for the northern arena, a planned indoor-recreational facility.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

IXXX.2 Objectives

~~The following objectives apply in addition to the relevant overlay, Auckland-wide, and zone objectives.~~

- (1) Provide for residential urban growth within the northern Warkworth area.
- (2) Apply urban zoning efficiently to protect against future urban expansion into Warkworth's valued rural hinterland.
- (3) Enhance the character of the rural – urban interface through limitations in key locations on housing density, building location, height and enhanced landscaping.
- (4) Create an accessible residential development with safe and integrated vehicle, walking and cycleway connections while supporting the safety and efficiency of the surrounding transport network.
- (5) ~~Manage reverse sensitivity issues at the interface between the residential and light industrial land.~~ Provide an appropriate interface between the existing light industry zone and the new residential areas to manage reverse sensitivity effects.
- (6) Subdivision and development is coordinated with the delivery of the transport, infrastructure and services required to provide for development within the precinct and connect it to the wider transport network.
- (7) Subdivision and development recognises and provides for Matakana Link Road and the strategic transport connection this makes through the Warkworth Clayden Road Precinct which support growth in the wider Warkworth area.
- (8) Subdivision and development within the precinct occurs in a manner which remedies or mitigates adverse effects on the safe and efficient operation of transport infrastructure and services.
- (9) Subdivision and development within the precinct provides for the protection and enhancement of identified landscape features within the Warkworth Clayden Road Precinct.
- (10) Provide amenity for, and manage effects from operations within the industrial area to the north west of the Warkworth Clayden Road Precinct including heliport operations on, activities sensitive to noise within the area identified on the Precinct Plan IXXX.9.1.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

IXXX.3 Policies

~~The following policies apply in addition to the relevant overlay, Auckland-wide, and zone policies.~~

- (1) Provide a range of diverse residential zones and therefore housing options to help meet community needs.
- (2) Locate high density more intensive housing adjacent to the Sandspit Matakana Link Road and overlooking the Warkworth showgrounds and Mahurangi tributaries and supporting public transport.
- (3) Create low density housing along the urban-rural - urban boundary to form a transition from urban to rural uses.
- (4) Create the opportunity for local shops to service the neighbourhood, by zoning a suitable area of land for a “neighbourhood centre”.
- (5) Create an intensively landscaped interface along the rural urban boundary.
- (6) Protect landscape values by preventing ~~Prevent building development~~ on the special landscape areas shown on Precinct Plan 1 and requiring ~~incentivise the planting of these landscape elements~~, and applying the height variation control to limit building heights in sensitive locations.

- (7) Enable extensive active walking and cycling network and futureproof key walkway/cycleway routes and vest these key routes in the Council.
- (8) Create the opportunity for a major ~~indoor~~ recreation facility adjacent to the Warkworth showgrounds.
- (9) Create a landscaped buffer and require “no complaints covenants” on the properties adjacent to the industrial zoned land so as to manage reverse sensitivity issues.
- (10) Avoid direct vehicle access from individual sites on to ~~the Sandspit~~ Matakana Link Road, while allowing direct ~~to~~ pedestrian and cycle access.
- (11) Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation to enhance in-stream values and avoid stream bank erosion. ~~on-site detention and retention and protection of streams shown on Precinct Plan IXXX.9.1 by way of land covenant at the time of subdivision.~~
- (12) Require subdivision and development to provide transport infrastructure within the precinct and to provide connections to adjoining land in accordance with Precinct Plan 3.
- (13) Mitigate the adverse effects of stormwater runoff from all impervious areas in the precinct through a treatment train approach which assists in maintaining high water quality and enhances poor water quality.
- (14) Require subdivision and development to be co-ordinated with the provision of transport infrastructure and services identified in the precinct plan.
- (15) Require subdivision and development to protect permanent streams and identified intermittent streams on Precinct Plan 2.
- (16) Enhance protected streams on Precinct Plan 2 through native planted riparian setbacks.
- (17) Require subdivision and development to protect the landscape values of the ridgeline of the knoll adjacent to the north western boundary of the precinct
- (18) Require “no complaints covenants” on the properties adjacent to the Warkworth Show grounds so as to manage potential reverse sensitivity issues regarding noise and lighting
- (19). Create a special yard buffer on the properties adjacent to Tomlinsons Bush so as to manage the interface between the bush and adjacent residential land.
- (20) Manage the design and construction of residential buildings within area identified on the Precinct Plan IXXX.9.1. so as to mitigate the adverse potential noise effects and manage potential reverse sensitivity effects on operations within the industrial area to the north west of the Warkworth Clayden Road Precinct including heliport operations.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

IXXX.4 Activity table

The provisions in any relevant overlays, Auckland-wide provisions and zones apply in this precinct, ~~unless otherwise specified below~~, except the following:

- (a) E3.4.1 : Activity Table relating to Lakes, Rivers, Streams and Wetlands: Activities (A1), (A48), (A49)
- (b) E.12.4.1: Activity Table relating to Land Disturbance – District: Activities (A6) and (A10)

Activity Table IXXX.4.1 – IXXX.4.6 specify the activity status of regional and district land use, development, subdivision and activities in, on, under or over the beds of streams in the Warkworth : Clayden Road ~~North-1~~ Precinct pursuant to sections 9(2),9(3), 11 and 13 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

A blank in the activity status column means that the activity status in the relevant overlay, Auckland-wide or zone provision applies and one or more precinct standards apply.

Note

Activities and standards apply to vegetation removal within SEA overlay as listed in Chapter E15 Vegetation management and biodiversity.

Table IXXX.4.1 All zones

Activity		Activity status
Use		
Development		
(A1) [rp]	New reclamation or drainage, including filling over a piped stream not shown as a Reclamation of retained streams other than those shown on IXXX.9.2 Precinct Plan 2 IXXX.9.2	RD
(A2) [rp]	New reclamation or drainage, including filling over a piped stream shown as a Reclamation of retained streams shown on IXXX.9.2 Precinct Plan 2 IXXX.9.2	NC
(A3)	Deadwood removal within covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2.	P
(A4)	Biosecurity tree works within covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2.	P
(A5)	Emergency tree works within covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2.	P
(A6)	Vegetation alteration or removal for routine operation, maintenance and repair of existing tracks and proposed indicative greenway routes as shown on Precinct Plan 3 within the covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2	P
(A7) [rp/dp]	Removal of any native vegetation shown as covenanted bush or area of significant bush "Covenanted Area" or "significant bush" on Precinct Plan IXXX9.2, not	NC

	<p>otherwise provided for on Precinct Plan IXXX9.2, except this shall not preclude:</p> <p>(i) removal of deceased or damaged limbs or trees that could create a fall hazard;</p> <p>(ii) clearing of bush up to 2m wide to create public tracks.</p>	
(A8)	Activities sensitive to noise within the area shown on precinct plan IXXX9.1 as Noise Management Area, Noise Measurement Line and Covenant Sensitive Area that complies with Standard IXXX6.6	P
(A9)	Activities sensitive to noise within the area shown on precinct plan IXXX9.1 as Noise Management Area, Noise Measurement Line and Covenant Sensitive Area that does not comply with Standard IXXX6.6	NC
(A10)	Landscaping in accordance with Standard IXXX.6.3	C
(A11)	Any development of the land shown on Precinct Plan IXXX.9.1 as Special Landscape Yard that is not landscaped in accordance with Standard IXXX.6.3	NC
Subdivision		
(A12)	<p>Subdivision sites (either less than 1ha or 1ha and greater) complying with standard E38.8.2.3 and generally in accordance with Precinct Plan IXXX.4.1</p> <p>Subdivision involving parent sites of 1ha or greater complying with Standard E38.8.2.1 or E38.8.3.1, and Standard IXXX.6.6, and generally in accordance with Precinct Plans IXXX.9.1, IXXX.9.2 and IXXX.9.3</p>	RD
(A13)	Subdivision involving parent sites of less than 1ha complying with Standard E38.8.2.1 or E38.8.2.3 and Standard IXXX.6.6 and generally in accordance with Precinct Plans IXXX.9.1, IXXX.9.2 and IXXX.9.3.	RD
(A7) -(A14)	Any subdivision that is not in general accordance with Precinct Plan 1 Rule	NC

	IXXX.4.1. Subdivision that does not comply with Standard IXXX.6.6.	D
(A15)	Subdivision that does not comply with the 'access points onto Matakana link Road', 'eastern access', and / or 'pedestrian and cycle connection to Matakana Link Road' as shown on Precinct Plan IXXX.9.3.	NC

Table IXXX.4.2 Rural - Countryside Living Zone

Activity		Activity status
Use		
Development		
(A1)	Any building or structure (excluding fencing less than 2m in height) within the Special Landscape Area. New buildings and additions to buildings within the Special Landscape Area on Precinct Plan 1	NC

Table IXXX.4.3 Residential - Large Lot Residential Zone

Activity		Activity status
Use		
Development		
(A1)	Any building or structure (excluding fencing less than 2m in height) within the Special Landscape Area. New buildings and additions to buildings within the Special Landscape Area on Precinct Plan 1	NC
(A2)	New buildings and additions to buildings within the Special Landscape Yard on Precinct Plan 1 that do not comply with Standard IXXX.6.3	NC

Table IXXX.4.4 Residential - Single House Zone

Activity		Activity status
Use		
Development		
(A1)	Buildings within the “Special Subdivision Control Area” that do not comply with standard IXXX.9.1. New buildings and additions to buildings that do not comply with Standard IXXX.6.1	D
(A2)	New buildings and additions to buildings within the Special Yard on IXXX.9.1 Precinct Plan 1 that do not comply with Standards IXXX.6.2	NC
(A3)	Any building or structure (excluding fencing less than 2m in height) within the “Special Landscape Yard” New buildings and additions to buildings within the Special Landscape Yard on IXXX.9.1 Precinct Plan 1 that do not comply with Standard IXXX.6.3	NC
Subdivision		
(A4)	Any subdivision in the “special density subdivision control area” area shown in Precinct Plan 1 that does not meet the minimum net site size requirements in Standard Rule-IXXX.6.5. 4-1.	NC

Table IXXX.4.5 Residential - Mixed Housing Urban Zone

Activity		Activity status
Use		
Community		
(A1)	Recreation Facility in the location shown on Precinct Plan 1 as Special Use Overlay – Sporting Recreation Facility complying with Standard IXXX.6.9	RD
(A2)	Recreation Facility in the location shown on Precinct Plan 1 as Use Overlay –	D

	Sporting Facility not complying with Standard IXXX.6.9	
Development		
(A3)	Development that does not comply with standard E27.6.4.1(3)	NC
(A4)	Construction of a road that does not comply with Standard IXXX.6.4 Limited Access	NC
(A5)	New buildings and additions to new buildings that do not comply with Standard IXXX.6.1	D
(A6)	New buildings and additions to buildings within the Special Landscape Yard on IXXX.9.1 Precinct Plan 1 that do not comply with Standard IXXX.6.3	NC
(A7)	Residential activity within the area shown on Precinct Plan IXXX9.1 as Noise and Lighting Sensitive Area that complies with Standard IXXX6.7	P
(A8)	Residential activity within the area shown on Precinct Plan IXXX9.1 as Noise and Lighting Sensitive Area that does not comply with Standard IXXX6.7	NC
(A9)	Residential activity within the area shown on Precinct Plan IXXX9.1 as Special Yard Tomlinsons Bush that complies with standard IXXX6.3A	P
(A10)	Residential activity within the area shown on Precinct Plan IXXX9.1 as Special Yard Tomlinsons Bush that does not comply with standard IXXX6.3A	D
Subdivision		
(A11)	Any subdivision not complying with standards IXXX.6.4	D

Table IXXX.4.6 Business – Neighbourhood Centre

Activity	Activity status
Use	
Development	

(A1)	Development that does not comply with standard E27.6.4.1(3)	NC
(A2)	Construction of a road that does not comply with Standard IXXX.6.4 Limited Access	NC
Subdivision		
(A3)	Any subdivision not complying with standards IXXX.6.4.	D

Table IXXX.4.7 Business – Light Industry Zone

Activity		Activity status
Use		
Development		
(A1)	Any building	NC
(A2)	Earthworks and/or landscaping associated with any bund.	P

IXXX.5 Notification

(1) Any application for resource consent for a restricted discretionary activity listed under IXXX.4 will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under sections 95A(9) or 95B(10) of the Resource Management Act 1991;-provided that:

- (a) Any application for a residential activity in the Noise Management Area on IXXX.9.1 Precinct Plan 1 that does not comply with Standard IXXX.6.6(2) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991; and
- (b) Any application for a residential activity in the Noise and Lighting Sensitive Area on IXXX.9.1 Precinct Plan 1 that does not comply with Standard IXXX.6.6A will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (c) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration, in relation to Rules IXXX.6.6 and IXXX.6.7 which manages reverse sensitivity effects, to the operator of the heliport which is protected by the rule from such effects.
- (d) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration, in relation to Rules IXXX.6.6A which manages reverse sensitivity effects, to the operators/clubs of the Warkworth Showgrounds which is protected by the rule from such effects.

IXXX.6 Standards

(1) Unless specified in Standard IXXX.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in Activity Tables IXXX.4.1 to IXXX.4.6 above.

(2) The following Auckland-wide and zone standards do not apply to the activities listed in activity tables above:

(a) Activity Table IXXX.4.1 All zones:

- Activity (A6): E38.8.2.3 does not apply to subdivision in Single House Zone where land is subject to special subdivision control area shown on IXXX.9.1 Precinct Plan 1 and Standard IXXX6. 5 applies
- Activity (A7): E38.8.3.1(3)-(5) does not apply to subdivision in Single House Zone where land is subject to special subdivision control area shown on IXXX.9.1 Precinct Plan 1 and Standard IXXX6. 5 applies

(b) Activity Table IXXX.4.4 Residential – Single House Zone:

- Activity (A1): H3.6.6 Building height standard of 8 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard IXXX.6.1 Height Variation Control applies
- Activities (AX), (AX): H3.6.8 Yards. The relevant yard in Table H3.6.8.1 Yards does not apply where
 - Standard IXXX.6.2 Special Yard applies
 - Standard IXXX.6.3 Special Landscape Yard applies

(c) Activity Table IXXX.4.5 Residential – Mixed House Urban Zone:

- Activity (AX) H5.6.4 Building height standard of 11 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard IXXX.6.1 Height Variation Control applies
- Activity (AX) H5.6.8 Yards. The relevant yard in Table H5.6.8.1 Yards does not apply where
 - Standard IXXX.6.3 Special Landscape Yard applies

(1) Activities listed in Activity Tables IXXX.4.1 to IXXX.4.6 must comply with Standards IXXX.6

~~The overlay, Auckland-wide, and zone standards apply in this precinct unless otherwise specified below:~~

IXXX.6.1 Special Height Limit

Purpose: To reduce the height of buildings adjacent to the Rural Boundary interface.

- (1) The maximum height limit in the Single House zone in the area shown as “special height limit” on Precinct Plan 1 (IXXX.9.1) shall be 5m for any part of a building that is within 10m but further than 6m from the Rural Urban Boundary.

IXXX.6.1A Height Variation Control

Purpose: To reduce building height below the standard zone height, where the standard zone height would have adverse effects on the rural backdrop of Dome Valley

~~(1) The maximum height limit in the Mixed Housing Urban zone in the area shown as “special height limit 1” on Precinct Plan 1 (IXXX.9.1) shall be the same as rule H.4.6.4 ‘Building Height’ in the Mixed Housing Suburban zone.~~

- (1) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres shown for that part of the site on the planning maps.

IXXX.6.2 Special Yard

Purpose:

- to form a transition from urban to rural uses;
- to prevent building on the upper slopes of identified parts of the precinct which contribute to the landscape values and amenity of the Warkworth Clayden Road precinct

~~(1) All buildings on sites subject to the “special yard” control shown on IXXX.9.1 Warkworth Clayden Road: Precinct Plan 1 must be set back from the Rural Urban Boundary for a minimum distance of 6m.~~

A building or parts of a building on sites shown as subject to the Special Yard on IXXX.9.1 Precinct Plan 1 must be set back 6m from the boundary as shown on Precinct Plan 1.

~~(2) All land within the “special yard” shown on Precinct Plan 1 shall be landscaped. A minimum of 50% fifty percent of the area shall be planted in native trees that will attain a height of at least 5m when mature.~~

IXXX.6.3 Special Landscape Yard

Purpose:

- to provide a landscape buffer and manage reverse sensitivity effects; and
- to maintain a reasonable standard of residential amenity for sites adjoining business land.

(1) A building or parts of a building must be set back from the precinct boundary by 6m where sites are subject to the Special Landscape Yard on IXXX.9.1 Precinct Plan 1.

~~(2) No building or structure shall be built within the ‘Special Landscape Yard shown on Precinct Plan 1. This rule does not apply to fencing less than 2m in height.~~

~~(3) A minimum of Fifty percent of the ‘Special Landscape Yard shall be planted with in native trees that will attain achieve a height of at least 5m or more on maturity when mature.~~

IXXX.6.3A Special Yard Tomlinsons Bush

Purpose:

- to provide a buffer adjacent to Tomlinsons Bush.

(1) A building or parts of a building must be set back from the legal boundary with Tomlinsons Bush

by 6m where sites are subject to the Special Yard Tomlinsons Bush on IXXX.9.1 Precinct Plan 1.

IXXX.6.4 Limited Access

Purpose:

- to avoid direct vehicle access from individual sites onto Matakana Link Road; and
- to have safe and efficient operation of transport infrastructure.

(1) ~~Road junctions~~ intersections with ~~the Sandspit~~ Matakana Link Road servicing the precinct, shall be limited to three, to be located as in the general location identified as Access Points onto ~~Sandspit~~ Matakana Link Road on ~~I1554.9.1~~ IXXX.9.3 Warkworth Clayden Road: Precinct Plan 3 except

(a) that the intersections from the north and south connecting with the easternmost access point identified on IXXX.9.3 Precinct Plan 3 shall be limited to a left turn in/left turn out intersection with Matakana Link Road only, and may be offset from each other by a maximum distance of 100m.

~~(b) No vehicular access from any property shall be allowed directly onto the Sandspit Link Road for the frontage shown indicatively on I1554.9.1 Warkworth Clayden Road: Precinct Plan 1~~

IXXX.6.5 Subdivision Standards – Special Subdivision Control Area in-Single House Zone

Purpose: To create larger sites along a portion of the northern boundary of the precinct identified as a “Subdivision Control Area”.

(1) Proposed sites in ~~The minimum net site area in the area shown as “Special Subdivision Control”~~ on IXXX.9.1 Precinct Plan 1 must comply with the minimum net site area of ~~shall be 1,000m² net site area.~~

IXXX.6.5A Subdivision Standard – Planting

Purpose:

‘Special Yard’ - to form a transition from urban to rural uses;

“Special Landscape yard” - to provide a landscape buffer and manage reverse sensitivity effects and to maintain a reasonable standard of residential amenity for sites at the Business Light Industry zone interface.

(1) All land within the “special yard” shown on Precinct Plan 1 shall be:

- (i) 6m in width measured from the Precinct Boundary
- (ii) Landscaped area with no less than ~~A minimum of~~ 50% of the area shall be planted in ~~native trees~~ indigenous vegetation that will attain a height of at least 5m when mature.
- (iii) Legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.
- (iv) This planting shall occur at the time of subdivision of the land to create any title or titles less than 5,000m².

(2) All land within the ‘Special landscape yard’ shown on Precinct Plan 1 shall be;

- (i) 6m in width measured from the precinct boundary

- (ii) Landscaped area with no less than 50% of the area planted in indigenous vegetation that will attain a height of at least 5m when mature.
- (iii) Legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.
- (iv) This planting shall occur at the time of subdivision of the land to create any title or titles less than 5,000m².
- ~~(v) Fifty percent of the 'Special Landscape Yard shall be planted with native trees that achieve a height of 5m or more on maturity.
A 6m landscaped screening area in the location shown on Precinct Plan 1 shall be provided. This area shall be intensively planted and maintained with native trees and shrubs. The 6m distance shall be measured from the zone boundary.~~
- ~~(vi) All sites that contain a special yard under rule IXXX.6.1 provide a covenant which requires 50% of the yard area to be planted in native trees that will attain a height of at least 5m when mature, and the covenant provides for the maintenance and protection of this planting in perpetuity.~~

IXXX.6.5.B Residential Subdivision Standard - Stormwater

Purpose:

- To assist in land stability and the ecology of streams

- (1) At least fifty percent of any riparian yard required under the zone provisions shall be planted in native vegetation

IXXX.6.6 Noise Management Area, Noise Measurement Line and Covenants

Purpose: As any residential site west of the Noise Measurement Line shown on Precinct Plan 1 and within the Noise Management Area, may be exposed to noise levels from either or both the Heliport and the adjacent industrial area, the controls identify the location at which noise measurement shall be undertaken in terms of noise levels for the Warkworth Heliport at 38 Goatley Road and the adjacent industrial area, and requires "no complaints" covenants, and mechanical ventilation, to address noise issues

~~For the purposes of measuring consented noise levels for the Warkworth Heliport on 38 Goatley Road, the "nearest residential boundary for noise measurement within the precinct shall be taken as the "noise measurement line" shown on Precinct Plan 1. The condition shall not apply to the residential sites west of the noise measurement line.~~

- (1) ~~For the area identified on Precinct Plan 1 as "no complaints covenant area" a 'no complaints' covenant is registered against any the certificate of title for the site in the Noise Management Area and Covenants shown on IXXX.9.1 Precinct Plan 1. The covenant acknowledge: ing:~~
 - ~~the site location is adjacent to an industrial area and a consented heliport and that the residents will not complain about any permitted activity meeting the Auckland-wide district plan standards, or any heliport or any helicopter activity operating lawfully, or any helicopter operation at any time responding to an emergency flight including search and rescue or fire fighting. under and complying with the conditions of consent of Resource Consent XXXX.; and~~

- for residential sites west of the Noise Measurement Line shown on Precinct Plan 1, that the site is within the Noise Measurement Line and that when determining whether the Heliport at 68 Goatley Road complies with the noise limits in the conditions of its resource consent, noise levels will be measured from the Noise Measurement Line and not from the boundary of the residential sites west of the Noise Measurement Line, as would otherwise be required by the conditions of consent.
- (2) When determining whether any activity carried out on the adjacent light industrial zoned land complies with the noise limits in E25.6.19, noise levels are to be measured at the “Noise Measurement Line” and not at the closest residential boundary.
 - (3) Any residential building or part of a residential building within the Noise Measurement Area shown on IXXX9.1 Precinct Plan 1 must provide ventilation and/or an air conditioning system(s) that satisfies the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.

