

Request for Information for EB2 NOR Package (Item 3) Plan Changes Assessment to the Auckland Unitary Plan Operative in Part 2016 (AUP(OP))

1. Introduction

The following assessment has been provided in response to Auckland Council's "request for further information" letter of 9 September 2022 regarding the Notice of Requirement and resource consent application for Eastern Busway 2 (EB2). In particular, the letter raised the following query:

*"On 18 August 2022 the Council notified a number of changes to the AUP. Please consider whether any of these require some changes to your assessment particularly in respect of the objectives and policies assessment. For example the zones referred to in the submitted assessment may have changed and new objectives and policies have been proposed, some of which will have immediate legal effect."*¹

This document addresses the plan changes and where relevant, also provides commentary of EB2's consistency with the provisions of these plan changes.

2. Plan Change Background and Context

Central Government introduced the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS), which supports the Government's wider environmental objectives on intensification, urban development, housing supply and climate change. This legislation also introduced the Medium Density Residential Standards (MDRS), which councils, including Auckland Council, were required to give effect to.

The RMA-EHS requires Auckland Council (identified as a Tier 1 Council) to implement intensification policies in the NPS-UD, in particular to give effect to policies 3 and 5. Similarly, the RMA-EHS requires Auckland Council to incorporate the MDRS into relevant residential zones of the Auckland Unitary Plan (Operative in Part) (AUP(OP)).

Auckland Council initiated the following proposed plan changes to the Auckland Unitary Plan (Operative in Part) (AUP (OP)) which were notified on the 18 August 2022 and the period of submissions closed on the 29 September 2022:

¹ Query 3 of Auckland Council's letter.

- Plan Change 78 (PC78) - Intensification
- Plan Change 79 (PC79) - Amendments to the transport provisions
- Plan Change 80 (PC80) - Regional Policy Statement Well-Functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters.

The decisions on the submissions of these plan changes have not yet been determined. A high-level summary of the implications of these plan changes to EB2 ('The Project') is outlined in tables 1 - 5, while resource consent triggers have been assessed in tables 6 – 7.

The proposed plan changes alter and/or add a number of objectives and policies that seek greater urban development and intensification, thereby addressing the statutory requirements of the RMA-EHS and MDRS. In addition, the direct application of MDRS density standards will also enable medium density housing.

3. Legal Status of Plan Changes

Section 86B provides clear guidance as to when the rules of a plan change are in legal effect. Those rules associated with the MDRS, including residential density standards have immediate legal effect from the notification date of PC78 (i.e. 18 August 2022). However, given that EB2 is not a residential project, those rules are not valid and not considered further by this assessment.

The policies and objectives of the plan changes are relevant to the assessment of the NOR and resource consent applications² under s104(1)³ and 171(1)⁴. Given this, an assessment of EB2 against these policies and objectives is provided within this document.

4. Changes to AUP(OP) Maps

Both PC78 and PC80 have introduced changes to the AUP(OP)'s planning maps, both in regard to zoning and hazard identification.

² It is noted that the redevelopment of any residual land, including proposals by Eke Panuku, will be subject to their own resource consent applications. The MDRS rules will be relevant at the time those applications are made to Auckland Council and/or other decision makers.

³ This is the statutory test in relation to EB2's resource consent application.

⁴ This is the statutory test in relation to EB2's Notice of Requirement.

PC78 Maps

With regard to zoning changes, Figure 1 (pre-plan change) and Figure 2 (post-plan change) show the zone changes. To summarise, the key changes to the zoning map is the deletion of the “Residential – Mixed Housing Suburban Zone” (MHS) and its replacement with the Residential – Mixed Housing Urban Zone” (MHU) or Residential – Terraced Housing and Apartment Building Zone” (THAB). These changes can be observed at properties on Seven Oak Drive, Mattson Road, Tiraumea Drive and north of Pakuranga Road. The majority of sites to be occupied by EB2 (either temporarily or permanently) do not have a residential zone and remain unaffected by PC78. The exception to this are several sites on Seven Oaks Drive that have been rezoned as THAB. It is also noted that the height variation control for Pakuranga Town centre remains unchanged (48.5m).