IXXX.6.7 Noise and Lighting Sensitive Area

Purpose: To help manage potential reverse sensitivity issues regarding noise and lighting issues associated with the Warkworth Showgrounds by requiring a no complaints covenant and mechanical ventilation or air-conditioning.

- (1) A no complaints covenant shall be registered against the certificate of title for the sites adjacent to the Warkworth Showgrounds at which active sports and recreation activities are carried out in the Noise and Lighting Sensitive Area on IXXX.9.1 Precinct Plan 1. The covenant shall acknowledge the site is adjacent to the Warkworth Showgrounds including existing and future active sports and recreation activities and that the residents will not complain about any permitted activity meeting district plan standards, or any sports activity or sporting event that is being lawfully operated or carried out.
- (2) Any residential building or part of a residential building within the Noise and Lighting Sensitive Area shown on IXXX9.1 Precinct Plan 1 must provide ventilation and/or air-conditioning systems that satisfy the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.

~~IXXX.6.7 Landscape Screening Area~~

- ~~(1) A 6m landscaped screening area in the location shown on Precinct Plan 1 shall be provided. This area shall be intensively planted and maintained with native trees and shrubs. The 6m distance shall be measured from the zone boundary. This planting shall occur at the time of subdivision of the land to create any title or titles less than 5,000m².~~

IXXX6.8 High Contaminant Yielding Materials

Purpose:

- to maintain water quality by limiting the release of contaminants from building materials to streams, and Mahurangi East catchment
- (1) The total area of high contaminant roofing, spouting, cladding or external architectural features on a site must not exceed 5m².

IXXX6.9 Maximum Gross Floor Area Recreation Facility

Purpose:

- to indicate the size of recreation facility anticipated in Warkworth Clayden Road Precinct

- (1) The maximum gross floor area of any recreational facility in the location shown on Precinct Plan 1 shall be 2,000m² gross floor area.

IXXX.7A Assessment –controlled activities

IXXX.7A.1 Matters of discretion

The Council will restrict its discretion to the following matter when assessing a controlled activity resource consent application, in addition to the matters specified for the relevant controlled activities in the overlay, Auckland wide or zone provisions:

- (1) Landscaping in accordance with Standard IXXX.6.3
 - (a) Landscaping

IXXX.7 Assessment – restricted discretionary activities

IXXX.7.1 Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (2) ~~Vacant Lot~~ Subdivision
 - (b) The matters of discretion listed at E38.12.1(7)
 - ~~(c) The location of the facility~~
 - ~~(d) Building scale~~
 - (e) Landscaping
 - (f) Transport including Access, walking, cycling and Parking
 - (g) The design and operation of any intersection with Matakana Link Road
 - (h) Stormwater management
 - (i) Greenway connections
- (3) ~~Indoor~~ Recreation Facility in the location shown on I1XXX.9.1 Warkworth Clayden Road: Precinct Plan 1:
 - (a) Building scale
 - (b) Landscaping
 - (c) ~~Parking~~ Transport including access, parking and traffic generation
 - (d) Interface with residential development
 - (e) Interface with Warkworth Showgrounds
- (4) Modification or reclamation of streams
 - (a) Stream ecology
 - (b) Base flow
 - (c) Management of water flow

- (d) Offset mitigation
- (e) Stream bed level
- (f) Riparian planting
- (g) Overland flow.
- (h) Providing for growth and development

IXXX.7.1A Assessment criteria – Controlled Activities

The Council will consider the relevant assessment criteria identified below for controlled activities, in addition to the assessment criteria specified for assessment of the relevant controlled activities in the zone, Auckland wide or overlay provisions:

- (1) Landscaping in accordance with Standard IXXX.6.3
- (a) The extent to which:
 - (i) The landscaping and bund form a visual buffer between the industrial area to the west of the precinct and the housing within the Precinct.
 - (ii) The suitability of plant species to the location and the height and density of plants species when mature.

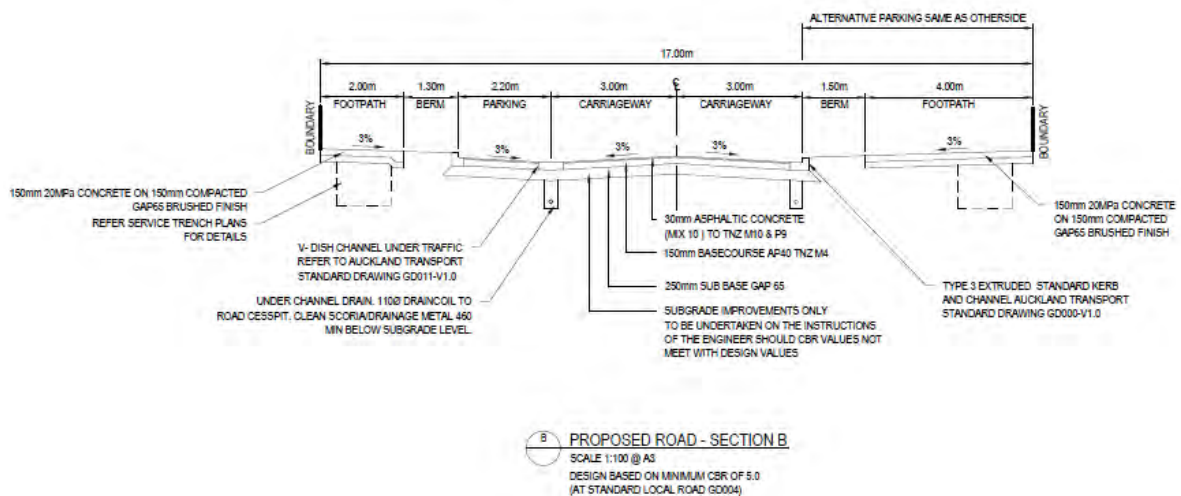
IXXX.7.2 Assessment criteria - Restricted Discretionary Activities

The Council will consider the relevant assessment criteria identified below for restricted discretionary activities, in addition to the assessment criteria specified for assessment of the relevant restricted discretionary activities in the zone, Auckland wide or overlay provisions:

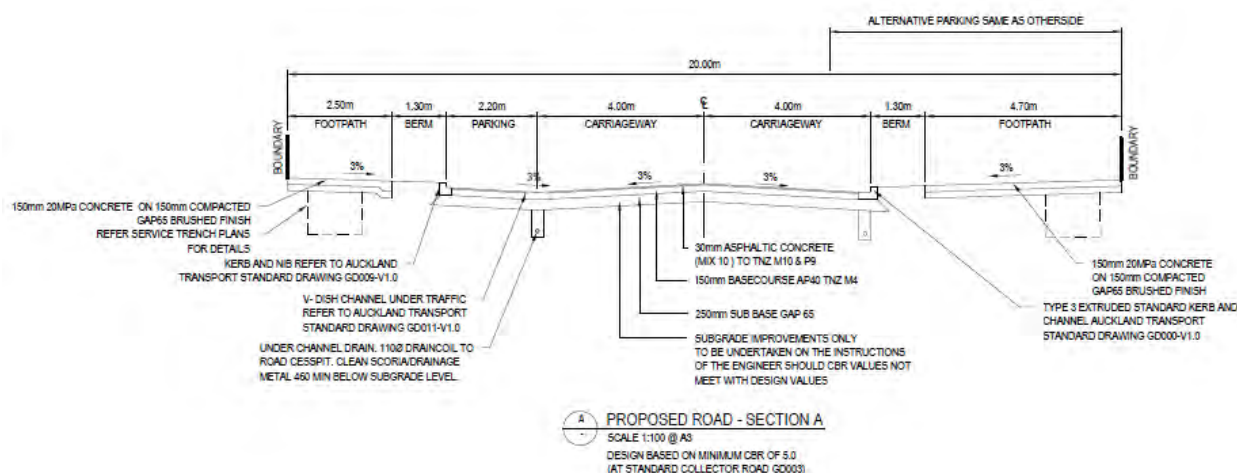
- (2) ~~Vacant Lot~~ Subdivision
- (b) In addition to the matters of discretion listed at E38.12.2(7), the extent to which:
 - (iii) The proposal contributes to the implementation of policies and in particular IXXX.3(1)-(5).
 - (iv) Subdivision layout is consistent with Precinct Plans 2 and 3.
 - ~~(v) Intersections to local roads accessing the Matakana Link Road are limited to the locations identified on Precinct Plan.~~
 - ~~(vi) The eastern access to Matakana Link Road is confined to a 'left in/left out' only road connection.~~
 - (vii) Subdivision layout is designed to meet the minimum lot sizes of Rule I1XXX.6.5 (special subdivision control) to retain a lower density at this rural urban interface and provide a transition from urban to rural land uses.
 - (viii) Subdivision layout is designed to ensure that no sites require vehicular access from ~~the~~ Matakana Link Road. Sites shall be serviced from local roads, laneways JOAL's, or other suitable mechanisms.
 - (ix) Sites that include streams shown on Precinct Plan 2, have complying practical building platforms clear of identified stream areas.
 - (x) Earthworks are managed in such a way as to provide high quality erosion and sediment control measures.
 - (xi) The erosion and sediment control measures shall provide for and include use of the stormwater management ponds shown in Precinct Plan 2, and establishment of the wetland(s). ~~shown in Precinct Plan 1.~~
 - (xii) The greenways shown on Precinct Plan IXXX.9.1 ~~are vested in the Council at the time of subdivision.~~

- where they are on land subject to any resource consent application, are constructed to a walking track standard similar to that constructed in Regional Parks, and vested in the Council, or in the case where the greenway follows vested roads, constructed to normal footpath standards as appropriate;
 - connections to greenways on public or private land outside the land subject to resource consent, are futureproofed by constructing track access to the boundary of the application site.
- (xiii) The staging of any subdivision or development, including any residential or business zoned site, relying on access to Matakana Link Road is such that completed homes or businesses are not occupied prior to Matakana Link Road becoming operational
- (xiv) A walkway network, generally in accordance with Precinct Plan 3 IXXX9.3 including roads and open space area, is created to ensure an interconnected neighbourhood. This includes connections to the footpaths and known bus stops on Matakana Link Road.
- (xv) Cycling facilities are provided on collector roads to integrate with cycling facilities on Matakana Link Road, and to generally meet the typical road cross-section shown in the diagram.
- (xvi) Local and collector roads shown on Precinct Plan IXXX9.3 are designed to generally meet the typical cross-sections shown below or such other similar cross section as agreed with Auckland Transport.

Typical road cross-section: Local road



Typical road cross-section: Collector road



- (xvii) The intersection design of any road intersection with Matakana Link Road as shown on Precinct Play 3 is supported by a transport assessment and safety audit demonstrating the intersection will provide a safe, efficient and effective connection to service the expected subdivision and development. This includes safe and convenient provision for pedestrians and cyclists.
- (xviii) The transport assessment and safety audit demonstrate the design and operation of the proposed intersection will not have adverse effects on the function of the surrounding transport network including Matakana Link Road.
- (xix) The greenway network crossing of the Matakana Link Road occurs either at at-grade pedestrian crossing facilities at the access points on to the Matakana Link Road shown on Precinct Plan 3, or as a walking track underneath the Matakana Link Road bridge.
- (xx) The cumulative effect of the approach to stormwater management is in accordance with an approved Stormwater Management Plan and achieves a 'treatment train' process based on a ten year attenuation standard which mitigates urban stormwater, quality issues and controls runoff from roads and other impervious surfaces.

(3) ~~Indoor~~ Recreation Facility

The extent to which:

- (a) The ~~indoor~~ recreation facility is located within the land area identified on Precinct Plan 1.
- (b) The height of the building complies with height variation control.
- (c) Landscaping, particularly front yard and the yard adjoining residential zoned land provides a reasonable amenity to the neighbourhood.
- (d) Traffic generation effects can be accommodated within the transport network, safe access is provided to the site, and sufficient well designed and well located parking is provided.
- (e) The interface with the Warkworth Showgrounds provides a good built and landscaped amenity, and a degree of visual overlooking of the showgrounds.

(4) Stream modification or reclamation

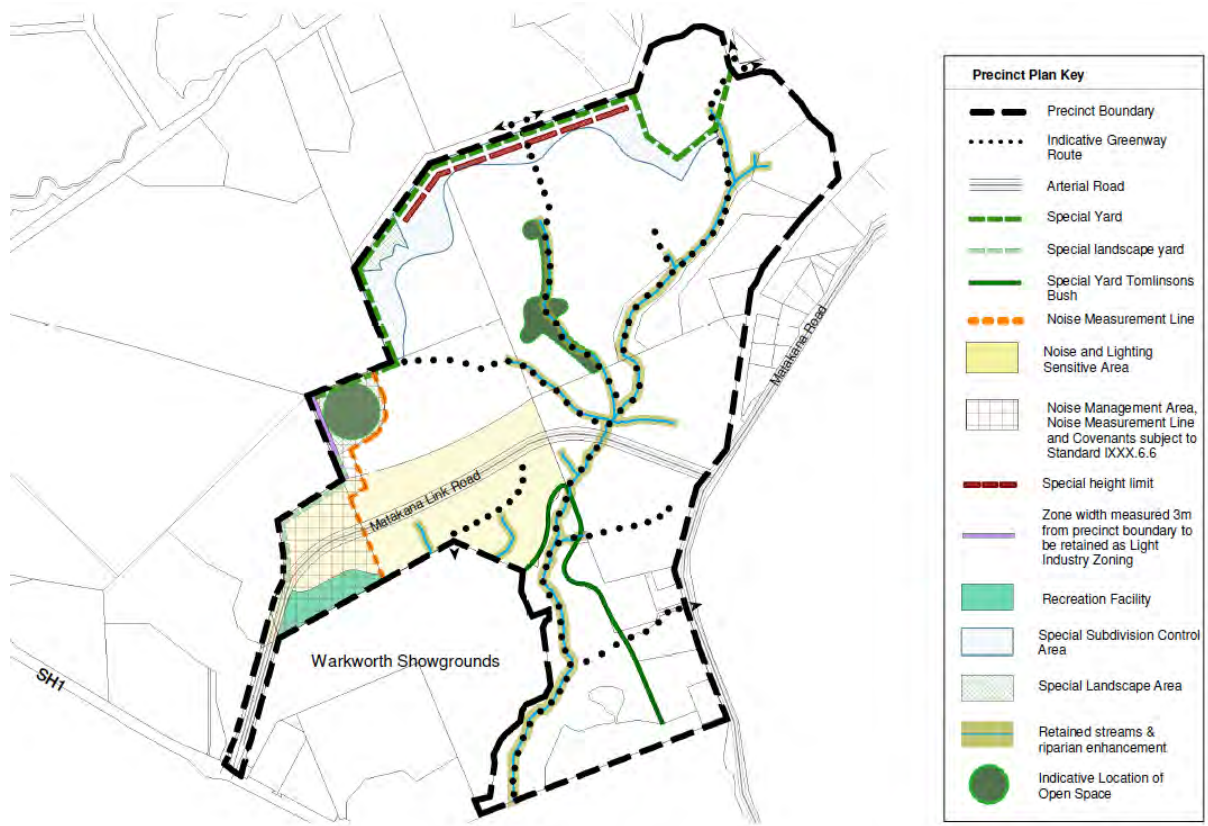
The extent to which:

- (a) Streams can be retained through re-alignment and raising of stream beds to integrate with land contouring;
- (b) Ten metre riparian native planting will be provided along each side of any re-aligned stream;
- (c) Where streams are proposed to be reclaimed with no vertical or horizontal re-alignment, the degree and extent of off-setting, and compensation;
- (d) Management of water flow is achieved to prevent flooding of residential sites;
- (e) Base flows to the head of retained streams affected by any reclamation of a permanent stream are maintained;
- (f) Reclamation is required to achieve the minimum road grade requirements.
- (g) Development potential will be lost without reclamation works, balanced against the ecological value of the stream to be reclaimed.
- (h) The ecological classification of the underlying stream is maintained.
- (i) The 'effects management hierarchy' (avoidance, remediation, mitigation, offset) has been applied.
- (j) The degree of mitigation or offset where changes to the vertical and horizontal alignment are proposed.

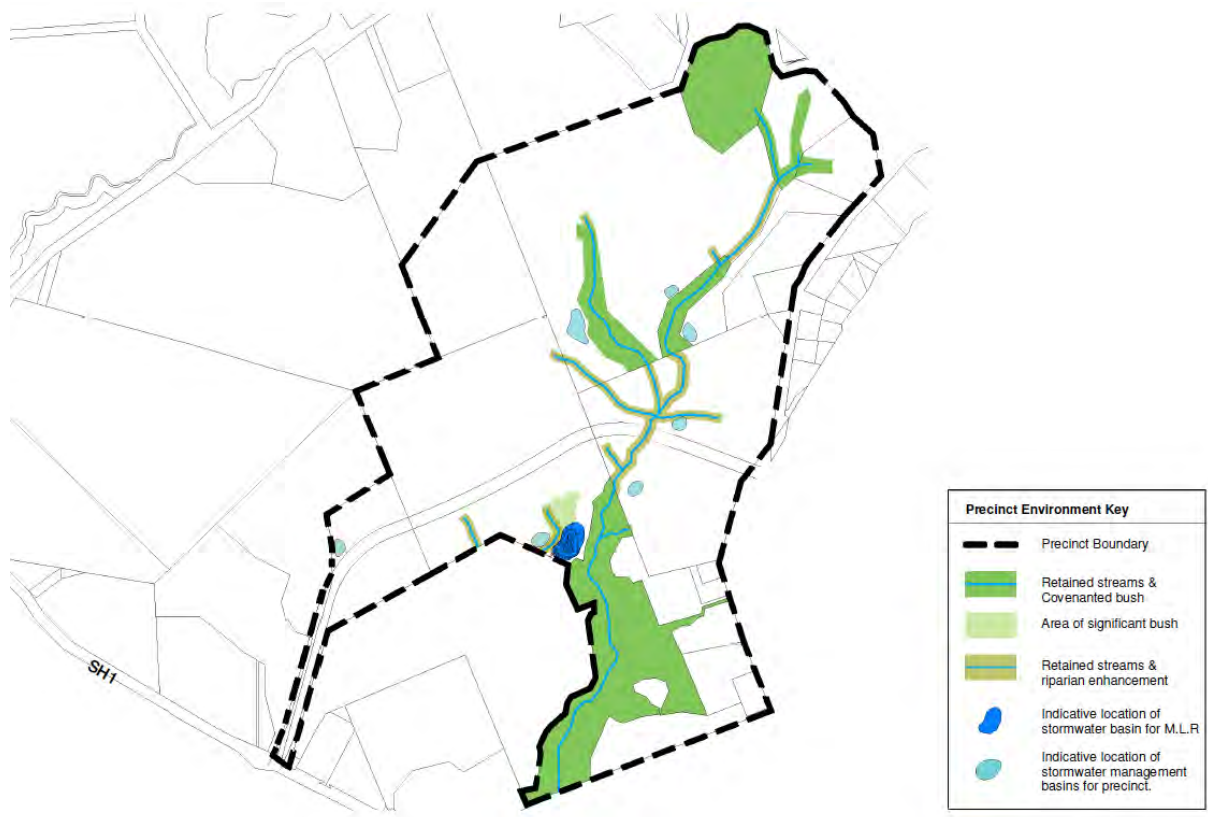
IXXX.8 Special information requirements

There are no special information requirements [in this precinct](#).

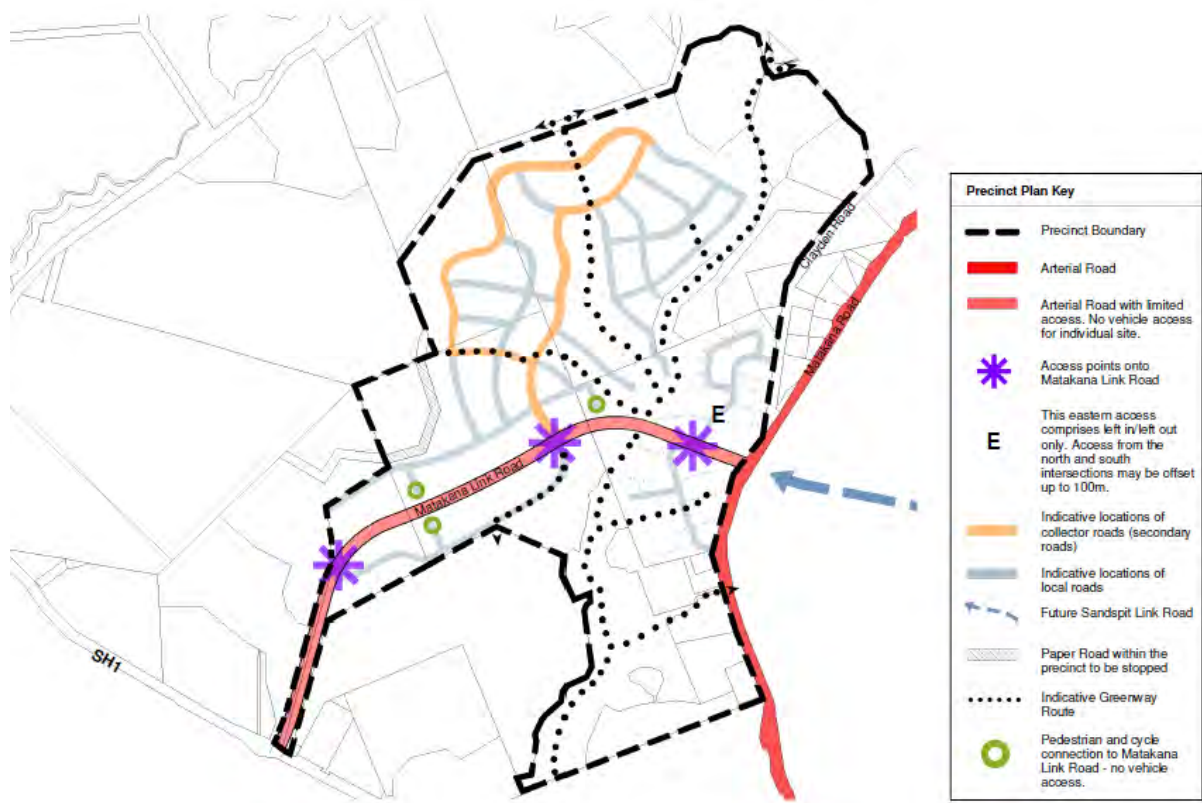
IXXX.9.1 Warkworth : Clayden Road Precinct Plan 1: Spatial provisions



IXXX.9.2 Warkworth : Clayden Road Precinct Plan 2: Environment



IXXX9.3 Warkworth : Clayden Road Precinct Plan 3: Transportation



PRIVATE PLAN CHANGE 40 : MODIFIED REQUEST : 23 June 2020 v2

PART A – AMENDMENT TO AUCKLAND UNITARY PLAN GIS VIEWER (MAPS)

Map 1 – Proposed Rezoning of IXXX Warkworth Clayden Road Precinct

Notes:

1. The proposed change to the viewer (maps) has not been made.
2. The map is shown to place the changes in context.

Map number:	1
Geographic area:	North
Current zones:	Future Urban zone and Business Light Industry zone
Proposed zones:	Residential – Mixed Housing: Urban Residential – Mixed Housing: Suburban Residential – Single House Residential – Large Lot Zone Rural Countryside Living Business – Neighbourhood Centre Zone

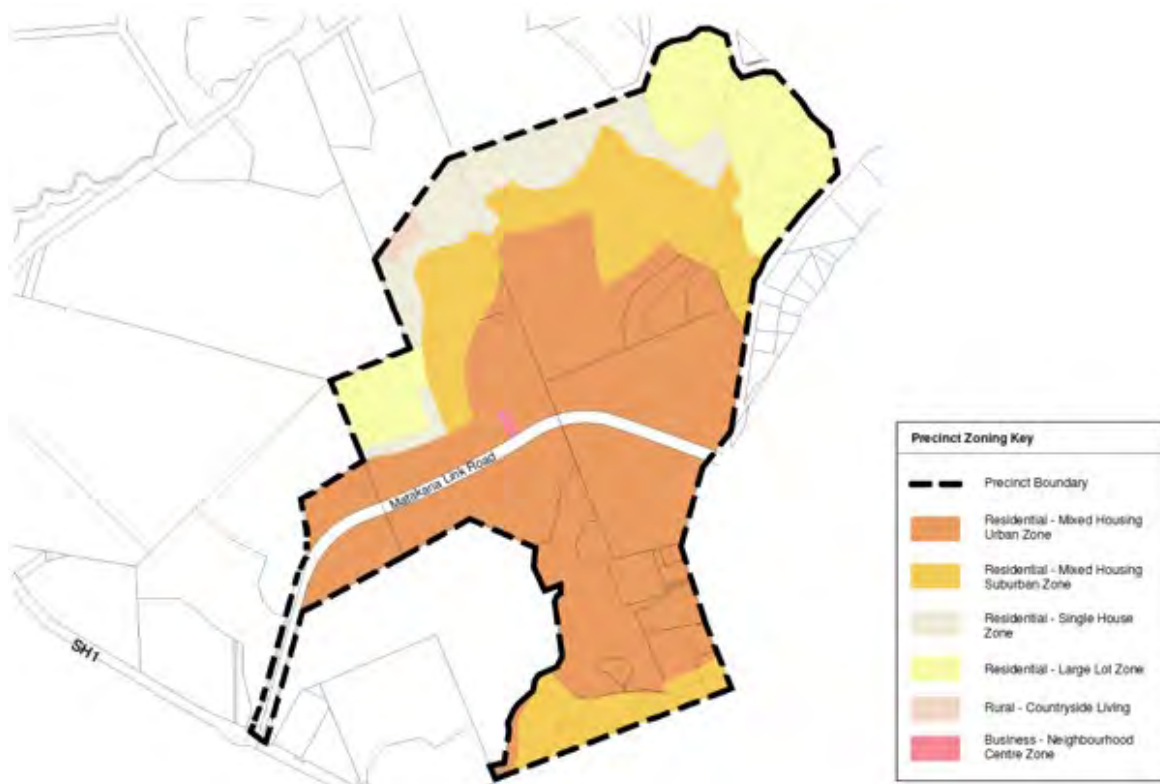
PART A AMENDMENT TO THE MAPS

ZONING

That the land currently zoned Future Urban [Zone](#) be rezoned [Residential - Mixed Housing Urban](#), [Residential - Mixed Housing Suburban](#), [Residential - Single House](#), [Residential - Large Lot Zone](#), [Rural – Countryside Living Zone](#) and [Business-Neighbourhood Centre Zone](#) as shown on the following zoning plan.

That the land currently zoned [Business- Light Industry Zone](#) be rezoned [Residential – Mixed Housing Urban](#), as shown on the following zoning plan.

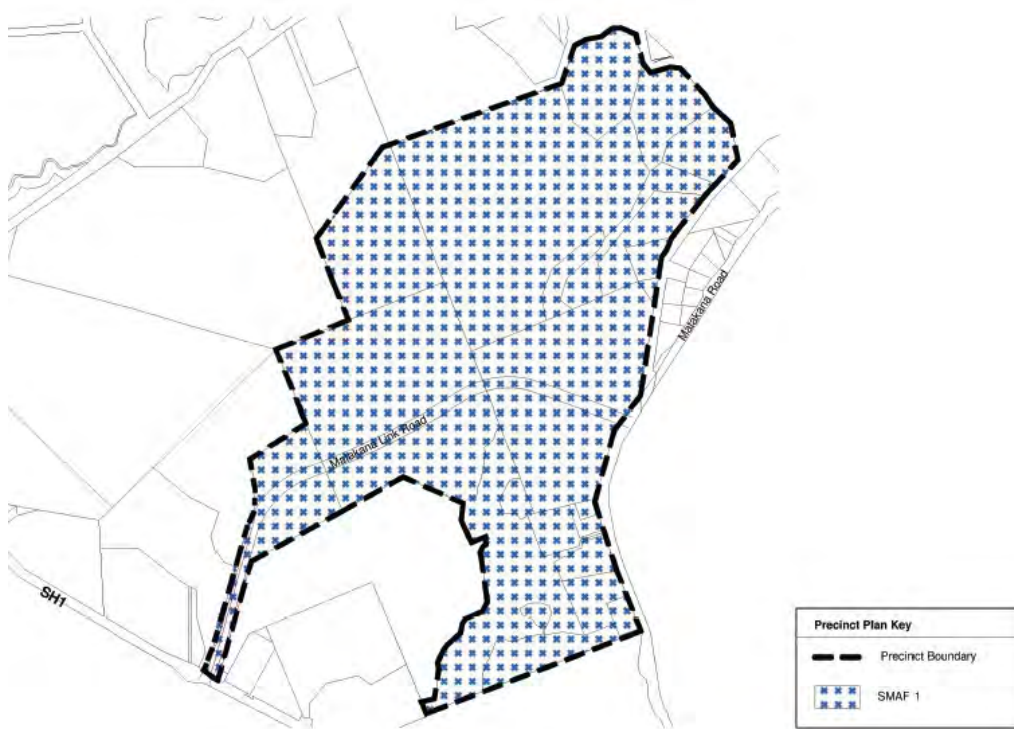
Map 1 - Zoning



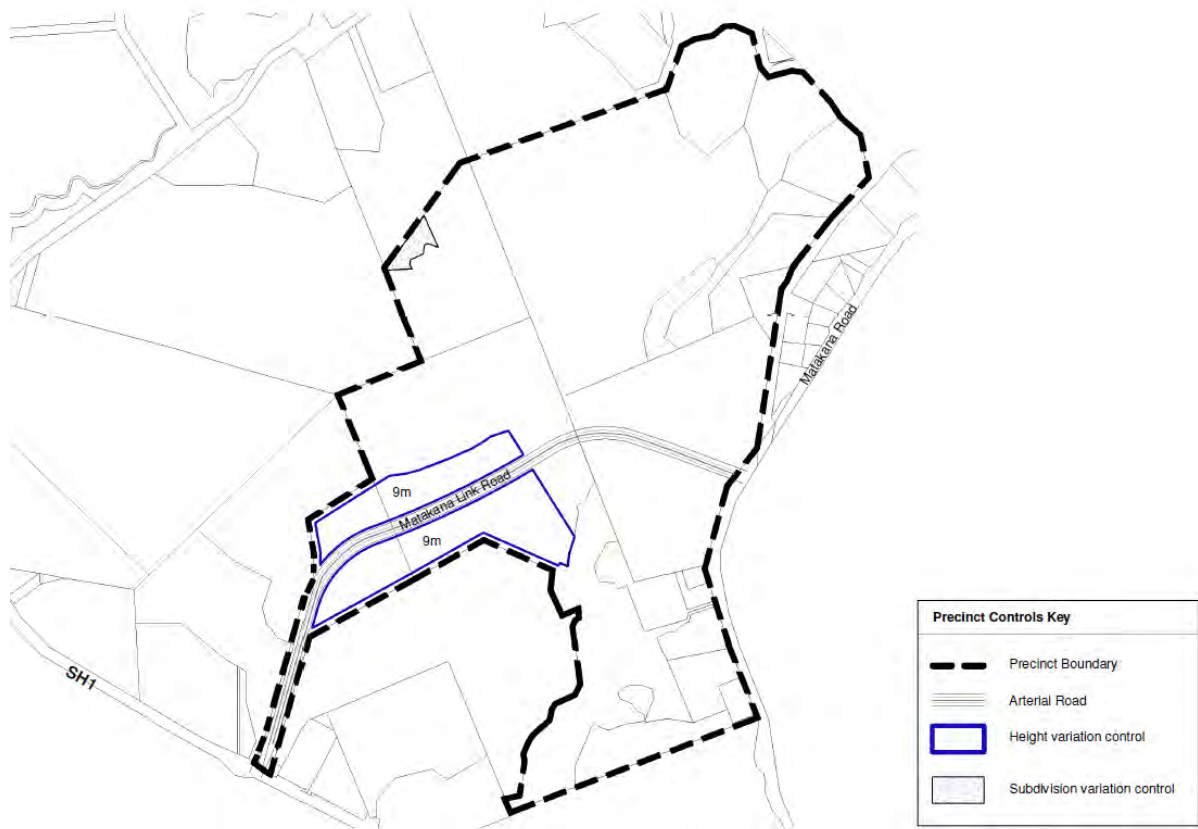
CONTROLS

The land shown below be identified as "SMAF1" in the 'Controls' map.

Map 2 – Control: SMAF1



Map 2 – Control: Height Variation Control, Subdivision Variation Control, Arterial Roads



PRECINCTS

The land shown below be identified as 'Warkworth: Clayden Road' in the 'Precinct' Map.

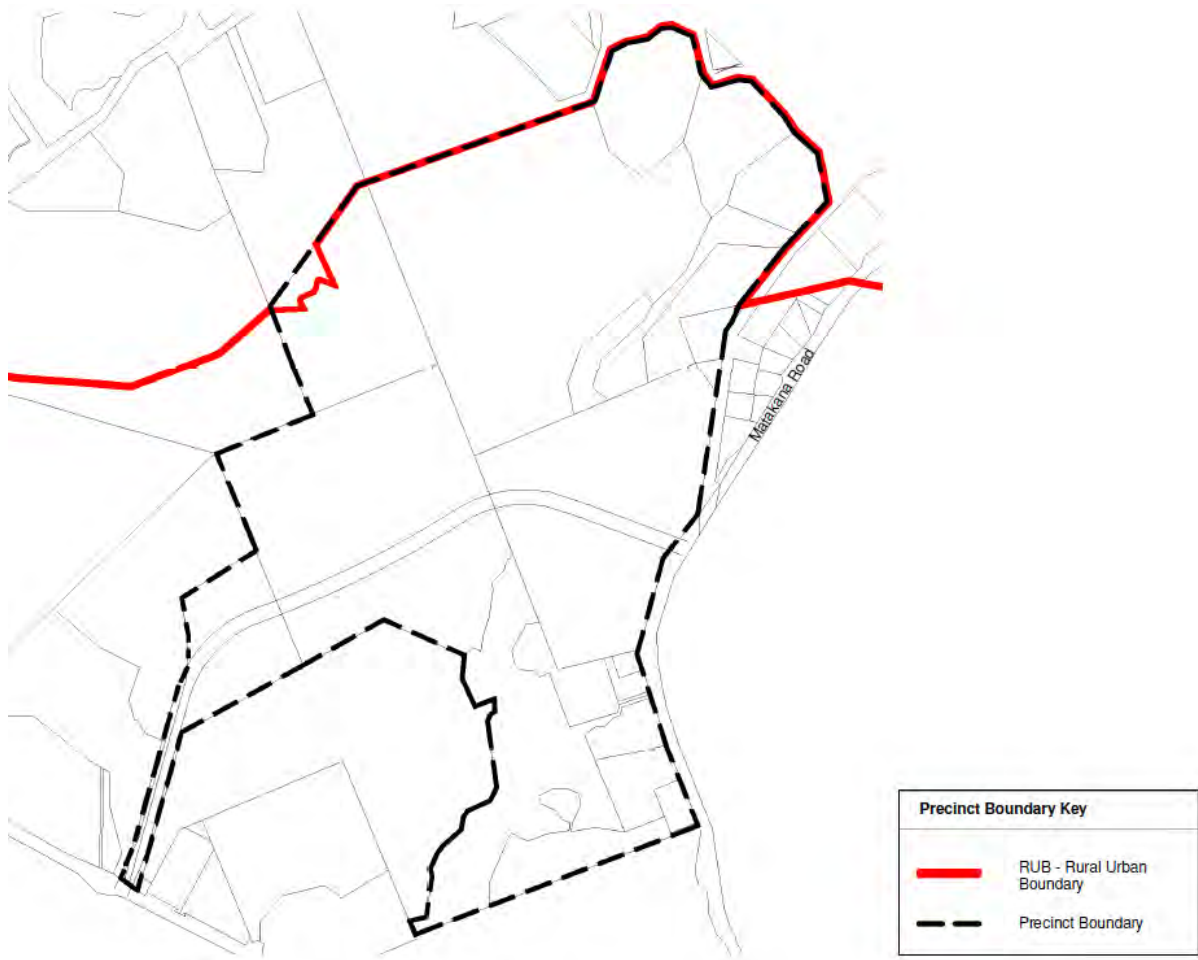
Map 3 –Precinct Boundary of IXXX Warkworth Clayden Road Precinct



RURAL URBAN BOUNDARY

The location of the Rural Urban Boundary on the planning maps be modified as shown below.

Map 4 –Rural Urban Boundary



PART B AMENDMENT TO IXXX WARKWORTH CLAYDEN ROAD PRECINCT

Insert the following new precinct provisions:

IXXX Warkworth Clayden Road

IXXX.1 Precinct description

The Warkworth Clayden Road Precinct assists in providing for growth within the Warkworth area. The land slopes up to the north to adjoin the Rural Urban Boundary. The topography of the site with the back drop of Dome Valley and key bush clad streams, creates landscape and environmental benefits to the precinct. The development of this urban zoned land will create a range of housing types, respond to the topography of the precinct, and result in enhanced landscape and environmental outcomes. The planned Sandspit Matakana Link Road creates good connectivity to this part of Warkworth with direct connections to State Highway 1 and the new Highway to the south.

A range of zonings apply within the Precinct. The zoning of land within this Warkworth Clayden Road Precinct is Rural – Countryside Living, Residential - Large Lot, Residential - Single House, Residential - Mixed Housing Suburban, Residential - Mixed Housing Urban, and Business - Neighbourhood Centre zones. ~~Employment opportunities are retained in the Light Industrial zone to the west.~~ The Residential - Mixed Housing Urban zone applies to the more intensive residential opportunity created around the Sandspit Matakana Link Road and the future public transport options this offers with direct access to and views across the Warkworth Showgrounds. Residential - Mixed Housing Suburban zone medium density housing is provided in the northern area of the Precinct. Low density Residential - Single House zoning is provided on the Rural Urban Boundary fringe with particular controls applying along the interface between the Countryside Living zone and the Residential - Single House zone and the Rural – Countryside Living zone, where rural character is to be maintained and lower levels of residential intensification enabled. A small area of land is zoned Residential - Large Lot and Rural - Countryside Living. These zones and controls are designed to create a lower density interface and a landscape buffer between the urban and rural areas.

Provision is made for a local neighbourhood centre designed to provide services to the northern Warkworth community and yet be complementary to the Warkworth town centre.

Provision is made for a greenway network providing a network of tracks and walkways along streams and connecting to the broader network outside the precinct.

Special provision is made for the northern arena, a planned ~~indoor~~ recreational facility.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

IXXX.2 Objectives

~~The following objectives apply in addition to the relevant overlay, Auckland-wide, and zone objectives.~~

(1) Provide for residential urban growth within the northern Warkworth area.

- (2) Apply urban zoning efficiently to protect against future urban expansion into Warkworth's valued rural hinterland.
- (3) Enhance the character of the rural – urban interface through limitations in key locations on housing density, building location, height and enhanced landscaping.
- (4) Create an accessible residential development with safe and integrated vehicle, walking and cycleway connections while supporting the safety and efficiency of the surrounding transport network.
- (5) Manage reverse sensitivity issues at the interface between the residential and light industrial land.
- (6) Subdivision and development is coordinated with the delivery of the transport, infrastructure and services required to provide for development within the precinct and connect it to the wider transport network.
- (7) Subdivision and development recognises and provides for Matakana Link Road and the strategic transport connection this makes through the Warkworth Clayden Road Precinct which support growth in the wider Warkworth area.
- (8) Subdivision and development within the precinct occurs in a manner which remedies or mitigates adverse effects on the safe and efficient operation of transport infrastructure and services.
- (9) Subdivision and development within the precinct provides for the protection and enhancement of identified landscape features within the Warkworth Clayden Road Precinct.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

IXXX.3 Policies

~~The following policies apply in addition to the relevant overlay, Auckland-wide, and zone policies.~~

- (1) Provide a range of diverse residential zones and therefore housing options to help meet community needs.
- (2) Locate high-density more intensive housing adjacent to the Sandspit Matakana Link Road and overlooking the Warkworth showgrounds and Mahurangi tributaries and supporting public transport.
- (3) Create low density housing along the urban-rural - urban boundary to form a transition from urban to rural uses.
- (4) Create the opportunity for local shops to service the neighbourhood, by zoning a suitable area of land for a "neighbourhood centre".
- (5) Create an intensively landscaped interface along the rural urban boundary.
- (6) Protect landscape values by preventing Prevent building development on the special landscape areas shown on Precinct Plan 1 and requiring incentivise the planting of these landscape elements, and applying the height variation control to limit building heights in sensitive locations.
- (7) Enable extensive active walking and cycling network and futureproof key walkway/cycleway routes and vest these key routes in the Council.
- (8) Create the opportunity for a major indoor-recreation facility adjacent to the Warkworth showgrounds.
- (9) Create a landscaped buffer and require "no complaints covenants" on the properties adjacent to the industrial zoned land so as to manage reverse sensitivity issues.
- (10) Avoid direct vehicle access from individual sites on to the Sandspit Matakana Link Road, while allowing direct to pedestrian and cycle access.

- (11) Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation to enhance in-stream values and avoid stream bank erosion. ~~on-site detention and retention and protection of streams shown on Precinct Plan IXXX.9.1 by way of land covenant at the time of subdivision.~~
- (12) Require subdivision and development to provide transport infrastructure within the precinct and to provide connections to adjoining land in accordance with Precinct Plan 3.
- (13) Mitigate the adverse effects of stormwater runoff from all impervious areas in the precinct through a treatment train approach which assists in maintaining high water quality and enhances poor water quality.
- (14) Require subdivision and development to be co-ordinated with the provision of transport infrastructure and services identified in the precinct plan.
- (15) Require subdivision and development to protect permanent streams and identified intermittent streams on Precinct Plan 2.
- (16) Enhance protected streams on Precinct Plan 2 through native planted riparian setbacks.
- (17) Require subdivision and development to protect the landscape values of the ridgeline of the knoll adjacent to the north western boundary of the precinct

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

IXXX.4 Activity table

The provisions in any relevant overlays, Auckland-wide provisions and zones apply in this precinct, ~~unless otherwise specified below~~, except the following:

- (a) E3.4.1 : Activity Table relating to Lakes, Rivers, Streams and Wetlands: Activities (A1), (A48), (A49)

Activity Table IXXX.4.1 – IXXX.4.6 specify the activity status of regional and district land use, development, subdivision and activities in, on, under or over the beds of streams in the Warkworth : Clayden Road ~~North~~ Precinct pursuant to sections 9(2),9(3), 11 and 13 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

A blank in the activity status column means that the activity status in the relevant overlay, Auckland-wide or zone provision applies and one or more precinct standards apply.