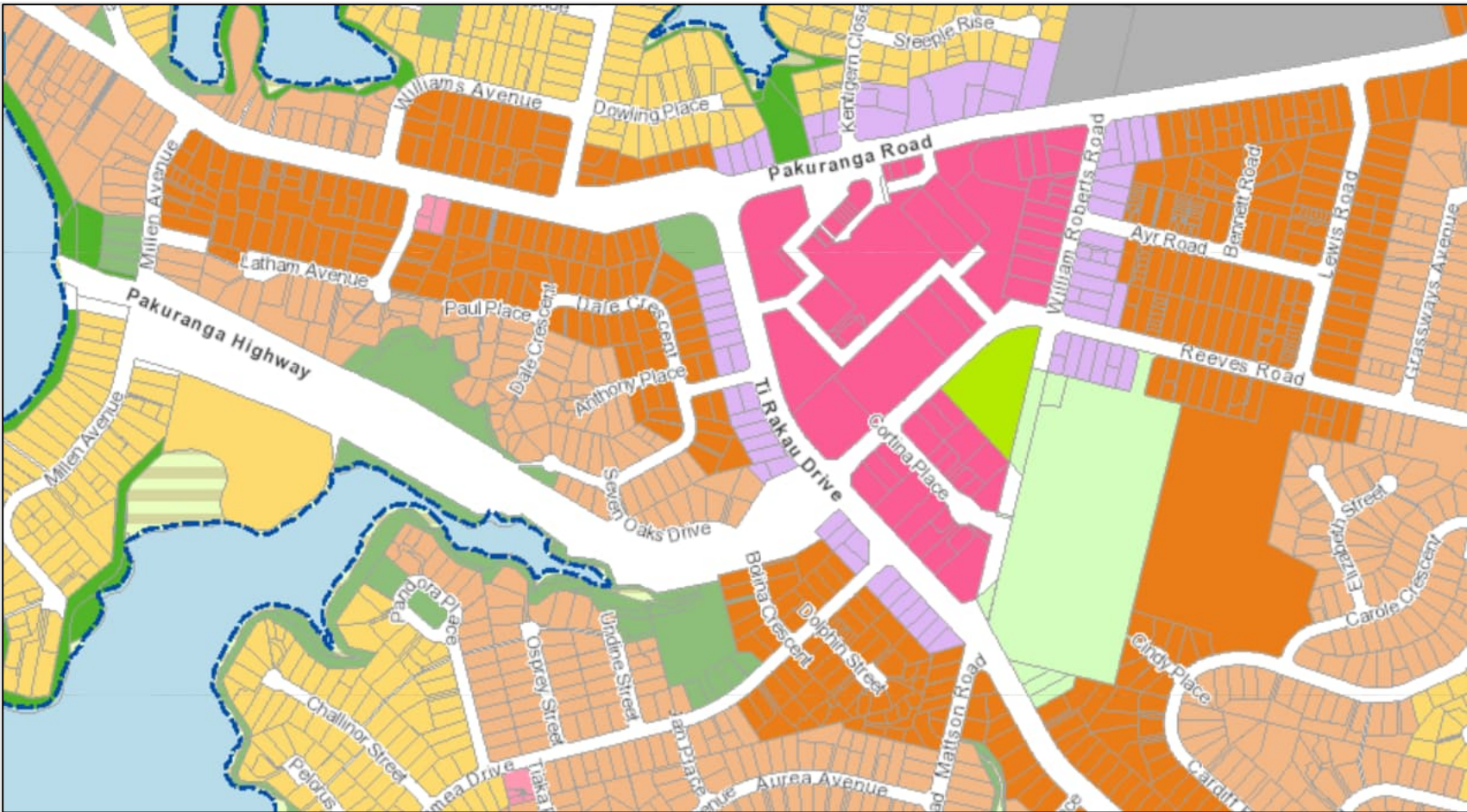


Figure 1: AUP (OP) Zoning planning map⁵

⁵ Auckland Unitary Plan Operative in part Planning Maps (15th November 2016). Update 16th August 2022 planning maps viewer

PC80 Maps

Figure 3 below shows the coastal hazards layer associated with PC80. While PC80 does not introduce any new rules, it highlights land within EB2, which could be subject to future coastal hazard risks (i.e. sea level rise).