Note

Activities and standards apply to vegetation removal within SEA overlay as listed in Chapter E15 Vegetation management and biodiversity.

Table IXXX.4.1 All zones

Activity	Activity status
Use	
Development	
(A1) [rp]	New reclamation or drainage, including filling over a piped stream not shown as a Reclamation of retained streams other RD

	than those shown on IXXX.9.2 Precinct Plan 2 IXXX.9.2	
(A2) [rp]	New reclamation or drainage, including filling over a piped stream shown as a Reclamation of retained streams shown on IXXX.9.2 Precinct Plan 2 IXXX.9.2	NC
(A3)	Deadwood removal within covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2.	P
(A4)	Biosecurity tree works within covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2.	P
(A5)	Emergency tree works within covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2.	P
(A6)	Vegetation alteration or removal for routine operation, maintenance and repair of existing tracks and proposed indicative greenway routes as shown on Precinct Plan 3 within the covenanted bush or area of significant bush on IXXX.9.2 Precinct Plan 2	P
(A7) [rp/dp]	Removal of any native vegetation shown as covenanted bush or area of significant bush "Covenanted Area" or "significant bush" on Precinct Plan IXXX9.2, not otherwise provided for on Precinct Plan IXXX9.2, except this shall not preclude: (i) removal of deceased or damaged limbs or trees that could create a fall hazard; (ii) clearing of bush up to 2m wide to create public tracks.	NC
(A8)	Residential activity sensitive to aircraft noise within the area shown on precinct plan IXXX9.1 as Noise Measurement and Management Area (Covenants) that complies with Standard IXXX6.6	P
(A9)	Residential activity sensitive to aircraft noise within the area shown on precinct plan IXXX9.1 as Noise Measurement and Management Area (Covenants) that does not comply with Standard IXXX6.6	NC
Subdivision		

(A12)	<p>Subdivision sites (either less than 1ha or 1ha and greater) complying with standard E38.8.2.3 and generally in accordance with Precinct Plan IXXX.4.1</p> <p>Vacant sites subdivision involving parent sites of 1ha or greater complying with Standard E38.8.3.1 and Standard IXXX.6.6, and generally in accordance with Precinct Plans IXXX.9.1, IXXX.9.2 and IXXX.9.1</p>	RD
(A13)	Vacant sites subdivision involving parent sites of less than 1ha complying with Standard E38.8.2.3 and Standard IXXX.6.6.	RD
(A7) -(A14)	<p>Any subdivision that is not in general accordance with Precinct Plan 1 Rule IXXX.4.1. Vacant sites subdivision that does not comply with Standard IXXX.6.6.</p>	<p>NC</p> <p>D</p>

Table IXXX.4.2 Rural - Countryside Living Zone

Activity		Activity status
Use		
Development		
(A1)	<p>Any building or structure (excluding fencing less than 2m in height) within the Special Landscape Area. New buildings and additions to buildings within the Special Landscape Area on Precinct Plan 1</p>	NC

Table IXXX.4.3 Residential - Large Lot Residential Zone

Activity		Activity status
Use		
Development		
(A1)	<p>Any building or structure (excluding fencing less than 2m in height) within the Special Landscape Area. New buildings</p>	NC

	and additions to buildings within the Special Landscape Area on Precinct Plan 1	
(A2)	New buildings and additions to buildings within the Special Landscape Yard on Precinct Plan 1 that do not comply with Standard IXXX.6.3	NC

Table IXXX.4.4 Residential - Single House Zone

Activity		Activity status
Use		
Development		
(A1)	Buildings within the “Special Subdivision Control Area” that do not comply with standard IXXX.9.1. New buildings and additions to buildings that do not comply with Standard IXXX.6.1	D
(A2)	New buildings and additions to buildings within the Special Yard on IXXX.9.1 Precinct Plan 1 that do not comply with Standards IXXX.6.2	NC
(A3)	Any building or structure (excluding fencing less than 2m in height) within the “Special Landscape Yard” New buildings and additions to buildings within the Special Landscape Yard on IXXX.9.1 Precinct Plan 1 that do not comply with Standard IXXX.6.3	NC
Subdivision		
(A4)	Any subdivision in the “special density subdivision control area” area shown in Precinct Plan 1 that does not meet the minimum net site size requirements in Standard Rule IXXX.6.5. 4.1.	NC

Table IXXX.4.5 Residential - Mixed Housing Urban Zone

Activity		Activity status
Use		

Community		
(A1)	Recreation Facility in the location shown on Precinct Plan 1 as Special Use Overlay – Sporting Recreation Facility complying with Standard IXXX.6.9	RD
(A2)	Recreation Facility in the location shown on Precinct Plan 1 as Use Overlay – Sporting Facility not complying with Standard IXXX.6.9	D
Development		
(A3)	Development that does not comply with standard E27.6.4.1(3)	NC
(A4)	Construction of a road that does not comply with Standard IXXX.6.4 Limited Access	NC
(A5)	New buildings and additions to new buildings that do not comply with Standard IXXX.6.1	D
(A6)	New buildings and additions to buildings within the Special Landscape Yard on IXXX.9.1 Precinct Plan 1 that do not comply with Standard IXXX.6.3	NC
Subdivision		
(A7)	Any subdivision not complying with standards IXXX.6.4	D

Table IXXX.4.6 Business – Neighbourhood Centre

Activity	Activity status
Use	
Development	
(A1)	Development that does not comply with standard E27.6.4.1(3)
(A2)	Construction of a road that does not comply with Standard IXXX.6.4 Limited Access
Subdivision	

(A3)	Any subdivision not complying with standards IXXX.6.4.	D
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IXXX.5 Notification

~~(1)~~ Any application for resource consent for a restricted discretionary activity listed under IXXX.4 will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under sections 95A(9) or 95B(10) of the Resource Management Act 1991;-provided that:

- (a) Any application for a residential activity in the Noise Management Area on IXXX.9.1 Precinct Plan 1 that does not comply with Standard IXXX6.6(2) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

IXXX.6 Standards

(1) Unless specified in Standard IXXX.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in Activity Tables IXXX.4.1 to IXXX.4.6 above.

(2) The following Auckland-wide and zone standards do not apply to the activities listed in activity tables above:

(a) Activity Table IXXX.4.1 All zones:

- Activity (A6): E38.8.2.3 does not apply to subdivision in Single House Zone where land is subject to special subdivision control area shown on IXXX.9.1 Precinct Plan 1 and Standard IXXX6. 5 applies
- Activity (A7): E38.8.3.1(3)-(5) does not apply to subdivision in Single House Zone where land is subject to special subdivision control area shown on IXXX.9.1 Precinct Plan 1 and Standard IXXX6. 5 applies

(b) Activity Table IXXX.4.4 Residential – Single House Zone:

- Activity (A1): H3.6.6 Building height standard of 8 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard IXXX.6.1 Height Variation Control applies
- Activities (AX), (AX): H3.6.8 Yards. The relevant yard in Table H3.6.8.1 Yards does not apply where
 - Standard IXXX.6.2 Special Yard applies
 - Standard IXXX.6.3 Special Landscape Yard applies

(c) Activity Table IXXX.4.5 Residential – Mixed House Urban Zone:

- Activity (AX) H5.6.4 Building height standard of 11 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard IXXX.6.1 Height Variation Control applies
- Activity (AX) H5.6.8 Yards. The relevant yard in Table H5.6.8.1 Yards does not apply where
 - Standard IXXX.6.3 Special Landscape Yard applies

(1) Activities listed in Activity Tables IXXX.4.1 to IXXX.4.6 must comply with Standards IXXX.6

~~The overlay, Auckland wide, and zone standards apply in this precinct unless otherwise specified below:~~

IXXX.6.1 Special Height Limit

Purpose: To reduce the height of buildings adjacent to the Rural Boundary interface.

- (1) The maximum height limit in the Single House zone in the area shown as “special height limit” on Precinct Plan 1 (IXXX.9.1) shall be 5m for any part of a building that is within 10m but further than 6m from the Rural Urban Boundary.

IXXX.6.1A Height Variation Control

Purpose: To reduce building height below the standard zone height, where the standard zone height would have adverse effects on the rural backdrop of Dome Valley

~~(1) The maximum height limit in the Mixed Housing Urban zone in the area shown as “special height limit 1” on Precinct Plan 1 (IXXX.9.1) shall be the same as rule H.4.6.4 ‘Building Height’ in the Mixed Housing Suburban zone.~~

- (1) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres shown for that part of the site on the planning maps.

IXXX.6.2 Special Yard

Purpose:

- to form a transition from urban to rural uses;
- to prevent building on the upper slopes of identified parts of the precinct which contribute to the landscape values and amenity of the Warkworth Clayden Road precinct

~~(1) All buildings on sites subject to the “special yard” control shown on IXXX.9.1 Warkworth Clayden Road: Precinct Plan 1 must be set back from the Rural Urban Boundary for a minimum distance of 6m.~~

A building or parts of a building on sites shown as subject to the Special Yard on IXXX.9.1 Precinct Plan 1 must be set back 6m from the boundary as shown on Precinct Plan 1.

- (2) All land within the “special yard” shown on Precinct Plan 1 shall be landscaped. A minimum of ~~50%~~ fifty percent of the area shall be planted in native trees that will attain a height of at least 5m when mature.

IXXX.6.3 Special Landscape Yard

Purpose:

- to provide a landscape buffer and manage reverse sensitivity effects; and
- to maintain a reasonable standard of residential amenity for sites adjoining business land.

- (1) A building or parts of a building must be set back from the precinct boundary by 6m where sites are subject to the Special Landscape Yard on IXXX.9.1 Precinct Plan 1.
- (2) ~~No building or structure shall be built within the 'Special Landscape Yard shown on Precinct Plan 1. This rule does not apply to fencing less than 2m in height.~~
- (3) A minimum of Fifty percent of the 'Special Landscape Yard shall be planted ~~with~~ in native trees that will attain ~~achieve~~ a height of at least 5m ~~or more on maturity~~ when mature.

IXXX.6.4 Limited Access

Purpose:

- to avoid direct vehicle access from individual sites onto Matakana Link Road; and
- to have safe and efficient operation of transport infrastructure.

- (1) ~~Road junctions~~ intersections with the Sandspit Matakana Link Road servicing the precinct, shall be limited to three, ~~to be located as in the general location identified as Access Points onto Sandspit Matakana Link Road on I1554.9.1~~ IXXX.9.3 Warkworth Clayden Road: Precinct Plan 3 except
 - (a) that the intersections from the north and south connecting with the easternmost access point identified on IXXX.9.3 Precinct Plan 3 shall be limited to a left turn in/left turn out intersection with Matakana Link Road only, and may be offset from each other by a maximum distance of 100m.
 - ~~(b) No vehicular access from any property shall be allowed directly onto the Sandspit Link Road for the frontage shown indicatively on I1554.9.1 Warkworth Clayden Road: Precinct Plan 1~~

IXXX.6.5 Subdivision Standards – Special Subdivision Control Area in Single House Zone

Purpose: To create larger sites along a portion of the northern boundary of the precinct identified as a "Subdivision Control Area".

- (1) Proposed sites in ~~The minimum net site area in the area shown as "Special Subdivision Control"~~ on IXXX.9.1 Precinct Plan 1 must comply with the minimum net site area of ~~shall be~~ 1,000m² ~~net site area.~~

IXXX.6.5A Residential Subdivision Standard – Planting

Purpose:

Within the 'Special Yard' - to form a transition from urban to rural uses; and

Within the "Special Landscape yard" - to provide a landscape buffer, manage reverse sensitivity effects and to maintain a reasonable standard of residential amenity for sites adjoining light industrial land.

- (1) All land within the "special yard" shown on Precinct Plan 1 shall be:

- (i) ~~Landscaped area with no less than A minimum of 50% of the area shall be planted in native trees- indigenous vegetation that will attain a height of at least 5m when mature.~~
- (ii) Legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.
- (iii) Planted as specified in IXXX6.5A(1)(i) at the time the land is subdivided to create any title or titles less than 5,000m² in area. ~~This planting shall occur at the time of subdivision of the land to create any title or titles less than 5,000m².~~

(2) All land within the 'Special landscape yard' shown on Precinct Plan 1 shall be;

- (i) ~~6m in width measured from the precinct boundary~~
- (ii) Landscaped area with no less than 50% of the area planted in indigenous vegetation that will attain a height of at least 5m when mature.
- (iii) Legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.
- (iv) Planted as specified in IXXX6.5A(1)(i) at the time the land is subdivided to create any title or titles less than 5,000m² in area. ~~This planting shall occur at the time of subdivision of the land to create any title or titles less than 5,000m².~~
- ~~(v) Fifty percent of the 'Special Landscape Yard shall be planted with native trees that achieve a height of 5m or more on maturity.~~

~~A 6m landscaped screening area in the location shown on Precinct Plan 1 shall be provided. This area shall be intensively planted and maintained with native trees and shrubs. The 6m distance shall be measured from the zone boundary.~~

- ~~(vi) All sites that contain a special yard under rule IXXX.6.1 provide a covenant which requires 50% of the yard area to be planted in native trees that will attain a height of at least 5m when mature, and the covenant provides for the maintenance and protection of this planting in perpetuity.~~

IXXX.5.B Residential Subdivision Standard - Stormwater

Purpose:

- To assist in land stability and the ecology of streams

- (1) At least fifty percent of any riparian yard required under the zone provisions shall be planted in native vegetation

IXXX.6.6 Noise Measurement-Line-and Management Area (Covenants)

Purpose: To identify the location at which noise measurement shall be undertaken in terms of noise levels for the Warkworth Heliport at 38 Goatley Road, and to manage reverse sensitivity issues by requiring a no complaints covenant.

- (1) For the purposes of measuring consented noise levels for the Warkworth Heliport on 38 Goatley Road, the "nearest residential boundary for noise measurement within the precinct shall be taken as the "noise measurement line" shown on Precinct Plan 1. The condition shall not apply to the residential sites west of the noise measurement line.
- (2) ~~For the area identified on Precinct Plan 1 as "no complaints covenant area" a~~ ~~no complaints covenant is~~ shall be registered against any the certificate of title for the site in the Noise Management Area on IXXX.9.1 Precinct Plan 1. The covenant shall acknowledgeing the site location is adjacent to an industrial area and a consented heliport

and that the residents will not complain about any permitted activity meeting the Auckland wide district plan standards, or any heliport or any helicopter activity operating lawfully. ~~under and complying with the conditions of consent of Resource Consent XXXX.~~

~~IXXX.6.7 Landscape Screening Area~~

- ~~(1) A 6m landscaped screening area in the location shown on Precinct Plan 1 shall be provided. This area shall be intensively planted and maintained with native trees and shrubs. The 6m distance shall be measured from the zone boundary. This planting shall occur at the time of subdivision of the land to create any title or titles less than 5,000m².~~

IXXX6.8 High Contaminant Yielding Materials

Purpose:

- to maintain water quality by limiting the release of contaminants from building materials to streams, and Mahurangi East catchment

- (1) The total area of high contaminant roofing, spouting, cladding or external architectural features on a site must not exceed 5m².

IXXX6.9 Maximum Gross Floor Area Recreation Facility

Purpose:

- to indicate the size of recreation facility anticipated in Warkworth Clayden Road Precinct

- (1) The maximum gross floor area of any recreational facility in the location shown on Precinct Plan 1 shall be 2,000m² gross floor area.

IXXX.7 Assessment – restricted discretionary activities

IXXX.7.1 Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) Vacant Lot Subdivision
- (a) The matters of discretion listed at E38.12.1(7)
 - ~~(b) The location of the facility~~
 - ~~(c) Building scale~~
 - (d) Landscaping
 - (e) Transport including Access, walking, cycling and Parking
 - (f) The design and operation of any intersection with Matakana Link Road
 - (g) Stormwater management
 - (h) Greenway connections
- (2) ~~Indoor~~ Recreation Facility in the location shown on I1XXX.9.1 Warkworth Clayden Road: Precinct Plan 1:

- (a) Building scale
- (b) Landscaping
- (c) ~~Parking~~ Transport including access, parking and traffic generation
- (d) Interface with residential development
- (e) Interface with Warkworth Showgrounds

(3) Modification or reclamation of streams

- (a) Stream ecology
- (b) Base flow
- (c) Management of water flow
- (d) Offset mitigation
- (e) Stream bed level
- (f) Riparian planting
- (g) Overland flow.
- (h) Providing for growth and development

IXXX.7.2 Assessment criteria

The Council will consider the relevant assessment criteria identified below for restricted discretionary activities, in addition to the assessment criteria specified for assessment of the relevant restricted discretionary activities in the zone, Auckland wide or overlay provisions:

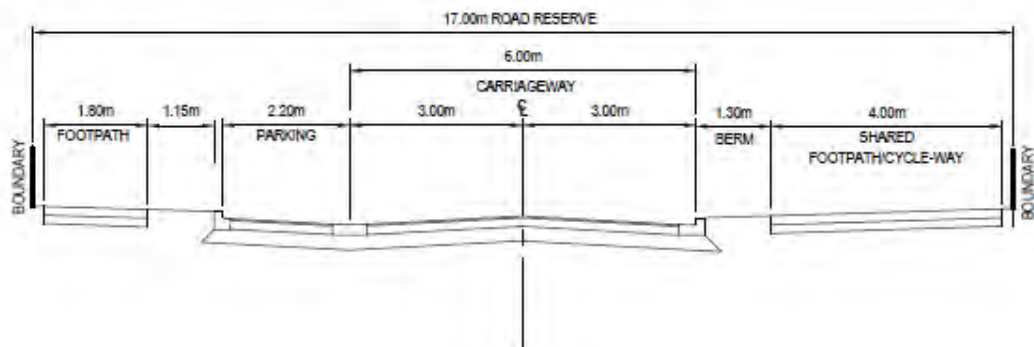
(1) Vacant Lot Subdivision

(a) In addition to the matters of discretion listed at E38.12.2(7), the extent to which:

- (i) The proposal contributes to the implementation of policies and in particular IXXX.3(1)-(5).
- (ii) Subdivision layout is consistent with Precinct Plans 2 and 3.
- ~~(iii) Intersections to local roads accessing the Matakana Link Road are limited to the locations identified on Precinct Plan.~~
- ~~(iv) The eastern access to Matakana Link Road is confined to a 'left in/left out' only road connection.~~
- (v) Subdivision layout is designed to meet the minimum lot sizes of Rule I1XXX.6.5 (special subdivision control) to retain a lower density at this rural urban interface and provide a transition from urban to rural land uses.
- (vi) Subdivision layout is designed to ensure that no sites require vehicular access from the Matakana Link Road. Sites shall be serviced from local roads, laneways JOAL's, or other suitable mechanisms.
- (vii) Sites that include streams shown on Precinct Plan 2, have complying practical building platforms clear of identified stream areas.
- (viii) Earthworks are managed in such a way as to provide high quality erosion and sediment control measures.
- (ix) The erosion and sediment control measures shall provide for and include use of the stormwater management ponds shown in Precinct Plan 2, and establishment of the wetland(s). ~~shown in Precinct Plan 1.~~
- (x) The greenways shown on Precinct Plan IXXX.9.1 ~~are vested in the Council at the time of subdivision.~~
 - where they are on land subject to any resource consent application, are constructed to a walking track standard similar to that constructed in Regional Parks, and vested in the Council, or in the case where the greenway follows vested roads, constructed to normal footpath standards as appropriate;

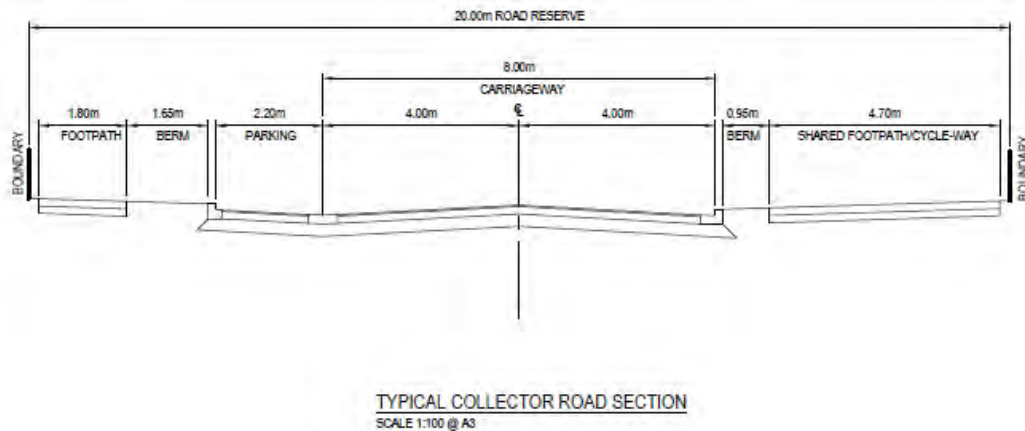
- connections to greenways on public or private land outside the land subject to resource consent, are futureproofed by constructing track access to the boundary of the application site.
- (xi) The staging of any subdivision or development, including any residential or business zoned site, relying on access to Matakana Link Road is such that completed homes or businesses are not occupied prior to Matakana Link Road becoming operational
- (xii) A walkway network, generally in accordance with Precinct Plan 3 IXXX9.3 including roads and open space area, is created to ensure an interconnected neighbourhood. This includes connections to the footpaths and known bus stops on Matakana Link Road.
- (xiii) Cycling facilities are provided on collector roads to integrate with cycling facilities on Matakana Link Road, and to generally meet the typical road cross-section shown in the diagram.
- (xiv) Local and collector roads shown on Precinct Plan IXXX9.3 are designed to generally meet the typical cross-sections shown below or such other similar cross section as agreed with Auckland Transport.

Typical road cross-section: Local road



TYPICAL LOCAL ROAD SECTION
SCALE 1:100 @ A3

Typical road cross-section: Collector road



- (xv) The intersection design of any road intersection with Matakana Link Road as shown on Precinct Play 3 is supported by a transport assessment and safety audit demonstrating the intersection will provide a safe, efficient and effective connection to service the expected subdivision and development. This includes safe and convenient provision for pedestrians and cyclists.
- (xvi) The transport assessment and safety audit demonstrate the design and operation of the proposed intersection will not have adverse effects on the function of the surrounding transport network including Matakana Link Road.
- (xvii) The greenway network crossing of the Matakana Link Road occurs either at at-grade pedestrian crossing facilities at the access points on to the Matakana Link Road shown on Precinct Plan 3, or as a walking track underneath the Matakana Link Road bridge.
- (xviii) The cumulative effect of the approach to stormwater management is in accordance with an approved Stormwater Management Plan and achieves a 'treatment train' process based on a ten year attenuation standard which mitigates urban stormwater, quality issues and controls runoff from roads and other impervious surfaces.

(2) ~~Indoor~~ Recreation Facility

The extent to which:

- (a) The ~~indoor~~ recreation facility is located within the land area identified on Precinct Plan 1.
- (b) The height of the building complies with height variation control.
- (c) Landscaping, particularly front yard and the yard adjoining residential zoned land provides a reasonable amenity to the neighbourhood.
- (d) Traffic generation effects can be accommodated within the transport network, safe access is provided to the site, and sufficient well designed and well located parking is provided.
- (e) The interface with the Warkworth Showgrounds provides a good built and landscaped amenity, and a degree of visual overlooking of the showgrounds.

(3) Stream modification or reclamation

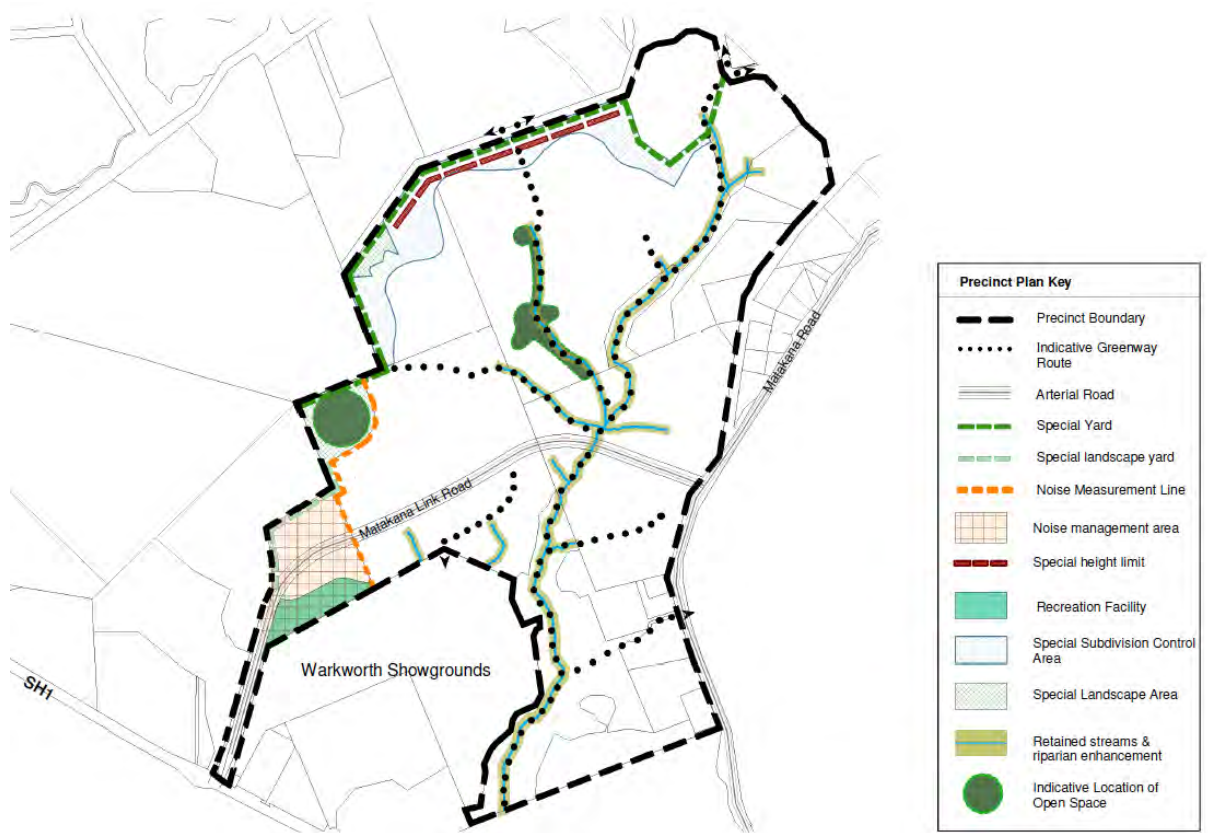
The extent to which:

- (a) Streams can be retained through re-alignment and raising of stream beds to integrate with land contouring;
- (b) Ten metre riparian native planting will be provided along each side of any re-aligned stream;
- (c) Where streams are proposed to be reclaimed with no vertical or horizontal re-alignment, the degree and extent of off-setting, and compensation;
- (d) Management of water flow is achieved to prevent flooding of residential sites;
- (e) Base flows to the head of retained streams affected by any reclamation of a permanent stream are maintained;
- (f) Reclamation is required to achieve the minimum road grade requirements.
- (g) Development potential will be lost without reclamation works, balanced against the ecological value of the stream to be reclaimed.
- (h) The ecological classification of the underlying stream is maintained.
- (i) The 'effects management hierarchy' (avoidance, remediation, mitigation, offset) has been applied.
- (j) The degree of mitigation or offset where changes to the vertical and horizontal alignment are proposed.

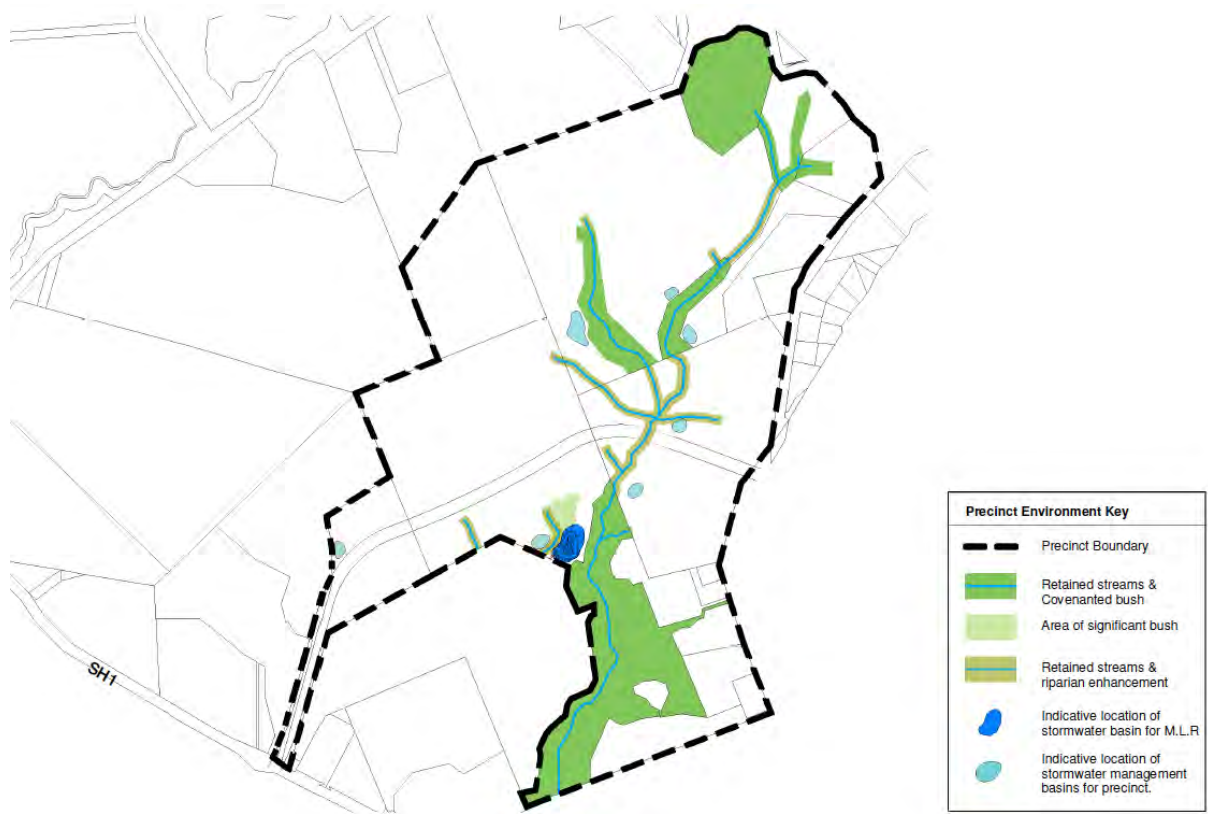
IXXX.8 Special information requirements

There are no special information requirements [in this precinct](#).

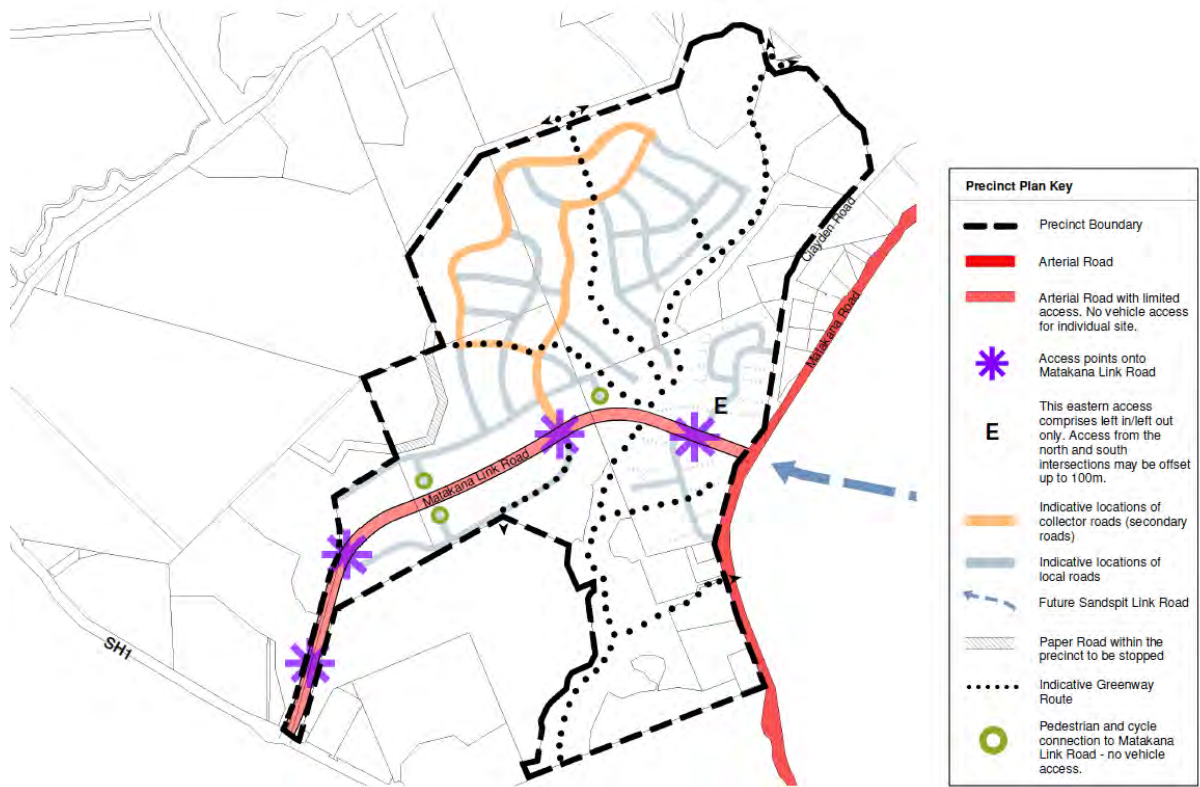
IXXX.9.1 Warkworth : Clayden Road Precinct Plan 1: Spatial provisions



IXXX.9.2 Warkworth : Clayden Road Precinct Plan 2: Environment



IXXX9.3 Warkworth : Clayden Road Precinct Plan 3: Transportation



23 June 2020

Plans & Places Department
Auckland Council

Submitters to Private Plan Change 40

By email

Dear Council Officers and Submitters

Private Plan Change 40: Modified Plan Change Request

We provide planning advice to the co-operating land owners who are the applicants for Private Plan Change 40 (PPC40) Warkworth: Clayden Road. This is an open letter to all submitters to PPC40 and to the Council. The intention of this letter is to set out the modified PPC 40 which the cooperating landowners will ask the Council to assess as part of the hearing on PPC40. These changes follow various discussions with those submitters which agreed to preliminary discussions, including the Council.

The cooperating landowners are asking the Council to assess this modified plan change when they prepare their section 42A report (the technical assessment report they place before the independent commissioners who will determine PPC40).

There are two aspects to the changes:

- (a) matters of substance; and
- (b) matters of format.

The matters of substance relate primarily to transport, stormwater, the greenway network, and reverse sensitivity to the industrial land to the north west.

Various submitters asked for a strengthening of the provisions relating to transport. These included Auckland Transport, NZTA, Middle Hill Limited and Warkworth Liaison Group. You will see that the modifications to the plan change provisions relating to transport include:

- Strengthening of the objectives and policies to ensure that development within the PPC40 area can be accommodated within the broader transport network.
- Clarification that the eastern access on to the Matakana Link Road (MLR) is a left-in/left-out only.
- Non-complying activity status for any development seeking to gain direct access on to the MLR from a private property. All sites are required to access the MLR through one of the approved intersections.
- Expansion of the transport assessment criteria.
- Acknowledgment of the MLR as an arterial road in the planning maps.

In terms of stormwater matters, changes include:

- Recognition of a treatment train approach to stormwater.
- Updating of the Stormwater Management Plan (any submitter who would like a copy of this updated plan is welcome). It has also been added to the Council website as a background document.
- Strengthening of the objectives and policies on stormwater.
- Strengthening of the assessment criteria.

The changes to the stormwater provisions relate to submissions from Auckland Council and Auckland Transport. The discussion on stormwater matters is on-going and may result in an updated Stormwater Management Plan.

The third area of change relates to the greenway network. This was raised in submissions by Auckland Council, Auckland Transport, and Warkworth Liaison Group.

The provisions now draw the distinction between the greenway network (the track-based network that runs up the stream valleys) and the more highly engineered footpaths that relate to the roading network.

The provisions relating to the track-based network provide for a walkway that passes beneath the MLR bridge giving good safe access underneath the MLR. Full pedestrian and cycle crossings are provided across the MLR at the approved intersections.

The fourth area relates to reverse sensitivity (relating to the light industrial area and consented Warkworth heliport to the north west of the PPC40 area). Discussions are continuing between the applicant and the submitters which will likely result in some further adjustments to the provisions. Those matters will be addressed at the hearing, but if an agreement is reached, we will advise the Council and all submitters of the modified changes that will be requested at the hearing.

The second aspect of change is the format. Auckland Council's submission sought to have PPC40 structured in a manner which meets their new format for precinct plans and provisions. In part this recognises that there are several inconsistent formats within the current Unitary Plan for precincts. The Council are wanting to standardise this. The cooperating landowners have agreed to that approach. Consequently a number of adjustments in the format are made at the Council's request to align with the Council's new approach.

The attached updated plan change shows the new provisions. The original plan change text is shown in red writing. Deletions are shown in red strike-out. Additions are shown in blue text.

The maps are more difficult to highlight the differences. Consequently I have set out below the main changes to the maps/diagrams.

- A diagram of the Rural Urban Boundary (RUB) has been introduced to show a modification to the RUB, with a small Countryside Living zoned block shown as being outside the RUB.
- Retention of a portion of light industry zoned land along a small part of the precinct on the north western side
- The MLR is shown as an arterial road on the controls map.
- At the Council's request, the special height limit at the western end of the site is shown as a height variation control on the controls map rather than on the precinct map.
- The MLR is shown as an arterial road on the controls plan.
- The engineering standards of the two road cross-sections have been deleted.
- The eastern access on to the MLR is shown as a left-in/left-out only on Precinct Plan 3.
- An explicit location for pedestrian and cycle access to the MLR is shown on Precinct Plan 3.

If you have any questions we would be happy to answer them.

Yours faithfully



APPENDIX 10

CORRESPONDENCE BETWEEN COUNCIL OFFICERS AND AT REGARDING ACCESS TO LIZ LAND FROM MLR

From: [Petra Burns](#)
To: [Petra Burns](#)
Subject: FW: Executed Agreement to Resolve WLC appeal to MLR - 13 February 2020.pdf [BG-B.FID1233645]
Date: Saturday, 12 September 2020 10:29:50 PM
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)

From: Ryan Bradley
Sent: Wednesday, April 1, 2020 9:21 AM
To: Diana Bell (AT) <Diana.Bell@at.govt.nz>
Cc: Katherine Dorofaeff (AT) <Katherine.Dorofaeff@at.govt.nz>; Mitra Prasad (AT) <Mitra.Prasad@at.govt.nz>; Gregory, Jill JAG2 <Jill.Gregory@bellgully.com>; Jane Small (AT) <Jane.Small@at.govt.nz>; Peter Vari <Peter.Vari@aucklandcouncil.govt.nz>
Subject: RE: Executed Agreement to Resolve WLC appeal to MLR - 13 February 2020.pdf [BG-B.FID1233645]

Hi Diana,

Thank you for your email – I really appreciate your assistance with this over the last few days. I also talked with Mitra yesterday and he covered off the main issue with a direct access for an industrial development being very unlikely in light of the LAR.

In light of this information I am satisfied that an industrial development would not be feasible here in light of the access issues.

Thanks again for looking into this for me.

Kind regards,

Ryan Bradley | Principal Planner
North, West and Islands Planning | Plans and Places
Ph 09 890 8307 | Extn (46) 8307 | Mob 021 949 658
Auckland Council, Level 24, 135 Albert Street, Auckland

From: Diana Bell (AT) <Diana.Bell@at.govt.nz>
Sent: Wednesday, 1 April 2020 8:56 AM
To: Ryan Bradley <Ryan.Bradley@aucklandcouncil.govt.nz>
Cc: Katherine Dorofaeff (AT) <Katherine.Dorofaeff@at.govt.nz>; Mitra Prasad (AT) <Mitra.Prasad@at.govt.nz>; Gregory, Jill JAG2 <Jill.Gregory@bellgully.com>; Jane Small (AT) <Jane.Small@at.govt.nz>; Peter Vari <Peter.Vari@aucklandcouncil.govt.nz>
Subject: RE: Executed Agreement to Resolve WLC appeal to MLR - 13 February 2020.pdf [BG-B.FID1233645]

Morning Ryan

Thanks for your email below. I have discussed this within AT and I respond to your questions in line in the email below in red.

In summary I note that while the agreement with WLC does not preclude them from applying for an additional direct vehicle access to the industrial land from MLR, it is noted that this is something that our Development Planning team have said they may not support due to MLR being a Limited Access Road. The other options for accessing this land would be to access it from the intersection to be provided by Goatley Holdings Limited however noting that such an access would require bridging or culverting over a stream and would require an agreement with Goatley Holdings Limited and may not be feasible. The other option would be to access the land through the residential development that WLC are proposing but industrial traffic through residential areas is problematic and undesirable based on AT's experience.

Ngā mihi | Kind regards,

Diana

Diana Bell | Team Leader
Integrated Networks Division | Consent Planning
20 Viaduct Harbour Avenue, Auckland Central
P 09 355 3553 | DDI 09 448 7171 | M 021 735 096



From: Ryan Bradley <Ryan.Bradley@aucklandcouncil.govt.nz>
Sent: Monday, 30 March 2020 7:25 p.m.
To: Diana Bell (AT) <Diana.Bell@at.govt.nz>
Cc: Peter Vari <Peter.Vari@aucklandcouncil.govt.nz>; Mitra Prasad (AT) <Mitra.Prasad@at.govt.nz>; Gregory, Jill JAG2 <Jill.Gregory@bellgully.com>; Kimdon Nguyen (AT) <Kimdon.Nguyen@at.govt.nz>
Subject: RE: Executed Agreement to Resolve WLC appeal to MLR - 13 February 2020.pdf

Hi Diana,

Thanks for forwarding through the agreement.

Just to recap, we are considering whether to lodge a council submission on PPC40 (Clayden Road) to provide scope for the reporting planner to consider the issue of rezoning a property (outlined in blue – only to the north of the MLR alignment) from Light Industrial to Mixed Housing Urban. Note that it is the red hatched area that we are concerned about. We are not concerned with the rezoning of the land between the MLR and the Warkworth Showgrounds.