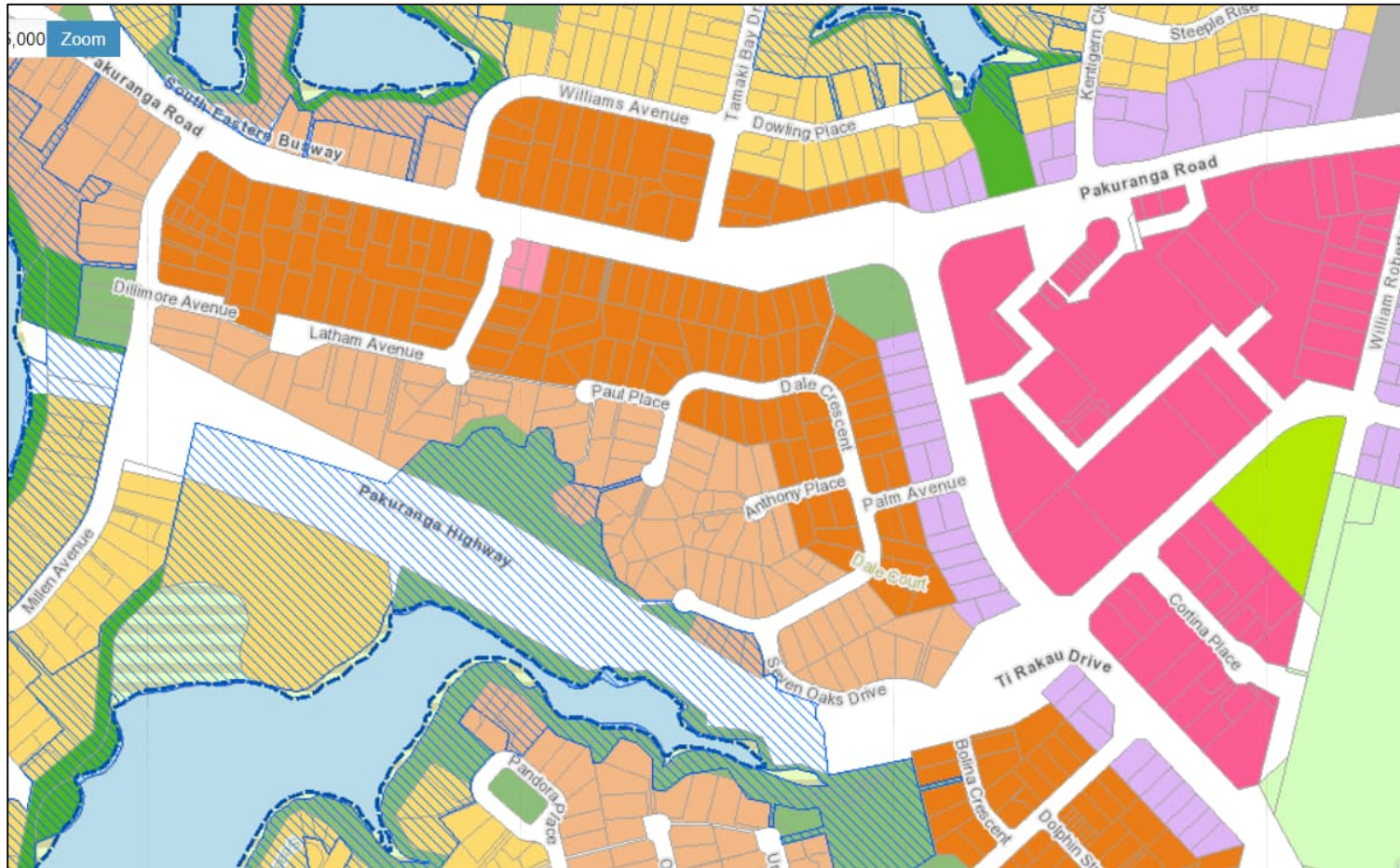


Figure 3: PC80 Future Coastal Hazards Map

5. Changes to AUP(OP) Objectives and Policies - RPS

As highlighted above, PC80 introduces amended objectives and policies to the RPS. Given this, the following tables (Tables 1 and 2) provide an assessment of EB2 against the relevant amended RPS provisions.

Table 1: Relevant Objectives and Policies Associated with PC80

Proposed Plan Change 80 ⁷	
Chapter Reference of the Regional Policy Statement	Comment on the proposed plan change and relevance to EB2
Chapter B2 Urban Growth and Form	Refer to Table 2 below for the proposed changes to the objectives and policies under PC80
Chapter B3 Infrastructure, Transport and Energy	PC80 does not propose any changes to the objectives and policies under Chapter B3. Therefore no further assessment is required.
Chapter B6 Mana Whenua	No changes are proposed to the objectives and policies under Chapter B3. Therefore no further assessment is required.
Chapter B7 Natural Resources	Refer to Table 2 below for the proposed changes to the objectives and policies under PC80
Chapter B8 Coastal Environment	Refer to Table 2 below for the proposed changes to the objectives and policies under PC80

⁷ Only those RPS changes relevant to EB2 are highlighted.

Chapter B10 Environmental Risk	Refer to Table 2 below for the proposed changes to the objectives and policies under PC80
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Table 2: Assessment of Objectives and Policies Associated with PC80

Note: Amendments proposed by the plan change are underlined for new text and ~~strike through~~ where existing text is proposed to be deleted.

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
Objective B2.2.2.1 (1A)	<u>(1A) A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</u>	Y	EB2 is critical to delivering a quality compact urban form and will contribute to delivering a well-functioning urban environment ⁸ through the following; <ul style="list-style-type: none"> • Delivery of additional roading capacity • Improved public transport reliability and capacity • Rationalised traffic movements • Improved active transport infrastructure • Provision of greater transport choice and safer travel for all users

⁸ The NPS-UD refers to well-functioning urban environments as those being those that have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport.

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
			<ul style="list-style-type: none"> • Promotion of effective, efficient transport that enables the movement of people, goods and services • Reduced transport related emissions • Improved connectivity and efficient movement of pedestrians and cyclists through cycle lanes, improved footpaths, and new connections around the town centre and surrounding parks. • Protection and enhancement of the limited ecological values present in the area. • A stormwater design that will improve the quality of the stormwater discharges. <p>Any adverse effects from construction and operation of EB2 are adequately avoided, remedied or mitigated.</p>
Objective B2.2.2.1 (1)	<p>(1) A quality compact urban form and <u>well-functioning urban environment</u> that enables all of the following...</p> <p>(g) reduced adverse environmental effects; <u>and</u></p>	Y	<p>See discussion relating to well-functioning urban environments above.</p> <p>EB2 has also been designed to be resilient to the effects of climate change, principally those effects associated with storm events. EB2's stormwater infrastructure has been designed to accommodate the stormwater flows projected by Auckland</p>

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
	<u>(h) improves resilience to the effects of climate change.</u>		Council's Healthy Waters Department. This includes providing adequate stormwater pipe capacities and ensuring that erosion protection is constructed for the related stormwater outfalls. These design measures will ensure the local road network can continue to safely serve the community in the coming decades as climate change effects (likely) increase in severity.
Objective B2.2.1 (5)	(5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages is: (a) integrated with the provision of appropriate infrastructure; <u>and</u> (b) <u>resilient to the effects of climate change.</u>	Y	EB2 represents a significant improvement for transport infrastructure within Pakuranga Town Centre and its surrounds. It will provide for dedicated public transport infrastructure and roading changes that allow the transport network to accommodate the anticipated intensification of southeast Auckland. Furthermore, EB2 has been designed to be resilient to the effects of climate change as detailed above.
Policy B2.2.2	(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, <u>in a way that contributes to a well-functioning urban</u>	Y	As identified in the option assessment process for EB2 and the wider Project, the high traffic volumes, poor location of bus stops, a lack of cycling infrastructure and severance issues were identified in the project area.