Our main issue is that we value employment land in Warkworth and do not wish to see it become a commuter town. We therefore want to see robust evidence as to why we should rezone existing Light Industrial land to residential (losing potential jobs and creating potential commuters). In this case, we are not yet convinced that they have provided robust evidence. The main evidence supporting it seems to be section 6.6 of the applicant's planning report that states:

The MLR has effectively severed the Light Industrial land from the rest of the industrial estate in this part of Warkworth, or required difficult and protracted access to the industrial land. The northern block of Light Industrial land is not accessible from the MLR because of the alignment of the MLR and the retaining walls as it passes around the bend within the Light Industrial zoned portion of the precinct. For access to this site, industrial traffic needs to travel further east along the MLR into the

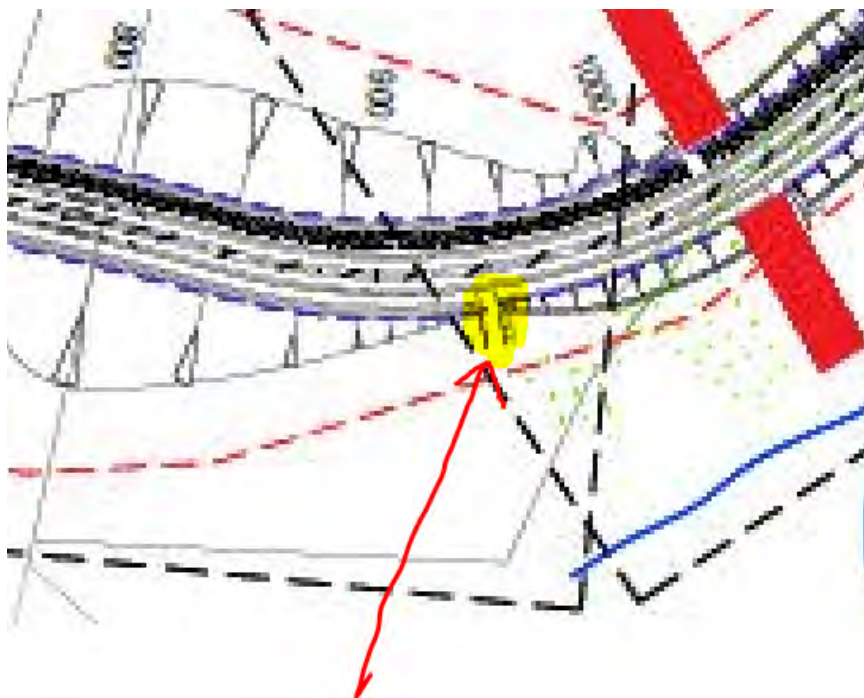
35 | Page

February 2020
Warkworth: Clayden

residential neighbourhood, turn north at that point and then travel back through the residential neighbourhood to gain access to a small pocket of Light Industrial land. Clearly this is a poor planning outcome. Truck and trailer vehicles servicing Light Industrial properties are not suitable vehicles on local roads. It is poor planning practice to have Light Industrial land at the end of the cul-de-sac roads on new residential development.

I note that the plan of the indicative intersection locations included with the private plan change request (see link below) includes what seems to be a direct access point to the subject land. I have zoomed in and highlighted this on the map below.

<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/proposed-plan-changes/docspc40warkworth/pc40-attachment-k3-at-plan-matakana-link-road-intersections.pdf>



I understand that you are planning on talking with Mitra and others about this issue tomorrow. I thought I should outline our main questions for you so that we can decide whether a submission is necessary or not on this matter:

1. Can you confirm that the area highlighted on the map above is a permanent access point for this property directly onto MLR? **This is only a temporary driveway to provide access to the severed block of land for its current use. Must be closed once land is developed.**

2. Does this/will it have conditions on it (such as left in, left out only)? **No current conditions on its use as a temporary driveway other than it is for its current use. The access would be included in any Road Safety Audit undertaken as the project progresses to detailed design.**
3. Will the design of the MLR prevent right turns in and out from this access anyway (i.e. through a planted median strip)? **Right turns in and out are not prohibited. There are threshold treatments with a planted median island along MLR however these have been positioned so that they don't conflict with the access points.**
4. Is the applicant's report correct to say the northern block is "not accessible from the MLR because of the alignment of the MLR and the retaining walls as it passes around the bend"? (the plan above does not appear to show a retaining wall at the access point? It looks like it is in between two batter slopes? – and therefore I assume unlikely to be able to be easily shifted from its current position?) **The design ties into the existing topography and there are no retaining walls required as part of the MLR project (i.e. the MLR project only has batter slopes). The northern block of WLC is accessible from MLR for its current land use.**
5. Is it possible/likely to be feasible (from a transport perspective) for the balance of the Light Industrial land on this property north of MLR (red hatched area - about 2ha?) to be developed for industrial uses and only access MLR through the direct access point (driveway) highlighted on the plan above? (i.e. would the likely traffic generated be too much for the driveway access, or too unsafe for MLR? – or is further information required to make any judgement?) **AT has not assessed the use of this driveway for developed industrial uses as it is only temporary. Given the limited access road status AT would probably not support this, unless the supporting information proved otherwise.**
6. The legal agreement includes the section at paragraph 5.6 that states "Any vehicle crossings provided under clause 5.4 will be temporary, and any new development on the Properties will need to obtain access to the Project through the new intersections referred to in clause 3." At first glance it seems that this seems to be specifically mentioning the temporary nature of additional access points that are required during construction of WLC's development (see section 5.4). But I'm wondering whether the second half of the sentence (after the comma) is to be read as being separate and in fact relates to any new development of the land being required to use the new intersections? **The temporary access is for existing uses only (essentially farming), it was intended that any new developments/uses would use the new intersections. The agreement does not restrict the number of intersections, rather just confirms that number and form of intersections along MLR, intersection locations, and their signalised form, proposed by WLC and other developers from MLR have been discussed and are agreed in principle. AT's agreement to the location of intersections, and the use of signals, is conditional on the landowners confirming the land use, design for intersections and modelling to show the intersections operate safely and acceptably.**
7. If so, does this preclude (from AT's standpoint) any development of the red hatched area that would rely on the direct access point rather than an intersection? **It was always assumed that the red hatched area would be developed and have access from an intersection (either through the Goatley land or the remainder WLC land).**
8. And if so, I assume this is based on AT's concern over the transport effects (i.e. is this clause included in the agreement because AT wanted it there rather than WLC)? **AT has not assessed transport effects of the specific red hatched area, but the modelling did include urban development of all the land (including the industrial land), with intersection points and not direct access.**

Sorry to put a whole lot of questions onto you but thought it would be good to give you an idea of the type of things we want to understand on this one to save time in the long run!

If you have any questions please feel free to contact me.

Kind regards,

Ryan Bradley | Principal Planner
North, West and Islands Planning | Plans and Places
Ph 09 890 8307 | Extn (46) 8307 | Mob 021 949 658
Auckland Council, Level 24, 135 Albert Street, Auckland

From: Diana Bell (AT) <Diana.Bell@at.govt.nz>

Sent: Monday, 30 March 2020 5:24 PM

To: Ryan Bradley <Ryan.Bradley@aucklandcouncil.govt.nz>

Subject: Executed Agreement to Resolve WLC appeal to MLR - 13 February 2020.pdf

Hi Ryan

Agreement attached as discussed.

Regards,

Diana

We all have an important part to play in helping to reduce the spread of COVID-19 in our communities. For the latest information and advice from Auckland Transport go to <https://at.govt.nz/bus-train-ferry/service-announcements/covid-19/>. For Ministry of Health updates go to <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus>.

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APPENDIX 11

RELEVANT SECTIONS OF THE AUP(OP) REGIONAL POLICY STATEMENT

B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form

Tāhuhu whakaruruhau ā-taone

The sheltering ridge pole

B2.1. Issues

Auckland's growing population increases demand for housing, employment, business, infrastructure, social facilities and services.

Growth needs to be provided for in a way that does all of the following:

- (1) enhances the quality of life for individuals and communities;
- (2) supports integrated planning of land use, infrastructure and development;
- (3) optimises the efficient use of the existing urban area;
- (4) encourages the efficient use of existing social facilities and provides for new social facilities;
- (5) enables provision and use of infrastructure in a way that is efficient, effective and timely;
- (6) maintains and enhances the quality of the environment, both natural and built;
- (7) maintains opportunities for rural production; and
- (8) enables Mana Whenua to participate and their culture and values to be recognised and provided for.

B2.2. Urban growth and form

B2.2.1. Objectives

- (1) A quality compact urban form that enables all of the following:
 - (a) a higher-quality urban environment;
 - (b) greater productivity and economic growth;
 - (c) better use of existing infrastructure and efficient provision of new infrastructure;
 - (d) improved and more effective public transport;
 - (e) greater social and cultural vitality;
 - (f) better maintenance of rural character and rural productivity; and
 - (g) reduced adverse environmental effects.
- (2) Urban growth is primarily accommodated within the urban area 2016 (as identified in Appendix 1A).
- (3) Sufficient development capacity and land supply is provided to accommodate residential, commercial, industrial growth and social facilities to support

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form growth.

- (4) Urbanisation is contained within the Rural Urban Boundary, towns, and rural and coastal towns and villages.
- (5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages is integrated with the provision of appropriate infrastructure.

B2.2.2. Policies

Development capacity and supply of land for urban development

- (1) Include sufficient land within the Rural Urban Boundary that is appropriately zoned to accommodate at any one time a minimum of seven years' projected growth in terms of residential, commercial and industrial demand and corresponding requirements for social facilities, after allowing for any constraints on subdivision, use and development of land.
- (2) Ensure the location or any relocation of the Rural Urban Boundary identifies land suitable for urbanisation in locations that:
 - (a) promote the achievement of a quality compact urban form
 - (b) enable the efficient supply of land for residential, commercial and industrial activities and social facilities;
 - (c) integrate land use and transport supporting a range of transport modes;
 - (d) support the efficient provision of infrastructure;
 - (e) provide choices that meet the needs of people and communities for a range of housing types and working environments; and
 - (f) follow the structure plan guidelines as set out in Appendix 1;while:
 - (g) protecting natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;
 - (h) protecting the Waitākere Ranges Heritage Area and its heritage features;
 - (i) ensuring that significant adverse effects from urban development on receiving waters in relation to natural resource and Mana Whenua values are avoided, remedied or mitigated;
 - (j) avoiding elite soils and avoiding where practicable prime soils which are significant for their ability to sustain food production;
 - (k) avoiding mineral resources that are commercially viable;
 - (l) avoiding areas with significant natural hazard risks and where practicable avoiding areas prone to natural hazards including coastal hazards and flooding; and

- (m) aligning the Rural Urban Boundary with:
- (i) strong natural boundaries such as the coastal edge, rivers, natural catchments or watersheds, and prominent ridgelines; or
 - (ii) where strong natural boundaries are not present, then other natural elements such as streams, wetlands, identified outstanding natural landscapes or features or significant ecological areas, or human elements such as property boundaries, open space, road or rail boundaries, electricity transmission corridors or airport flight paths.
- (3) Enable rezoning of future urban zoned land for urbanisation following structure planning and plan change processes in accordance with Appendix 1 Structure plan guidelines.

Quality compact urban form

- (4) Promote urban growth and intensification within the urban area 2016 (as identified in Appendix 1A), enable urban growth and intensification within the Rural Urban Boundary, towns, and rural and coastal towns and villages, and avoid urbanisation outside these areas.
- (5) Enable higher residential intensification:
- (a) in and around centres;
 - (b) along identified corridors; and
 - (c) close to public transport, social facilities (including open space) and employment opportunities.
- (6) Identify a hierarchy of centres that supports a quality compact urban form:
- (a) at a regional level through the city centre, metropolitan centres and town centres which function as commercial, cultural and social focal points for the region or sub-regions; and
 - (b) at a local level through local and neighbourhood centres that provide for a range of activities to support and serve as focal points for their local communities.
- (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:
- (a) support a quality compact urban form;
 - (b) provide for a range of housing types and employment choices for the area;
 - (c) integrate with the provision of infrastructure; and
 - (d) follow the structure plan guidelines as set out in Appendix 1.

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form

- (8) Enable the use of land zoned future urban within the Rural Urban Boundary or other land zoned future urban for rural activities until urban zonings are applied, provided that the subdivision, use and development does not hinder or prevent the future urban use of the land.
- (9) Apply a Rural Urban Boundary for Waiheke Island (identified in Appendix 1B) as a regional policy statement method.

B2.3. A quality built environment

B2.3.1. Objectives

- (1) A quality built environment where subdivision, use and development do all of the following:
 - (a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;
 - (b) reinforce the hierarchy of centres and corridors;
 - (c) contribute to a diverse mix of choice and opportunity for people and communities;
 - (d) maximise resource and infrastructure efficiency;
 - (e) are capable of adapting to changing needs; and
 - (f) respond and adapt to the effects of climate change.
- (2) Innovative design to address environmental effects is encouraged.
- (3) The health and safety of people and communities are promoted.

B2.3.2. Policies

- (1) Manage the form and design of subdivision, use and development so that it does all of the following:
 - (a) supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;
 - (b) contributes to the safety of the site, street and neighbourhood;
 - (c) develops street networks and block patterns that provide good access and enable a range of travel options;
 - (d) achieves a high level of amenity and safety for pedestrians and cyclists;
 - (e) meets the functional, and operational needs of the intended use; and
 - (f) allows for change and enables innovative design and adaptive re-use.
- (2) Encourage subdivision, use and development to be designed to promote the health, safety and well-being of people and communities by all of the following:
 - (a) providing access for people of all ages and abilities;

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form
 (b) enabling walking, cycling and public transport and minimising vehicle movements; and

(c) minimising the adverse effects of discharges of contaminants from land use activities (including transport effects) and subdivision.

- (3) Enable a range of built forms to support choice and meet the needs of Auckland’s diverse population.
- (4) Balance the main functions of streets as places for people and as routes for the movement of vehicles.
- (5) Mitigate the adverse environmental effects of subdivision, use and development through appropriate design including energy and water efficiency and waste minimisation.

B2.4. Residential growth

B2.4.1. Objectives

- (1) Residential intensification supports a quality compact urban form.
- (2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.
- (3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.
- (4) An increase in housing capacity and the range of housing choice which meets the varied needs and lifestyles of Auckland’s diverse and growing population.
- (5) Non-residential activities are provided in residential areas to support the needs of people and communities.
- (6) Sufficient, feasible development capacity for housing is provided, in accordance with Objectives 1 to 4 above, to meet the targets in Table B2.4.1 below:

Table B2.4.1: Minimum Dwelling Targets

Term	Short to Medium 1 - 10 years (2016 – 2026)	Long 11 - 30 years (2027 – 2046)	Total 1 – 30 years (2016 – 2046)
Minimum Target (number of dwellings)	189,800	218,500	408,300

Source: Development Strategy, Assessing Demand, Auckland Plan 2050.

B2.4.2. Policies

Residential intensification

- (1) Provide a range of residential zones that enable different housing types and intensity that are appropriate to the residential character of the area.
- (2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space.
- (3) Provide for medium residential intensities in area that are within moderate walking distance to centres, public transport, social facilities and open space.
- (4) Provide for lower residential intensity in areas:
 - (a) that are not close to centres and public transport;
 - (b) that are subject to high environmental constraints;
 - (c) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character; and
 - (d) where there is a suburban area with an existing neighbourhood character.
- (5) Avoid intensification in areas:
 - (a) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character; or
 - (b) that are subject to significant natural hazard risks;where such intensification is inconsistent with the protection of the scheduled natural or physical resources or with the avoidance or mitigation of the natural hazard risks.
- (6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification.
- (7) Manage adverse reverse sensitivity effects from urban intensification on land with existing incompatible activities.

Residential neighbourhood and character

- (8) Recognise and provide for existing and planned neighbourhood character through the use of place-based planning tools.
- (9) Manage built form, design and development to achieve an attractive, healthy and safe environment that is in keeping with the descriptions set out in placed-based plan provisions.
- (10) Require non-residential activities to be of a scale and form that are in keeping with the existing and planned built character of the area.

(11) Enable a sufficient supply and diverse range of dwelling types and sizes that meet the housing needs of people and communities, including:

- (a) households on low to moderate incomes; and
- (b) people with special housing requirements.

B2.5. Commercial and industrial growth

B2.5.1. Objectives

- (1) Employment and commercial and industrial opportunities meet current and future demands.
- (2) Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that supports a compact urban form.
- (3) Industrial growth and activities are enabled in a manner that does all of the following:
 - (a) promotes economic development;
 - (b) promotes the efficient use of buildings, land and infrastructure in industrial zones;
 - (c) manages conflicts between incompatible activities;
 - (d) recognises the particular locational requirements of some industries; and
 - (e) enables the development and use of Mana Whenua's resources for their economic well-being.

B2.5.2. Policies

- (1) Encourage commercial growth and development in the city centre, metropolitan and town centres, and enable retail activities on identified growth corridors, to provide the primary focus for Auckland's commercial growth.
- (2) Support the function, role and amenity of centres by encouraging commercial and residential activities within centres, ensuring development that locates within centres contributes to the following:
 - (a) an attractive and efficient urban environment with a distinctive sense of place and quality public places;
 - (b) a diverse range of activities, with the greatest mix and concentration of activities in the city centre;
 - (c) a distribution of centres that provide for the needs of people and communities;
 - (d) employment and commercial opportunities;

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- (e) a character and form that supports the role of centres as focal points for communities and compact mixed-use environments;
 - (f) the efficient use of land, buildings and infrastructure;
 - (g) high-quality street environments including pedestrian and cycle networks and facilities; and
 - (h) development does not compromise the ability for mixed use developments, or commercial activities to locate and expand within centres.
- (3) Enable the expansion of metropolitan and town centres having regard to whether it will do all of the following:
- (a) improve access to a range of facilities, goods and services in a convenient and efficient manner;
 - (b) maintain or enhance a compact mixed-use environment in the centre;
 - (c) retain or enhance the existing centre's function, role and amenity;
 - (d) support the existing network of centres and achieve a sustainable distribution of centres that is supported by sufficient population growth;
 - (e) manage adverse effects on the function, role and amenity of the city centre, and other metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (f) avoid, remedy or mitigate the effects of commercial activity on adjoining land uses;
 - (g) support medium to high intensity residential development; and
 - (h) support a safe and efficient transport system which is integrated with the centre.
- (4) Enable new metropolitan, town and local centres following a structure planning process and plan change process in accordance with Appendix 1 Structure plan guidelines, having regard to all of the following:
- (a) the proximity of the new centre to existing or planned medium to high intensity residential development;
 - (b) the existing network of centres and whether there will be sufficient population growth to achieve a sustainable distribution of centres;
 - (c) whether the new centre will avoid or minimise adverse effects on the function, role and amenity of the city centre, metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (d) the form and role of the proposed centre;

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- (e) any significant adverse effects on existing and planned infrastructure;
 - (f) a safe and efficient transport system which is integrated with the centre; and
 - (g) any significant adverse effects on the environment or on natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character.
- (5) Enable retail activities, where appropriate, on identified growth corridors in business zones, having regard to all of the following:
- (a) adverse effects on the function, role and amenity of the city centre, metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (b) adverse effects on the quality compact urban form including the existing and planned location of activities, facilities, infrastructure and public investment;
 - (c) effects on community social and economic wellbeing and accessibility;
 - (d) the efficient use and integration of land and infrastructure;
 - (e) effects on the safe and efficient operation of the transport network;
 - (f) effects of the development on the efficient use of any industrial land, in particular opportunities for land extensive industrial activities and heavy industry;
 - (g) avoiding conflicts between incompatible activities; and
 - (h) the effects on residential activity.
- (6) Enable commercial activities, where appropriate, in business zones in locations other than the city centre, metropolitan and town centres and identified growth corridors, having regard to all of the following:
- (a) the matters listed in Policy B2.5.2(5)(a) to Policy B2.5.2(5)(h) above;
 - (b) the extent to which activities would compromise the achievement of policies B2.5.2(1) and B.2.5.2(2): and
 - (c) the extent to which activities would compromise the hierarchy of locations identified in policies B2.5.2(1) to B.2.5.2(5).
- (7) Enable the supply of land for industrial activities, in particular for land-extensive industrial activities and for heavy industry in areas where the character, scale and intensity of the effects from those activities can be appropriately managed.
- (8) Enable the supply of industrial land which is relatively flat, has efficient access to freight routes, rail or freight hubs, ports and airports, and can be efficiently served by infrastructure.
- (9) Enable the efficient use of industrial land for industrial activities and avoid incompatible activities by all of the following:
- (a) limiting the scale and type of non-industrial activities on land zoned for light industry;

- (b) preventing non-industrial activities (other than accessory activities) from establishing on land zoned for heavy industry; and
 - (c) promoting co-location of industrial activities to manage adverse effects and to benefit from agglomeration.
- (10) Manage reverse sensitivity effects on the efficient operation, use and development of existing industrial activities, including by preventing inappropriate sensitive activities locating or intensifying in or adjacent to heavy industrial zones.

B2.6. Rural and coastal towns and villages

B2.6.1. Objectives

- (1) Growth and development of existing or new rural and coastal towns and villages is enabled in ways that:
- (a) avoid natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character unless growth and development protects or enhances such values; and
 - (b) avoid elite soils and avoid where practicable prime soils which are significant for their ability to sustain food production; and
 - (c) avoid areas with significant natural hazard risks;
 - (d) are consistent with the local character of the town or village and the surrounding area; and
 - (e) enables the development and use of Mana Whenua's resources for their economic well-being.
- (2) Rural and coastal towns and villages have adequate infrastructure.