Proposed Plan Change 80

Reference	Amendments	Consistent (Y/N)	Comment
	<p><u>environment</u> and avoid urbanisation outside these areas</p>		<p>EB2 addresses these issues and improves the overall connectivity and urban realm of Pakuranga Town Centre through:</p> <ul style="list-style-type: none"> • Moving through traffic off surface roads and onto the Reeves Road Flyover • Providing improved pedestrian and cycling linkages between Pakuranga Town Centre and its surrounds • Improving traffic flows and reducing congestion by providing greater transport mode choices • Providing safe bus stop infrastructure, including a new bus station on Ti Rakau Drive. <p>Given these factors, these improvements will provide for a more inclusive and better functioning town centre, which will support the social, economic and cultural outcomes for the local community.</p>
Objective B2.3.1	<p>(1) A quality built environment <u>and well-functioning urban environment</u> where subdivision, use and development do all of the following...</p>	Y	<p>As identified above, EB2 supports the delivery of a well-functioning urban environment at Pakuranga Town, which will be achieved (in part) through the various urban design elements and accessibility</p>

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
	(f) are resilient respond and adapt to the effects of climate change.		improvements, as detailed in the AEE and associated assessments. Furthermore, EB2 has been designed to address the effects of climate change.
Policy B2.3.2	(1) Manage the form and design of subdivision, use and development so that it <u>contributes to a well-functioning urban environment</u> and does all of the following... ...	Y	The existing and anticipated urban form of Pakuranga Town Centre has been considered as part of EB2's design process. This has included limiting the quantum of land outside the existing road corridors that is required to accommodate the proposed works. In particular, the Reeves Road Flyover has been positioned to avoid severing the Pakuranga town centre. In addition, urban design protocols, as detailed in the AEE and associated assessments, have been employed during EB2's development. This has resulted in several design interventions, including measures to activate the public realm in proximity to the Reeves Road Flyover. Other measures include extensive landscaping across EB2's footprint, as well as a requirement for an Urban Design and Landscape Plan as part of the Notice of Requirement's proposed conditions set.

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
Objective B2.4.1	(1) Residential intensification supports a quality compact urban form and <u>contributes to a well-functioning urban environment</u> .	Y	<p>While EB2 does not involve the construction of new residential development, it has been designed to assist in the delivery of such developments within the surrounding area.</p> <p>This has been principally achieved through the provision of increased transport network capacity, incorporation of urban design protocols, connectivity improvements between the town centre and its surrounds sites, as well as avoiding the occupation of large areas of residentially zoned land.</p>
Objective B2.4.1	(2) Residential areas are attractive, healthy, <u>resilient to the effects of climate change</u> and safe with quality development that is in keeping with the planned built character of the area.	Y	Please refer to the comments above regarding EB2's approach to managing climate change effects.
Objective B2.5.1	(2) Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that supports a compact urban form <u>and contributes to a well-functioning urban environment</u> .	Y	EB2 has sought to avoid significant impacts on the viability of Pakuranga Town Centre. This has included minimising the Notice of Requirement's land take, such as avoiding the severance of the Pakuranga Plaza site thereby enabling that site to be available for redevelopment in accordance with its AUP(OP) zoning.

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
			In addition, EB2 will improve the connectivity of Pakuranga Town Centre, both to its surrounds and other urban centres (e.g. Panmure). This connectivity is achieved through the busway and improved active transport infrastructure. This improved connectivity supports the social and economic functioning of Pakuranga Town Centre.
Policy B2.5.2	(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 <u>a well-functioning urban environment</u>	Y	<p>As noted above, EB2 will improve the connectivity to and through Pakuranga Town Centre and avoids the loss of significant redevelopment opportunities within the area (i.e. resulting from land take). In particular, the new and upgraded active transport infrastructure will improve the safety of related transport modes within the town centre.</p> <p>Furthermore, the use of the Urban Design and Landscape Plan, as detailed in the previously lodged documents, will ensure that EB2 supports the amenity values of the town centre and provide for integration with adjoining land uses.</p>
Objective B2.7.1	(1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities <u>which contribute to a well-functioning urban environment.</u>	Y	The recreational needs of people and communities will be met by this Project, principally through improved connectivity to local open space connection of open spaces, as well as the and the

Proposed Plan Change 80

Reference	Amendments	Consistent (Y/N)	Comment
			<p>provision of enhanced cycling and walking facilities to and through the area.</p> <p>EB2 will involve temporary construction activities and permanent works within public reserves to provide for the bus way, walking and cycling and a safe highway corridor. The proposed stormwater works including pipes and outfalls within public reserves are required so as to discharge stormwater to the nearest waterbody (being the Tāmaki River). Any disturbance to the reserves' recreational and amenity values from the stormwater works will be primarily temporary as the completed infrastructure will be largely located underground.</p> <p>Although a small area of Paul Place Reserve will be permanently occupied as part of the new SEART offramp, this is necessary to ensure a safe road corridor is provided. Furthermore, Paul Place Reserve has limited community facilities and amenity which results in limited passive recreation and therefore poorly used recreational spaces.</p> <p>Following construction, AT will remove any construction equipment and materials, as well as replant any affected grassed or vegetated areas. This will ensure that longer term amenity values</p>

Proposed Plan Change 80

Reference	Amendments	Consistent (Y/N)	Comment
			<p>associated with open spaces (such as Paul Place Reserve, Pandora Place Esplanade Reserve and Tiraumea Reserve) are maintained and enhanced.</p> <p>New landscaping will occur across EB2 focusing on the use of native species which will provide a comprehensive and cohesive approach to open space landscaping. Planting will also occur within reserves to provide visual amenity and high quality open spaces.</p> <p>Further to this, EB2 will improve pedestrian linkages between the Town Centre core and surrounding reserves. The proposed stormwater outfalls are minimal in size and footprint and will not obstruct public access or enjoyment of the CMA.</p>
Policy B2.7.2	(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 and which <u>contribute to a well-functioning urban environment</u>	Y	As above
Policy B2.7.2	(11) <u>Require best practice resilience to the effects of climate change in open space and associated recreation and biodiversity</u>	Y	Currently, the presence of flood plains and OLFPs are primarily located within Pakuranga Town

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
			<p>Centre which has the ability to endanger private property, public spaces and the road network.</p> <p>EB2 application includes a stormwater effects assessment which shows the Project is designed to the latest Healthy Waters (HW) standards and climate change model. That model includes consideration of the existing hydrological characteristics of the project area, including 1 in 100 ARI floodplains, overland flow paths and climate change projections. The stormwater design involves new infrastructure like outfalls, pipes and raingardens. This infrastructure has been designed to met projected climate change conditions. This ensures that the works are future-proofed and can accommodate projected flows.</p>
Policy B7.3.2	<p>(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) ...</p> <p><u>(aa) improve resilience to the effects of climate change..</u></p>	Y	<p>Two new stormwater outfalls are proposed within a coastal wetland beside SEART. These outfalls have been designed to address climate change effects through both culvert diameter and the provision of erosion protection.</p>
Policy B7.4.2	<p>(9) Manage stormwater by all of the following:</p>	Y	<p>Overall, the proposed stormwater attenuation works for EB2 will benefit the area and reduces the risk and safety to property as flood levels are</p>

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
	<p>(a) requiring subdivision, use and development to... (ii)...</p> <p>(iii)<u>improve resilience to the effects of climate change...</u></p>		<p>generally decreased across Pakuranga Town Centre. This includes Pakuranga Plaza, sites within Cortina Place and Ti Rakau Drive itself. Lastly, EB2 will improve the functionality of the road network as it will reduce the need for road closures during heavy rain events.</p>
Objective B8.3.1	<p>(7) In areas potentially affected by coastal hazards, <u>including sea level rise over at least 100 years</u>, subdivision, use and development avoid increasing the risk of social, environmental and economic harm.</p>	Y	<p>EB2 includes a stormwater effects assessment which shows the Project is designed to the Healthy Waters (HW) standards and climate change model. This assessment considers the existing hydrological characteristics of the project area including 1 in 100 ARI floodplain and overland flow path and climate change. The stormwater design includes new infrastructure including outfalls, pipes and raingardens to ensure the projected climate change conditions are incorporated and the works are future-proofed and can accommodate projected flows. Further to this, the stormwater works for EB2 will address the existing flooding issues within Pakuranga Town Centre reducing the long-term risks to the local community and road users during storm events.</p> <p>Through the stormwater design, EB2 will provide adequate capacity for projected stormwater</p>

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
			conditions and improvements associated with flooding and climate change.
Policy B8.4.2	<p>(1) Subdivision, use and development in the coastal environment must, where practicable, do all of the following...</p> <p>(d) take into account the likely impact of coastal processes and climate change, <u>including sea level rise over at least 100 years</u>, and be set back sufficiently to not compromise the ability of future generations to have access to and along the coast.</p>	Y	As above
Objective B10.2.1	(4) The effects of climate change on natural hazards, including effects on sea level rise, <u>over at least 100 years</u> and on the frequency and severity of storm events, is recognised and provided for.	Y	As above
Policy B10.2.2	(1) Identify areas potentially affected by natural hazards, giving priority to those at high risk of being affected, particularly in the coastal environment, <u>and including areas susceptible to coastal inundation and</u>	Y	As above

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
	<u>erosion as a result of sea level rise over at least 100 years.</u>		
Policy B10.2.2	(4) Assess natural hazard risks... (b) across a range of probabilities of occurrence appropriate to the hazard, including, at least, a 100-year timeframe for evaluating flooding and coastal hazards, <u>including sea level rise in response to global warming.</u>	Y	As above, EB2 includes a stormwater effects assessment which includes stormwater improvements to address sea level rise and frequency of stormwater events, as well as climate change. EB2 has been designed to consider 1 in 100-year timeframe for evaluating flooding using the latest HW standards and climate change model. Therefore, the stormwater works will assist in addressing the existing flooding areas including sea level rise, reducing long term risks to the local community and road users during storm events.
Policy B10.2.2	(6) Adopt a precautionary approach to natural hazard risk assessment and management in circumstances where: (a) the effects of natural hazards and the extent to which climate change will exacerbate such effects are uncertain but may be significant, including the possibility of low-probability but high potential impact events, <u>and also sea level rise over at least 100 years;</u>	Y	As above

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
Policy B10.2.2	(12) Minimise the risks from natural hazards to new infrastructure which functions as a lifeline utility by: (a) assessing the risks from a range of natural hazard events <u>including sea level rise</u> , and low probability but high potential impact events such as tsunamis, earthquake and volcanic eruptions...	Y	As above

6. Changes to AUP(OP) Objectives and Policies – PC78

As highlighted above, PC78 introduces amended objectives and policies to the AUP(OP). Given this, the following tables (Tables 3 and 4) provide an assessment of EB2 against the amended AUP(OP).