B2.6.2. Policies

- (1) Require the establishment of new or expansion of existing rural and coastal towns and villages to be undertaken in a manner that does all of the following:
- (a) maintains or enhances the character of any existing town or village;
 - (b) incorporates adequate provision for infrastructure;
 - (c) avoids locations with significant natural hazard risks where those risks cannot be adequately remedied or mitigated;
 - (d) avoids elite soils and avoids where practicable prime soils which are significant for their ability to sustain food production;
 - (e) maintains adequate separation between incompatible land uses;
 - (f) is compatible with natural and physical characteristics, including those of the coastal environment; and

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

- (2) Avoid locating new or expanding existing rural and coastal towns and villages in or adjacent to areas that contain significant natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character, unless the growth and development protects or enhances such resources including by any of the following measures:
 - (a) the creation of reserves;
 - (b) increased public access;
 - (c) restoration of degraded environments;
 - (d) creation of significant new areas of biodiversity; or
 - (e) enablement of papakāinga, customary use, cultural activities and appropriate commercial activities.
- (3) 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.
- (4) Enable small-scale growth of and development in rural and coastal towns and villages without the need for structure planning, in a manner consistent with policies B2.6.2(1) and (2).
- (5) Enable papakāinga, marae, customary use, cultural activities and appropriate commercial activities on Māori land and on other land where Mana Whenua have collective ownership.

B2.7. Open space and recreation facilities

B2.7.1. Objectives

- (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.
- (2) Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.
- (3) Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.

B2.7.2. Policies

- (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.
- (2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.
- (3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.

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- (4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.
- (5) Enable the development and use of existing and new major recreation facilities.
- (6) Encourage major recreation facilities in locations that are convenient and accessible to people and communities by a range of transportation modes.
- (7) Avoid, remedy or mitigate significant adverse effects of land use or development on open spaces and recreation facilities.
- (8) Avoid, remedy or mitigate significant adverse effects from the use of open spaces and recreational facilities on nearby residents and communities.
- (9) Enable public access to lakes, rivers, streams, wetlands and the coastal marine area by enabling public facilities and by seeking agreements with private landowners where appropriate.
- (10) Limit public access to and along the coastal marine area, lakes, rivers, streams and wetlands by esplanade reserves, esplanade strips or other legal mechanisms where necessary for health, safety or security reasons or to protect significant natural or physical resources.

B2.8. Social facilities

B2.8.1. Objectives

- (1) Social facilities that meet the needs of people and communities, including enabling them to provide for their social, economic and cultural well-being and their health and safety.
- (2) Social facilities located where they are accessible by an appropriate range of transport modes.
- (3) Reverse sensitivity effects between social facilities and neighbouring land uses are avoided, remedied or mitigated.

B2.8.2. Policies

- (1) Enable social facilities that are accessible to people of all ages and abilities to establish in appropriate locations as follows:
 - (a) small-scale social facilities are located within or close to their local communities;
 - (b) medium-scale social facilities are located with easy access to city, metropolitan and town centres and on corridors;
 - (c) large-scale social facilities are located where the transport network (including public transport and walking and cycling routes) has sufficient existing or proposed capacity.
- (2) Enable the provision of social facilities to meet the diverse demographic and cultural needs of people and communities.
- (3) Enable intensive use and development of existing and new social facility sites.
- (4) In growth and intensification areas identify as part of the structure plan process where social facilities will be required and enable their establishment

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- (5) Enable the efficient and flexible use of social facilities by providing on the same site for:
- (a) activities accessory to the primary function of the site; and
 - (b) in appropriate locations, co-location of complementary residential and commercial activities.
- (6) Manage the transport effects of high trip-generating social facilities in an integrated manner.

B2.9. Explanation and principal reasons for adoption

A broad strategy is needed to address the resource management issues arising from the scale of urban growth in Auckland. The objective of a quality compact urban form is supported by a primary policy approach of focussing residential intensification in and around commercial centres and transport nodes and along major transport corridors.

A compact urban form is one with clear boundaries where the residential and commercial areas are relatively close together. In Auckland, most urban growth is expected to be inside the Rural Urban Boundary:

- to promote efficient and timely provision of infrastructure;
- to protect natural and physical resources that have been scheduled for particular identified values; and
- to avoid urbanisation without appropriate structure planning.

The location of the Rural Urban Boundary is a district plan land use rule pursuant to section 9(3) of the Resource Management Act 1991, other than for Waiheke Island where it is an interim regional policy statement method until it is considered as part of a plan change to incorporate the Auckland Council District Plan – Operative Hauraki Gulf Islands Section into the Unitary Plan.

A compact urban form can deliver a range of benefits by:

- enabling a range of housing choices in size, typology and price within neighbourhoods;
- protecting sites and areas with identified high environmental values;
- providing access to open space and social facilities;
- fostering productivity, creativity and social vitality by enabling social and business networks based on spatial proximity;
- promoting an integrated approach to land use and transport; and
- providing investment certainty about use and development strategies.

A quality built environment is one which enhances opportunities for people's well-being by ensuring that new buildings respond to the existing built and natural environment in ways that promote the plan's objectives and maintain and enhance the amenity values of an area. In most areas this is regulated by permitted standards and by assessment where those standards are exceeded. In centres and where higher intensity development is enabled, the design and appearance of buildings is generally assessed on a restricted

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form discretionary basis.

In addressing the effects of growth, a key factor is enabling sufficient development capacity in the urban area and sufficient land for new housing and businesses over the next 30 years. The objectives and policies guide the location of urban growth areas. They identify how greenfield land which is suitable for urbanisation will be managed until it is re-zoned for urban development. They encourage provision for Mana Whenua to develop and use their resources. They also set out the process to be followed to ensure that urban development is supported by infrastructure on a timely and efficient basis. They should be considered in conjunction with the Council's other principal strategic plans such as the Auckland Plan, the Long-term plan and the Regional Land Transport Plan. The strategies and asset management plans of infrastructure providers will also be highly relevant.

Housing affordability is a significant issue in Auckland. These objectives and policies, as one component of the many things that need to be done to address this issue, seek to enable urban growth, improve development capacity and encourage a variety of housing types and sizes as resource management methods to improve housing affordability.

Urban growth in rural and coastal towns and villages is also anticipated and provided for, but at a much lesser scale than in the main urban areas. Extensions to towns and villages, and proposals for new towns or villages, must be considered against factors including ensuring compatibility with existing local character, the protection of areas with identified values (including areas of land containing elite soils) and the avoidance of areas with significant natural hazards. Changes of zoning to accommodate such growth will be the subject of structure planning processes, as for other plan changes.

Auckland has a large number of open spaces that covers a wide variety of environments. Open spaces and recreation facilities may be privately or publicly owned and operated. Auckland's streets, including shared spaces and street berms, are also an important component of the open space network. The coastal marine area is a significant public open space and recreational resource. For additional policy direction on the coastal environment see section B8 Coastal environment.

Collectively these open spaces perform a wide range of functions including:

- providing opportunities for active and passive recreational activities, locally or Auckland-wide;
- enabling public access to the coastline, islands and beaches;
- maintaining and enhancing the amenity values and the quality of the environment around them;
- protecting and enhancing our natural and cultural heritage, landscapes and ecological values; and
- providing locations for social facilities used for sports, recreation and leisure and community activities.

With growth, new open spaces and social facilities will be required and the existing open space and social facilities will need to be expanded and upgraded to meet the needs of new residents and the increased level of use.

Social facilities include public and private facilities which provide for services such as education, health, justice, corrections, community and cultural facilities. They also

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form contribute to the economy of Auckland and New Zealand in a variety of ways, both supporting other activities and by contributing to a high-value knowledge economy. This is particularly important for a growing city, as increasing numbers of people rely on these facilities to meet their needs and provide for their social, economic and cultural well-being.

The objectives and policies in this section of the regional policy statement must be read together with other relevant sections which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

B3. Ngā pūnaha hanganga, kawekawe me ngā pūngao - Infrastructure, transport and energy

Te whakatupu oranga mō te pāpori whānui

Growing well-being for all of society

B3.1. Issues

The quality of the environment and the well-being of people and communities, including Auckland's crucial role in New Zealand's economy, are affected by choices about the management of and investment in infrastructure.

Realising Auckland's full economic potential while maintaining the quality of life for its inhabitants will need to address:

- (1) efficiency in developing, operating, maintaining and upgrading infrastructure;
- (2) integrating the provision of infrastructure with urban growth;
- (3) potential effects of incompatible land uses close to infrastructure;
- (4) traffic management;
- (5) security of energy supply; and
- (6) resilience of infrastructure, including fuel and electricity supplies, to natural hazards.

B3.2. Infrastructure

B3.2.1. Objectives

- (1) Infrastructure is resilient, efficient and effective.
- (2) The benefits of infrastructure are recognised, including:
 - (a) providing essential services for the functioning of communities, businesses and industries within and beyond Auckland;
 - (b) enabling economic growth;
 - (c) contributing to the economy of Auckland and New Zealand;
 - (d) providing for public health, safety and the well-being of people and communities;
 - (e) protecting the quality of the natural environment; and
 - (f) enabling interaction and communication, including national and international links for trade and tourism.
- (3) Development, operation, maintenance, and upgrading of infrastructure is enabled, while managing adverse effects on:

- (a) the quality of the environment and, in particular, natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;
 - (b) the health and safety of communities and amenity values.
- (4) The functional and operational needs of infrastructure are recognised.
 - (5) Infrastructure planning and land use planning are integrated to service growth efficiently.
 - (6) Infrastructure is protected from reverse sensitivity effects caused by incompatible subdivision, use and development.
 - (7) The national significance of the National Grid is recognised and provided for and its effective development, operation, maintenance and upgrading are enabled.
 - (8) The adverse effects of infrastructure are avoided, remedied or mitigated.

B3.2.2. Policies

Provision of infrastructure

- (1) Enable the efficient development, operation, maintenance and upgrading of infrastructure.
- (2) Recognise the value of investment in existing infrastructure.
- (3) Provide for the locational requirements of infrastructure by recognising that it can have a functional or operational need to be located in areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character.

Reverse sensitivity

- (4) Avoid where practicable, or otherwise remedy or mitigate, adverse effects of subdivision, use and development on infrastructure.
- (5) Ensure subdivision, use and development do not occur in a location or form that constrains the development, operation, maintenance and upgrading of existing and planned infrastructure.

Managing adverse effects

- (6) Enable the development, operation, maintenance and upgrading of infrastructure in areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character while ensuring that the adverse effects on the values of such areas are avoided where practicable or otherwise remedied or mitigated.

- (7) Encourage the co-location of infrastructure and the shared use of existing infrastructure corridors where this is safe and satisfies operational and technical requirements.
- (8) Avoid, remedy or mitigate the adverse effects from the construction, operation, maintenance or repair of infrastructure.

Natural hazards

- (9) Ensure where there is a functional or operational need for infrastructure to locate in areas subject to natural hazards:
 - (a) that buildings accommodating people are located and/or designed to minimise risk from natural hazards; and
 - (b) that risk that cannot be avoided by location or design should be mitigated to the extent practicable.

B3.3. Transport

B3.3.1. Objectives

- (1) Effective, efficient and safe transport that:
 - (a) supports the movement of people, goods and services;
 - (b) integrates with and supports a quality compact urban form;
 - (c) enables growth;
 - (d) avoids, remedies or mitigates adverse effects on the quality of the environment and amenity values and the health and safety of people and communities; and
 - (e) facilitates transport choices, recognises different trip characteristics and enables accessibility and mobility for all sectors of the community.

B3.3.2. Policies

Managing transport infrastructure

- (1) Enable the effective, efficient and safe development, operation, maintenance and upgrading of all modes of an integrated transport system.
- (2) Enable the movement of people, goods and services and ensure accessibility to sites.
- (3) Identify and protect existing and future areas and routes for developing Auckland's transport infrastructure.
- (4) Ensure that transport infrastructure is designed, located and managed to:
 - (a) integrate with adjacent land uses, taking into account their current and planned use, intensity, scale, character and amenity; and
 - (b) provide effective pedestrian and cycle connections.

Integration of subdivision, use and development with transport

- (5) Improve the integration of land use and transport by:
- (a) ensuring transport infrastructure is planned, funded and staged to integrate with urban growth;
 - (b) encouraging land use development and patterns that reduce the rate of growth in demand for private vehicle trips, especially during peak periods;
 - (c) locating high trip-generating activities so that they can be efficiently served by key public transport services and routes and complement surrounding activities by supporting accessibility to a range of transport modes;
 - (d) requiring proposals for high trip-generating activities which are not located in centres or on corridors or at public transport nodes to avoid, remedy or mitigate adverse effects on the transport network;
 - (e) enabling the supply of parking and associated activities to reflect the demand while taking into account any adverse effects on the transport system; and
 - (f) requiring activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure.

Managing effects related to transport infrastructure

- (6) Require activities sensitive to adverse effects from the operation of transport infrastructure to be located or designed to avoid, remedy or mitigate those potential adverse effects.
- (7) Avoid, remedy or mitigate the adverse effects associated with the construction or operation of transport infrastructure on the environment and on community health and safety.

B3.4. Energy

B3.4.1. Objectives

- (1) Existing and new renewable electricity generation is provided for.
- (2) Energy efficiency and conservation is promoted.

B3.4.2. Policies

- (1) Recognise the national, regional and local benefits to be derived from maintaining or increasing the level of electricity generated from renewable energy sources.
- (2) Provide for renewable electricity generation activities to occur at different scales and from different sources to reduce reliance on non-renewable energy sources.

- (3) Recognise the locational constraints in the development of large-scale renewable electricity generation activities.
- (4) Provide for the development, operation and maintenance of small-scale renewable electricity generation, provided that adverse effects on the environment are avoided, remedied or mitigated.

B3.5. Explanation and principal reasons for adoption

Infrastructure is an essential foundation for almost all other activities. While not normally undertaken as activities for their own sake, network infrastructure services and facilities are critical to enable people and communities to undertake the activities that provide for their economic and social well-being, contribute to economic growth and ensure their health and safety. Without the connections enabled by transport networks (land, sea and air), piped networks (water, wastewater and stormwater reticulation), energy generation, transmission and distribution networks (electricity, gas and liquid fuels), and telecommunication networks (wired and wireless), few other forms of activity and development could occur. This means that development, especially that associated with growth in greenfield areas, must be integrated and co-ordinated with the provision of infrastructure and the extension of networks. As well, the resilience of infrastructure to natural hazards is an important aspect of planning for it.

Infrastructure can have adverse effects on the environment, including on sites and areas specifically identified for their high values as well as on neighbouring activities. Sometimes infrastructure must be located in sensitive areas because of the location of development and to achieve appropriate degrees of efficiency. Managing the reciprocal effects of infrastructure on more sensitive areas and uses, and of more sensitive areas and uses on the operation and capacity of infrastructure (reverse sensitivity effects), is required as Auckland grows and intensifies. Conflicts or incompatibilities between adjoining land uses need to be avoided as far as practicable or mitigated where avoidance is not practicable, in order to protect valued parts of the environment while ensuring that the operation of infrastructure is not unreasonably compromised.

Infrastructure must keep pace with the activities and development it serves. These objectives and policies recognise that development, operation, maintenance and upgrading of infrastructure are all essential phases in the provision of resilient, efficient and effective infrastructure.

The road network, both as a transport system and as the location of many other infrastructure networks, raises particular issues that are the subject of specific objectives and policies. Also relevant is the Regional Land Transport Plan made under the Land Transport Management Act 2003.

As well, transport infrastructure is much broader than just motor vehicles on the road network: it involves a number of stakeholder providers operating other land, water and air transport systems within a complex statutory regime. This complexity is amplified by the needs and behaviours of users of transport in a range of modes, across multiple networks and at several scales (local, regional, national and international). The Unitary Plan needs to provide a framework within which these diverse and potentially conflicting networks can be integrated and co-ordinated with the subdivision, use and development

of natural and physical resources in Auckland. A focus on integrating land use and transport to achieve a compact urban form focused on centres and transport nodes can also help promote energy efficiency and reduce dependence on non-renewable energy sources.

National policy statements, such as those for electricity transmission and renewable electricity generation also assist in balancing competing national benefits and local costs to promote energy efficiency and conservation. Some of the adverse effects from network utilities are also addressed by other documents, such as national environmental standards, New Zealand standards and codes of practice.

B7. Toitū te whenua, toitū te taiao – Natural resources

Ngā ariki o te rangi, ngā ariki o te whenua, ngā ariki o te moana, ngā ariki o te taiao

The chiefly deities of the sky, of the earth, of the sea, the spiritual caretakers of the environment

B7.1. Issues

The combination of urban growth and past land, coastal and freshwater management practices have:

- (1) placed increasing pressure on land and water resources including habitats and biodiversity;
- (2) reduced air quality; and
- (3) increased demand for mineral resources.

The pressures on natural resources need to be managed not only for environmental well-being but also for social, economic and cultural well-being.

B7.2. Indigenous biodiversity

B7.2.1. Objectives

- (1) Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision use and development.
- (2) Indigenous biodiversity is maintained through protection, restoration and enhancement in areas where ecological values are degraded, or where development is occurring.

B7.2.2. Policies

- (1) Identify and evaluate areas of indigenous vegetation and the habitats of indigenous fauna in terrestrial and freshwater environments considering the following factors in terms of the descriptors contained in Schedule 3 Significant Ecological Areas – Terrestrial Schedule:
 - (a) representativeness;
 - (b) stepping stones, migration pathways and buffers;
 - (c) threat status and rarity;
 - (d) uniqueness or distinctiveness; and
 - (e) diversity.
- (2) Include an area of indigenous vegetation or a habitat of indigenous fauna in terrestrial or freshwater environments in the [Schedule 3 of Significant Ecological Areas – Terrestrial Schedule](#) if the area or habitat is significant.

- (3) Identify and evaluate areas of significant indigenous vegetation, and the significant habitats of indigenous fauna, in the coastal marine area considering the following factors in terms of the descriptors contained in [Schedule 4 Significant Ecological Areas – Marine Schedule](#):
 - (a) recognised international or national significance;
 - (b) threat status and rarity;
 - (c) uniqueness or distinctiveness;
 - (d) diversity;
 - (e) stepping stones, buffers and migration pathways; and
 - (f) representativeness.
- (4) Include an area of indigenous vegetation or a habitat of indigenous fauna in the coastal marine area in the [Schedule 4 Significant Ecological Areas – Marine Schedule](#) if the area or habitat is significant.
- (5) Avoid adverse effects on areas listed in the [Schedule 3 of Significant Ecological Areas – Terrestrial Schedule](#) and [Schedule 4 Significant Ecological Areas – Marine Schedule](#).

B7.3. Freshwater systems

B7.3.1. Objectives

- (1) Degraded freshwater systems are enhanced.
- (2) Loss of freshwater systems is minimised.
- (3) The adverse effects of changes in land use on freshwater are avoided, remedied or mitigated.

B7.3.2. Policies

Integrated management of land use and freshwater systems

- (1) Integrate the management of subdivision, use and development and freshwater systems by undertaking all of the following:
 - (a) ensuring water supply, stormwater and wastewater infrastructure is adequately provided for in areas of new growth or intensification;
 - (b) ensuring catchment management plans form part of the structure planning process;
 - (c) controlling the use of land and discharges to minimise the adverse effects of runoff on freshwater systems and progressively reduce existing adverse effects where those systems or water are degraded; and

- (d) avoiding development where it will significantly increase adverse effects on freshwater systems, unless these adverse effects can be adequately mitigated.

Management of freshwater systems

- (2) Identify degraded freshwater systems.
- (3) Promote the enhancement of freshwater systems identified as being degraded to progressively reduce adverse effects.
- (4) Avoid the permanent loss and significant modification or diversion of lakes, rivers, streams (excluding ephemeral streams), and wetlands and their margins, unless all of the following apply:
 - (a) it is necessary to provide for:
 - (i) the health and safety of communities; or
 - (ii) the enhancement and restoration of freshwater systems and values; or
 - (iii) the sustainable use of land and resources to provide for growth and development; or
 - (iv) infrastructure;
 - (b) no practicable alternative exists;
 - (c) mitigation measures are implemented to address the adverse effects arising from the loss in freshwater system functions and values; and
 - (d) where adverse effects cannot be adequately mitigated, environmental benefits including on-site or off-site works are provided.
- (5) Manage subdivision, use, development, including discharges and activities in the beds of lakes, rivers, streams, and in wetlands, to do all of the following:
 - (a) protect identified Natural Lake Management Areas, Natural Stream Management Areas, and Wetland Management Areas;
 - (b) minimise erosion and modification of beds and banks of lakes, rivers, streams and wetlands;
 - (c) limit the establishment of structures within the beds of lakes, rivers and streams and in wetlands to those that have a functional need or operational requirement to be located there; and
 - (d) maintain or where appropriate enhance:
 - (i) freshwater systems not protected under Policy B7.3.2(5)(a);
 - (ii) navigation along rivers and public access to and along lakes, rivers and streams;

- (iii) existing riparian vegetation located on the margins of lakes, rivers, streams and wetlands; and
- (iv) areas of significant indigenous biodiversity.

- (6) Restore and enhance freshwater systems where practicable when development, change of land use, and subdivision occur.

B7.4. Coastal water, freshwater and geothermal water

B7.4.1. Objectives

- (1) Coastal water, freshwater and geothermal water are used within identified limits while safeguarding the life-supporting capacity and the natural, social and cultural values of the waters.
- (2) The quality of freshwater and coastal water is maintained where it is excellent or good and progressively improved over time where it is degraded.
- (3) Freshwater and geothermal water is allocated efficiently to provide for social, economic and cultural purposes.
- (4) The adverse effects of point and non-point discharges, in particular stormwater runoff and wastewater discharges, on coastal waters, freshwater and geothermal water are minimised and existing adverse effects are progressively reduced.
- (5) The adverse effects from changes in or intensification of land use on coastal water and freshwater quality are avoided, remedied or mitigated.
- (6) Mana Whenua values, mātauranga and tikanga associated with coastal water, freshwater and geothermal water are recognised and provided for, including their traditional and cultural uses and values.