Table 3: Summary of objectives and policies relevant to EB2 under PC78

Proposed Plan Change PC78	
Chapter Reference	Comment on the proposed plan change and relevance to EB2
Chapter D26 National Grid Corridor Overlay	No changes are proposed to the objectives and policies under Chapter D26 National Grid Corridor Overlay. Therefore, no further assessment is required.
Chapter E30 Contaminated Land	No changes are proposed to the objectives and policies under Chapter E30 Contaminated Land Overlay. Therefore no further assessment is required.
Chapter E26 Infrastructure	No changes are proposed to the objectives and policies under Chapter E26 Infrastructure. Therefore no further assessment is required.
Chapter E25 Noise and Vibration	No changes are proposed to the objectives and policies under Chapter E25 Noise and Vibration. Therefore no further assessment is required.
Chapter E1 Water Quality and Integrated Management	No changes are proposed to the objectives and policies under Chapter E1 Water Quality and Integrated Management. Therefore no further assessment is required.
E11 Land Disturbance Regional	No changes are proposed to the objectives and policies under Chapter E11 Land Disturbance Regional. Therefore no further assessment is required.
E12 Land Disturbance District	No changes are proposed to the objectives and policies under Chapter E11 Land Disturbance District. Therefore no further assessment is required.
E14 Air Quality	No changes are proposed to the objectives and policies under Chapter E14 Air Quality. Therefore no further assessment is required.
E15 Vegetation Management and Biodiversity	No changes are proposed to the objectives and policies under Chapter E15 Vegetation Management and Biodiversity. Therefore no further assessment is required.

Proposed Plan Change PC78	
Chapter Reference	Comment on the proposed plan change and relevance to EB2
E21 Treaty Settlement Land	No changes are proposed to the objectives and policies under Chapter E21 Treaty Settlement Land. Therefore no further assessment is required.
Chapter E36 Natural Hazards	No changes are proposed to the objectives and policies under E36 Natural Hazards. Therefore no further assessment is required.

Table 4: Summary of objectives and policies relevant to EB2 under Proposed Plan Change 78 Intensification related to Zoning

Chapter Reference	Comment on the proposed plan change and relevance to EB2
Chapter H4 Residential Mixed Housing Suburban Zone	No changes are proposed to Chapter H4.2 Objectives and H4.3 Policies as this is not a relevant residential zone. No further assessment is required.
Chapter H5 Residential Mixed Housing Urban Zone and Chapter H6 Terraced Housing and Apartment Building Zone	<p>The changes proposed to Objectives H5.2 and Policies H5.3, and Objectives H6.2 and Policies H6.3 under PC78 relate to incorporating Medium Density Residential Standards (MDRS). Generally, these amendments relate to the inclusion of high intensification and development of new dwellings, and buildings and contribution to high quality-built environment outcomes. They also include requirements to be resilient to the effects of climate change, the provision of safe street environments for pedestrians and that intensification is avoided in areas with significant transport infrastructure constraints.</p> <p>EB2 supports the delivery of residential development sought by the above objectives and policies. This is due to the provision of improved transport connections, increased transport network capacity and a design which will be integrated with local amenity values.</p> <p>EB2 has been designed to integrate with the planned intensification of Pakuranga Town Centre, including the periphery of the town centre where residential zones are located.</p>

Chapter Reference	Comment on the proposed plan change and relevance to EB2
	This is a principally achieved by avoiding the majority of EB2 occupying residential zoned land, undertaking landscaping and requiring an Urban Design and Landscape Plan as part of the proposed condition set.
Chapter H10 Business Town Centre Zone	<p>The changes proposed to Objectives H10.2 and Policies H10.3, and Objectives H13.2 and Policies H13.3 under PC78 relates to the inclusion of new provisions relating to a well-functioning urban environment and building height enabling at least six storeys within walkable catchments. It is noted that the height control for Pakuranga Town Centre remains unchanged.</p> <p>EB2 has been designed to minimise its adverse effects on Pakuranga Town Centre. This includes avoiding the placement of the Reeves Road Flyover within the core of the town centre (i.e. the Pakuranga Plaza site) and a requirement for the Urban Design and Landscape Plan to detail how EB2 is to integrate with the town centre upon completion.</p> <p>Furthermore, EB2 makes a positive contribution to the viability and amenity values of Pakuranga Town Centre. This is principally through the removal of ground-level road traffic, improved active transport connectivity and increased transport network capacity.</p>
Chapter F2 Coastal-Drainage, reclamation and declamation	No changes are proposed to the objectives and policies under F2 Drainage, reclamation and declamation. Therefore no further assessment is required.
Chapter H7 Open Space Zones	No changes are proposed to the objectives and policies under H7 Open Space Zones. Therefore no further assessment is required.

7. Changes to AUP(OP) Objectives and Policies – PCC79

As highlighted above, PC79 introduces amended objectives and policies to the AUP(OP). Given this, the following tables (Table 5) provide an assessment of EB2 against the amended AUP(OP).

Table 5: Summary of objectives and policies relevant to EB2 under Proposed Plan Change 79 Transport

Proposed Plan Change 79 Transport Plan Change	
Chapter Reference	Comment on the proposed plan change and relevance to the project
Chapter E27 Transport	<p>The proposed changes to the objectives and policies under PC79 relate to the inclusion of accessible parking, electric vehicle supply equipment, secure and covered bicycle parking for residential development and pedestrian access between residential dwellings and public road.</p> <p>These matters are largely non-applicable to EB2, with the exception of providing safe access to residential dwellings. It is noted that EB2's design has been subject to a safety audit and is consistent with AT's roading/access standards. As such, EB2 is consistent with the changes in PC79.</p>
Chapter E24 Lighting	<p>PC79 proposes a new policy E24.3 <u>(1A) Provide for appropriate levels of artificial lighting for pedestrian safety, and to enable access and wayfinding</u></p> <p>Comment: The project includes lighting through the ULDP which will ensure pedestrian safety and to enable access and wayfinding. It will therefore give effect to this proposed policy.</p>

8. Review of Consent Triggers

The plan changes have been reviewed for any additional triggers for resource consent as detailed in Tables 6 and 7 below.

Table 6: Summary of Resource Consents Applied for EB2 and their relationship to Proposed Plan Changes

Resource consent applied for under AUP (OP) ⁹			
Rule	Description	Activity Status	Comment on the plan changes and relevance to the project
E26.3.3.1 (A77)	Vegetation alteration or removal that does not comply with Standards E26.3.5.1 to E26.3.5.4 <i>Comment: Approximately 1120m² of vegetation clearance is proposed around the riparian margins of two terrestrial wetlands (i.e. within 20 m) and the coastal areas of the Tāmaki River (i.e. within 25 m of MHWS).</i>	RDA	No change
E26.5.3.2 (A102)	Greater than 10,000m ² up to 50,000m ² where land has a slope less than 10 degrees outside the Sediment Control Protection Area ²⁶ other than for maintenance, repair, renewal, minor infrastructure upgrading. <i>Comment: The construction of EB2 will require 35,000m² across Pakuranga Town Centre</i>	Controlled	No Change
F2.19.4 (A50)	Mangrove removal, not otherwise provided for	Discretionary	No Change

⁹ Table 7-1 AUP (OP) consents required in the Eastern Busway 2 Assessment of Effects on the Environment prepared by Auckland Transport, dated 1.8.2022

Resource consent applied for under AUP (OP) ⁹			
Rule	Description	Activity Status	Comment on the plan changes and relevance to the project
	<i>Comment: The proposed works involve approximately 4262m² of mangrove clearance within the CMA. This clearance is required for the construction of two new stormwater outfalls and their associated permanent footprint.</i>		
F2.19.10 (A133)	Infrastructure coastal marine area structures not otherwise provided for <i>Comment: The proposed works include two new stormwater outfalls within the General Coastal Zone requiring a permanent occupation of the CMA of 1,375m².</i>	Discretionary	No Change
E30.4.1 (A6)	Discharges of contaminants into air, or into water, or onto or into land not meeting permitted activity Standards E30.6.1.1; E30.6.1.2; E30.6.1.3; E30.6.1.4; or E30.6.1.5. <i>Comment: Land disturbance will occur adjacent to contaminated sites (3 Reeves Road and 141 Pakuranga Road) and a detailed site investigation has not been undertaken. As such, a precautionary approach has been applied and resource consent is sought under this rule.</i>	RDA	No Change

Table 7: Summary of permitted activities for EB2 and their relationship to Proposed Plan Changes

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
E26.2.3.2 (A67)	Construction, operation, use, maintenance and repair of road networks activities <i>Comment: All road network activities that form part of the proposal are permitted.</i>	No Change
E26.2.3.2 (A68)	Transportation of people, goods and services <i>Comment: All road network activities which enable transportation of people, goods and services on existing and unformed roads are permitted.</i>	No Change
E26.2.3.2 (A70)	Public Amenities <i>Comment: All road network activities which establish public amenities for the convenience and amenity of the public such as landscaping, planting, directional signage, shelters are permitted.</i>	No Change
E26.4.3. (A82)	Pest Plant Removal <i>Comment: As detailed in the Arboricultural Effects Assessment removal of pest plant trees less than 4m in height and less than 400mm in girth are permitted.</i>	No Change
E26.4.3 (A83)	Tree trimming or alteration <i>Comment: As detailed in the Arboricultural Effects Assessment, trimming and alteration of protected trees that comply with standard E26.4.5.1 are permitted.</i>	No Change
E26.4.3.1 (A87)	Works within the protected root zone that comply with Standard E26.4.5.2	No Change

¹⁰ Table 7-2 AUP (OP) Permitted Activities in the Eastern Busway 2 Assessment of Effects on the Environment dated 1.8.2022

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
	<i>Comment: As detailed in the Arboricultural Effects Assessment, works within the protected root zone that comply with Standard E26.4.5.2 are permitted.</i>	
E26.4.3.1 (A91)	Tree alteration or removal of any tree less than 4m in height and/or less than 400mm in girth <i>Comment: As detailed in the Arboricultural Effects Assessment, tree alteration or removal of any trees less than 4 in height and or less than 400mm in girth are permitted.</i>	No Change
E26.5.3.1 (A94) and E26.5.3.2 (A100)	Earthworks for maintenance, repair, renewal, minor infrastructure upgrading and service connections <i>Comment: The earthwork trenching for underground utility service connections along EB2 are considered to be permitted in all zones the works sits within.</i>	No Change
E26.5.3.1 (A95)	Earthworks up to 2500m ² other than for maintenance, repair, renewal, minor infrastructure upgrading <i>Comment: The earthwork for trenching for minor infrastructure upgrading will be less than 2,500m² (1,200m²) and are considered to be permitted.</i>	No Change
E26.5.3.1 (A96)	Earthworks up to 2500m ³ other than for maintenance, repair, renewal, minor infrastructure upgrading <i>Comment: The earthwork for trenching for minor infrastructure upgrading will be less than 2,500m³ (5,87m³ cut and 800m³ fill) and are considered to be permitted.</i>	No Change

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
E36.4.1 (A53)	<p>Construction, operation, maintenance, renewal and repair of road network activities within the legal road or road formation width in the coastal erosion hazard area; coastal storm inundation 1 per cent annual exceedance probability (AEP) area; coastal storm inundation 1 per cent AEP plus 1m sea level rise area; overland flow paths; land which may be subject to land instability.</p> <p><i>Comment: Construction and operation of road network activities within legal road within overland flow paths and on land which may be subject to land instability are considered permitted.</i></p>	No Change
E7.6.1.6 and E7.6.1.10	<p>Dewatering or groundwater level control associated with a stormwater diversion and diversion of groundwater caused by excavation.</p> <p><i>Comment: the stormwater excavations are a road network linear trenching activity, where no one part of the trench will be open for more than 10 days, this is considered permitted activity. The piling works will involve piles with an external diameter of greater than 1.5m, which will be drilled into rock head. However, these do not exceed 1 hectare in total area and do not impede the flow of groundwater over a length of more than 20 m. Therefore, these are also considered a permitted activity.</i></p>	No Change