B7.4.2. Policies

Integrated management

- (1) Integrate the management of subdivision, use, development and coastal water and freshwater, by:
 - (a) ensuring water supply, stormwater and wastewater infrastructure is adequately provided for in areas of growth; and
 - (b) requiring catchment management planning as part of structure planning;
 - (c) controlling the use of land and discharges to minimise the adverse effects of runoff on water and progressively reduce existing adverse effects where those water are degraded; and
 - (d) avoiding development where it will significantly increase adverse effects on water, unless these adverse effects can be adequately mitigated.

National Policy Statement for Freshwater Management

- (2) Give effect to the National Policy Statement for Freshwater Management 2014 by establishing all of the following:
 - (a) freshwater objectives;
 - (b) freshwater management units and, for each unit:
 - (i) values;
 - (ii) water quality limits;
 - (iii) environmental flows and/or levels; and
 - (c) targets and implementation methods where freshwater units do not meet freshwater objectives.
- (3) Integrate Mana Whenua values, mātauranga and tikanga when giving effect to the National Policy Statement for Freshwater Management 2014 in establishing all of the following:
 - (a) water quality limits for freshwater, including groundwater;
 - (b) the allocation and use of freshwater resources, including groundwater; and
 - (c) measures to improve the integrated management of the effects of the use and development of land and freshwater on coastal water and the coastal environment.

Water quality

- (4) Identify areas of coastal water and freshwater bodies that have been degraded by human activities.
- (5) Engage with Mana Whenua to:
 - (a) identify areas of degraded coastal water where they have a particular interest; and
 - (b) remedy or, where remediation is not practicable, mitigate adverse effects on these degraded areas and values.
- (6) Progressively improve water quality in areas identified as having degraded water quality through managing subdivision, use, development and discharges.
- (7) Manage the discharges of contaminants into water from subdivision, use and development to avoid where practicable, and otherwise minimise, all of the following:
 - (a) significant bacterial contamination of freshwater and coastal water;
 - (b) adverse effects on the quality of freshwater and coastal water;

- (c) adverse effects from contaminants, including nutrients generated on or applied to land, and the potential for these to enter freshwater and coastal water from both point and non-point sources;
- (d) adverse effects on Mana Whenua values associated with coastal water, freshwater and geothermal water, including wāhi tapu, wāhi taonga and mahinga kai; and
- (e) adverse effects on the water quality of catchments and aquifers that provide water for domestic and municipal supply.

Sediment runoff

- (8) Minimise the loss of sediment from subdivision, use and development, and manage the discharge of sediment into freshwater and coastal water, by:
 - (a) promoting the use of soil conservation and management measures to retain soil and sediment on land; and
 - (b) requiring land disturbing activities to use industry best practice and standards appropriate to the nature and scale of the land disturbing activity and the sensitivity of the receiving environment.

Stormwater management

- (9) Manage stormwater by all of the following:
 - (a) requiring subdivision, use and development to:
 - (i) minimise the generation and discharge of contaminants; and
 - (ii) minimise adverse effects on freshwater and coastal water and the capacity of the stormwater network;
 - (b) adopting the best practicable option for every stormwater diversion and discharge; and
 - (c) controlling the diversion and discharge of stormwater outside of areas serviced by a public stormwater network.

Wastewater

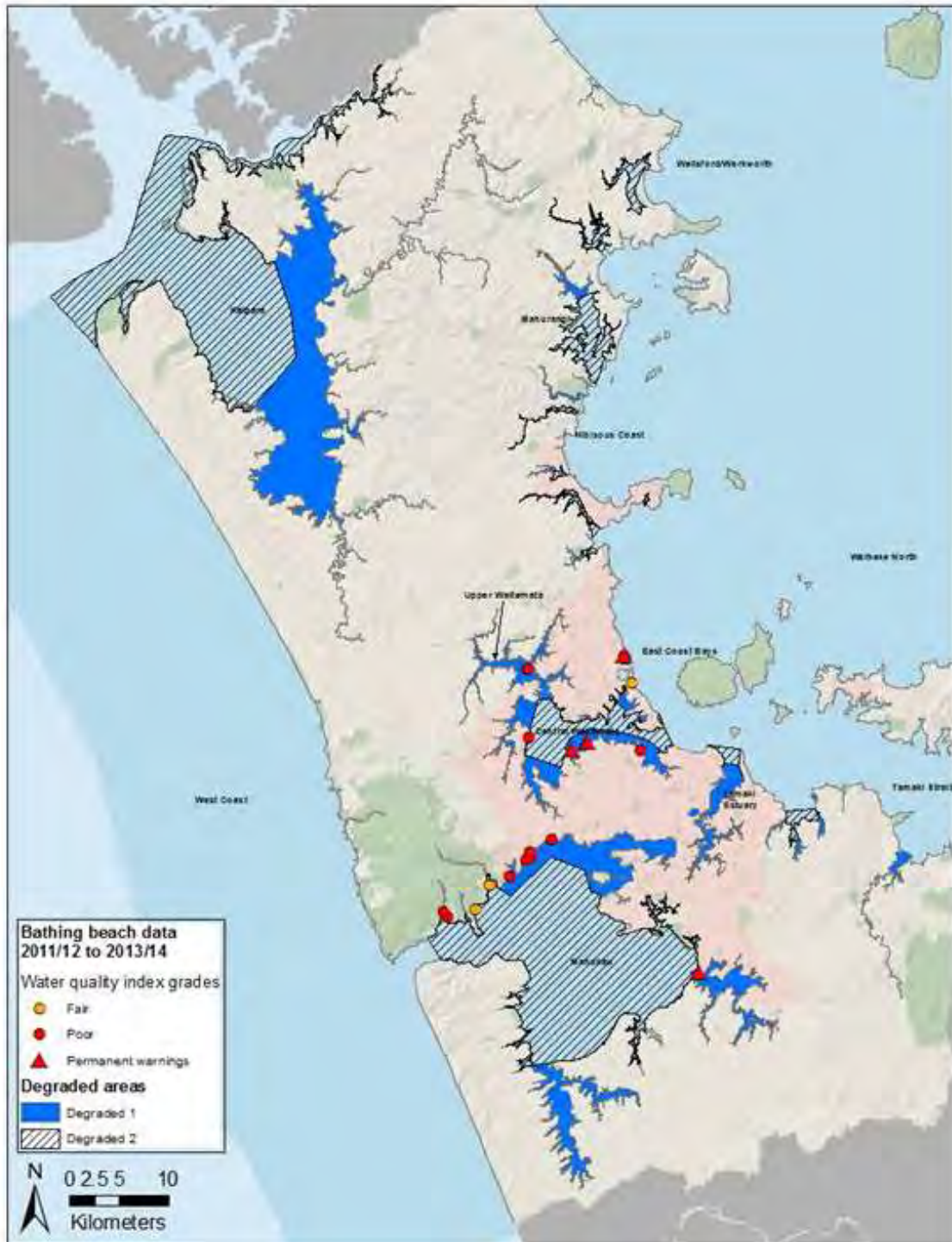
- (10) Manage the adverse effects of wastewater discharges to freshwater and coastal water by all of the following:
 - (a) ensuring that new development is supported by wastewater infrastructure with sufficient capacity to serve the development;
 - (b) progressively reducing existing network overflows and associated adverse effects by all of the following:
 - (i) making receiving environments that are sensitive to the adverse effects of wastewater discharges a priority;

- (ii) adopting the best practicable option for preventing or minimising the adverse effects of discharges from wastewater networks including works to reduce overflow frequencies and volumes;
 - (iii) ensuring plans are in place for the effective operation and maintenance of the wastewater network and to minimise dry weather overflow discharges;
 - (iv) ensuring processes are in place to mitigate the adverse effects of overflows on public health and safety and the environment where the overflows occur;
- (c) adopting the best practicable option for minimising the adverse effects of discharges from wastewater treatment plants; and
- (d) ensuring on-site wastewater systems avoid significant adverse effects on freshwater and coastal water.

Freshwater and geothermal water quantity, allocation and use

- (11) Promote the efficient allocation of freshwater and geothermal water by all of the following:
- (a) establishing clear limits for water allocation;
 - (b) avoiding over-allocation of water, including phasing out any existing over-allocation;
 - (c) safeguarding spring flows, surface waterbody base flows, ecosystem processes, life-supporting capacity, the recharge of adjacent aquifers, and geothermal temperature and amenity; and
 - (d) providing for the reasonable requirements of domestic and municipal water supplies.
- (12) Promote the efficient use of freshwater and geothermal water.
- (13) Promote the taking of groundwater rather than the taking of water from rivers and streams in areas where groundwater is available for allocation.
- (14) Enable the harvesting and storage of freshwater and rainwater to meet increasing demand for water and to manage water scarcity conditions, including those made worse by climate change.

Figure B7.4.2.1: Areas of coastal water that have been degraded by human activities



B7.5. Air

B7.5.1. Objectives

- (1) The discharge of contaminants to air from use and development is managed to improve region-wide air quality, enhance amenity values in urban areas and to maintain air quality at appropriate levels in rural and coastal areas.
- (2) Industry and infrastructure are enabled by providing for reduced ambient air quality amenity in appropriate locations.
- (3) Avoid, remedy or mitigate adverse effects from discharges of contaminants to air for the purpose of protecting human health, property and the environment.

B7.5.2. Policies

- (1) Manage discharge of contaminants to air from use and development to:
 - (a) avoid significant adverse effects on human health and reduce exposure to adverse air discharges;
 - (b) control activities that use or discharge noxious or dangerous substances;
 - (c) minimise reverse sensitivity effects by avoiding or mitigating potential land use conflict between activities that discharge to air and activities that are sensitive to air discharges;
 - (d) protect activities that are sensitive to the adverse effects of air discharges;
 - (e) protect flora and fauna from the adverse effects of air discharges;
 - (f) enable the operation and development of infrastructure, industrial activities and rural production activities that discharge contaminants into air, by providing for low air quality amenity in appropriate locations;
- (2) Implement Policies B7.5.2(1)(a)-(f) by a combination of regulatory and non-regulatory methods that include:
 - (a) managing industrial discharges to air; and
 - (b) reducing emissions from domestic fires; and
 - (c) reducing emissions from motor vehicles.

B7.6. Minerals

B7.6.1. Objectives

- (1) Auckland's mineral resources are effectively and efficiently utilised.

B7.6.2. Policies

- (1) Provide for mineral extraction activities within appropriate areas to ensure a secure supply of extractable minerals for Auckland's continuing development.
- (2) Encourage the use of recycled mineral material, construction waste and demolition waste to supplement mineral supply.
- (3) Identify extractable mineral deposits for future use and safeguard the areas containing regionally significant extractable deposits from inappropriate land use and development.
- (4) Require mineral extraction activities to be established and operated in ways which avoid, remedy or mitigate significant adverse effects on the environment.
- (5) Avoid locating sensitive activities adjacent to regionally significant mineral resources unless they can avoid compromising existing and future mineral extraction.
- (6) Enable industries that use the products of mineral extraction activities to locate on sites adjoining quarry zones.

B7.7. Explanation and principal reasons for adoption

Indigenous biodiversity

Natural ecosystems and indigenous biological diversity are important constituents of the life-supporting capacity of the natural resources of the entire Auckland region. Healthy and functioning ecosystems contribute to improved water quality, soil conservation and the capacity to assimilate greenhouse gases, as well as contributing to the character and identity of Auckland.

Development has adversely affected Auckland's natural heritage resulting in loss of habitats and a reduction of indigenous biodiversity. Also the introduction of animal and plant pests has threatened the viability of some indigenous ecosystems and species. Coastal and marine ecosystems are also subject to change, damage or destruction from inappropriate subdivision, use and development, as well as natural processes.

Areas containing threatened ecosystems and species require effective management to protect them, and enhance their resilience which is important for the long-term viability of indigenous biodiversity and to help respond to the potential effects of climate change. Effectively addressing these issues requires a combination of regulatory and voluntary efforts.

Areas of high ecological value have been identified as significant ecological areas using significance factors set out in the schedules of the Unitary Plan. (See [Schedule 3 Significant Ecological Areas – Terrestrial Schedule](#) and [Schedule 4 Significant Ecological Areas – Marine Schedule](#).) The coastal marine area has not yet been comprehensively surveyed for the purpose of identifying marine significant ecological areas. Those that have been identified may under-represent the extent of significant marine communities and habitats present in the sub-tidal areas of the region.

The objectives and policies seek to promote the protection of significant vegetation and fauna and the maintenance of indigenous biodiversity by:

- evidence-based factors to identify areas of significant indigenous biodiversity;
- identifying areas of ecological significance;
- promoting restoration efforts to improve the quality, functioning and extent of these areas;
- providing for Mana Whenua's role as owners of land with a high proportion of significant indigenous biodiversity and as kaitiaki of their rohe;
- establishing a management approach which seeks to avoid adverse effects on or degradation of significant indigenous biodiversity and requires that, where adverse effects do arise from activities, they are remedied, mitigated or offset;
- providing for reasonable use by landowners;
- recognising the particular pressure the coastal environment is under from use and development; and
- recognising that there are some uncertainties in the management of indigenous biodiversity for which a precautionary response is appropriate.

Freshwater and geothermal water

Auckland is characterised by relatively small and shallow natural lakes, remnant wetlands, a few larger rivers and a network of small, shallow and short streams. Groundwater aquifers underlie both urban and rural areas. There are also geothermal water resources in parts of Auckland. The sources of municipal water supply for Auckland include a number of water supply lakes created by dams, rivers and groundwater aquifers. Maintaining the quality of freshwater, managing its use and making more efficient use of available supply are key policy approaches.

Freshwater systems are made up of lakes, rivers, streams and wetlands (including their headwaters, margins and associated flood plains) and aquifers. They are valued for:

- their ecological and biodiversity values;
- their natural character, landscape, amenity and recreational values;
- their use for navigation and access; and
- municipal, domestic and stock water supply.

Freshwater systems also provide an essential link between the land and the sea, including natural processes to regulate runoff during storms, receive and filter contaminants, and allow aquatic fauna to reach spawning areas and upstream habitats. Rivers and streams have an essential role as a natural component of an urban stormwater collection and management system.

The loss of freshwater systems and degradation of their values, particularly small streams, is a significant issue facing Auckland. Loss occurs through the piping and infilling of streams, including headwater reaches. Degradation can result from many

causes, including sediment runoff from land development and the runoff of contaminants from urban and rural land uses. Increased impervious surfaces in urban areas can change the amount and intensity of surface water runoff which can create or worsen flooding events and exacerbate the erosion of rivers and streams. In rural areas lakes, rivers and streams are affected by stock access to stream beds, loss of riparian vegetation, and reduced water quality from the runoff of fertiliser, sediment and other contaminants from primary production activities. Infrastructure establishment and upgrading may also affect all types of freshwater resources. Runoff into freshwater systems can also lead to undesirable impacts on coastal water quality and use and enjoyment of the coastal marine area.

Development needs be managed to facilitate the drainage function of freshwater systems while retaining the natural, recreational and amenity values of the system. Appropriate provisions need to be put in place to ensure that, as far as practicable, sediment is retained on the land and contaminants are caught and kept out of rivers, streams and coastal waters. The adverse effects of stormwater discharges cannot solely or effectively be managed 'at the end of the pipe'.

Stormwater management must also encompass the land use activities that contribute contaminants to the drainage network. Integrated land and water management is an important focus of this approach. In many situations development can be designed so as to provide for adequate drainage while retaining natural water systems and enhancing them where they are degraded. Intensification and redevelopment can also offer opportunities to restore and enhance degraded freshwater systems.

In urban areas particular attention is given to the management of the quantity and quality of discharges from stormwater network systems and of overflow discharges from the public wastewater network. These discharges have the greatest adverse effects on the physical form and quality of urban streams, and are also a major source of degradation of coastal water quality and ecosystem values.

Some freshwater bodies outside urban areas have high biodiversity and/or water quality. These are included as management areas, with a protection-oriented management approach.

Surface water bodies and groundwater aquifers cannot supply all of Auckland's future water needs without more efficient management approaches to the allocation and use of available freshwater. The principal consumptive use of freshwater in Auckland is for municipal water supply.

Mana Whenua are responsible for the kaitiakitanga of water, its spiritual essence to cleanse, and its importance to the ongoing well-being of people. Land-based activities can compromise the ways in which Mana Whenua value water in rivers and streams. The mixing of different types of water through discharges, or by the diversion of these water bodies is contrary to Mana Whenua views on how water should be managed.

All of these matters need to be addressed in an integrated manner to minimise adverse effects on freshwater systems during subdivision, use and development. The National Policy Statement for Freshwater Management 2014 and the New Zealand Coastal Policy

Statement 2010 provide both short-term and long-term directions that the Unitary Plan has to implement.

Areas of degraded water quality

Water quality is fundamental to a range of use and values, to the ecosystem function and the life-supporting capacity of the coast. The coast is the receiving environment for discharges, both from historic and present activities that are undertaken in the coastal marine area and from land. The objectives and policies seek to avoid on-going decline in water quality, to improve water quality over time through a range of mechanisms and so to give effect to Policy 21 of the New Zealand Coastal Policy Statement 2010. They also recognise the significance and value of the coastal marine area for Mana Whenua.

Auckland's coastal receiving environments are under continued pressure from both coastal and land-based (rural and urban) activities. Inner harbour and estuarine areas where sediments and contaminants accumulate are usually the most adversely affected areas. This is particularly the case in the Waitematā and Manukau Harbours, especially the Tāmaki Estuary and the Mangere Inlet and around marinas and ports. The best water quality is found at locations that are more exposed to open ocean water currents and have less development in their catchments, or have received upgrades to the network infrastructure.

Degradation of coastal receiving environments can have significant adverse effects on recreational, amenity, Mana Whenua and economic values.

Degraded areas have been identified based on assessments of water quality, sediment contamination and benthic health. While two classes of degraded areas have been identified, the distinction does not imply a ranking or any priority for action. It is important that both areas be considered together because of the dynamic and interconnected nature of coastal environments and because the classes may change over time as more knowledge is gained and as pressures on receiving environments change. There is evidence that even moderate levels of degradation can result in ecosystem level changes, and it is not yet known how reversible these changes might be.

Identifying an area as degraded does not imply that it has no value. Degraded areas may contain valuable habitats, support important species, or form critical connections with other systems and many are identified as significant ecological areas.

Air

Motor vehicles, domestic fires and, to a lesser extent, industry are the main sources of air pollution in urban areas of Auckland. Emissions in urban areas cause air quality to exceed national and international standards and guidelines from time to time, in both localised areas and across greater Auckland. In rural and especially coastal areas, air quality is usually very good. Rural air pollution is normally more localised and comes from outdoor fires, use of agricultural chemicals and odour from agricultural activities.

Vehicle emissions and domestic fires, which are the major sources of air pollutants in Auckland, are not directly regulated under the Unitary Plan but by other controls. Some air quality effects may be indirectly addressed by the objectives and policies for a compact urban form and a centres-based urban development strategy.

Industrial emissions can have localised adverse effects on amenity and some industrial emissions can contain noxious or dangerous substances that are hazardous to human health. Industry emissions therefore need to be managed by the reduction, containment and treatment of the discharge at its source to avoid or reduce these effects. When new sensitive activities are put in close proximity to activities with air discharges, reverse sensitivity effects may occur, challenging the long-term operation of the existing activity.

Industry and rural production is vital to our economic prosperity. Accordingly a balance needs to be struck between enabling this activity and achieving acceptable levels of air quality.

National environmental standards for air quality establish health-related ambient air quality standards. These focus mainly on the control of PM particulate matter, but also set maximum acceptable air concentrations for other contaminants such as nitrogen dioxide.

Minerals

Minerals in the context of Auckland include:

- aggregates, such as stone, rock, sand and gravel, for industry, construction and infrastructure;
- limestone deposits for manufacturing fertilisers, roading basecourse and cement;
- silica sand, shells and shingle for construction materials, glass production and beach replenishment purposes;
- iron sand for production of steel; and
- clay for brick, ceramics and pottery products.

Minerals are essential for Auckland's development. In the past, Auckland's quarries have produced nearly 10 million tonnes of aggregates per year. Currently a number of mineral extraction sites still operate in Auckland. Minerals are also imported from other parts of the country, particularly from the northern Waikato area.

The demand for minerals, particularly aggregates, is expected to increase to 15 million tonnes per annum by 2041. This will support growth and development, and renew and maintain buildings, roads and infrastructure.

Given the anticipated increases in demand for and Auckland's dependence on minerals, an accessible supply of minerals is a matter of regional importance. This means that the use of aggregate resources needs to be used as efficiently and effectively as possible

Mineral extraction activities are encouraged to adopt best practice management of their sites to minimise adverse effects on both the natural environment and on the amenity values and quality of life of neighbouring land uses. Greater focus is also given to avoiding reverse sensitivity conflicts between mineral extraction sites and surrounding land uses and giving greater protection to the ongoing supply of minerals for Auckland.

APPENDIX 12
COUNCIL EXPERIENCE STATEMENTS

Council statements of experience

Petra Burns - Planner

My name is Emma Petra Elizabeth Burns. I hold a Master of Urban Planning from the University of Auckland, and a Bachelor of Arts with a major in History from the University of Waikato. I am an Intermediate Member of the New Zealand Planning Institute, and have practised as a planner for five years, three of those in a resource consenting role and two in my current role as a policy planner.

Council's technical specialists' statements of experience are detailed in their respective assessments in Appendix 7.