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
E8.4.1 (A1)	<p>Diversion of stormwater runoff from lawfully established impervious areas directed into an authorised stormwater network or a combined sewer network that complies with Standard E8.6.2.1</p> <p><i>Comment: Diversion of stormwater runoff from established impervious road areas will be directed into the authorised stormwater network within the Pakuranga catchment as a permitted activity.</i></p>	No Change
E25.4.1 (A1)	<p>Activities that comply with all the relevant permitted activity standards</p> <p><i>Comment: A noise and vibration assessment has been prepared which shows that the operational noise and vibration of the busway can be undertaken in accordance with the relevant standards and is considered to be permitted. Additionally, the proposed bentonite plant will be supported by the Project's CNVMP to meet compliance with the relevant noise standards and is authorised by the NoR therefore considered a permitted activity.</i></p>	No Change
E24.4.4 (A1)	<p>Activities that comply with all the relevant permitted activity standards</p> <p><i>Comment: The lighting associated with the busway will be in accordance with the permitted standards.</i></p>	No Change
E14.4.1 (A1)	<p>Activities meeting the permitted activity standards and not provided for by any other rule</p>	No Change

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
	<p><i>Comment: The proposed bentonite plant will have covered containers, and the mixing, pumping, receipt, storage and handling of bentonite or polymer is contained and does not lead to any air discharge. Therefore, the establishment and use of the plant is considered a permitted activity.</i></p>	
E33.4.3.2 (A17)	<p>Discharge of contaminants from an existing or new industry or trade activity area listed as moderate risk in Table E33.4.3</p> <p><i>Comment: The proposed bentonite plant and petrol storage covers an area of less than 5,000m² and will be in use less than 12 months, supported by subsequent construction management plans and procedures over the duration of its use. The activity is therefore considered a permitted activity.</i></p>	No Change
E40.4.1 (A20)	<p>Temporary activities associated with building or construction, (including structures and buildings that are accessory activities), for the duration of the project, or up to 24 months, whichever is the lesser</p> <p><i>Comment: The proposed bentonite plant is associated with construction and will be in use for a 9-month period. The Site Office at 5 Reeves Road will be in place for the duration of the project and is provided for by the NoR. Therefore, the temporary activity is considered a permitted activity.</i></p>	No Change

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
H10.4.1 (A1)	Activities not provided for <i>Comment: Establishing the proposed bentonite plant during construction is not provided for, however will be supported by subsequent construction management plans and is authorised by the NoR, therefore considered a permitted activity.</i>	No Change
D26.4.1 (A3)	Within the National Grid Yard (Compromised and Uncompromised) - Network Utilities (excluding buildings and structures for irrigation) and electricity generation that connect to the national grid <i>Comment: The network utilities and electricity generation which connects to the national grid is considered to be permitted.</i>	No Change
D26.4.1 (A13A)	Within the National Grid Yard (Uncompromised) any structures that do not meet the definition of Building in Chapter J <i>Comment: The RRF (as a bridge) is specifically excluded from the definition of "building"</i>	No Change
D26.4.1 (A19)	Land disturbance that complies with Standards D26.6.1.1(1)(a), D26.6.1.1(1)(b), D26.6.1.1(1)(c) and D26.6.1.1(1)(d) <i>Comment: Land disturbance undertaken as part of sealing or resealing of a road, footpath or driveway does not require to apply Standards D26.6.1.1(1)(a) – (d) and therefore is considered permitted.</i>	No Change

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
D26.4.2 (A27)	<p>Within the National Grid Substation Corridor – Network Utilities and Electricity Generation that connects to the National Grid</p> <p><i>Comment: The network utilities and electricity generation which connects to the national grid is considered to be permitted.</i></p>	No Change
D26.4.2 (A28)	<p>Roading activities, and network utilities or electricity generation that connects to the National Grid that are above ground or comply with Standard D26.6.1.2(1), and electricity transmission infrastructure in a road carriageway</p> <p><i>Comment: All network utilities can comply with Standard D26.4.2 and are considered to be permitted.</i></p>	No Change

9. Conclusion

Overall, the proposed changes under PC78, PC79 and PC80 are more enabling. EB2 gives effect to the objectives and policies of these proposed plan changes given that EB2:

- Delivers additional roading capacity, improved public transport reliability and capacity that connects Pakuranga and Botany to the wider network
- Improves active transport infrastructure and facilities which will provide increased modal choice and reduced congestion
- Provides greater transport choice, transport links and safer travel for all users including the improved connectivity and efficient movement of pedestrians, cyclists and vehicles

- Provides improved road safety along the existing corridor through simplifying intersections and provision of extra crossings, new cycle lanes and footpaths, and new connections between the town centre and surrounding reserves
- Provides transport infrastructure that improves connections and linkages with existing land uses that supports a quality and compact urban form
- Provides stormwater attenuation including new pipework and outfalls which recognises the existing flooding issues, as well as meets Healthy Waters standards and modelling climate change conditions
- Contributes to the amenity values and efficient functioning of the Pakuranga Town Centre
- Improves the ability of both pedestrians and cyclists to move more easily through the area
- Helps reduce transport related greenhouse gas emissions.

Notably, no additional consent triggers have been identified.