



*Waitemata*

District Health Board

Best Care for Everyone

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**PRIVATE PLAN CHANGE REQUEST**

**ASSESSMENT OF ENVIRONMENTAL EFFECTS**

**&**

**STATUTORY ASSESSMENT**

**FOR**

**THE MASON CLINIC,  
3A, 81A AND 119A CARRINGTON ROAD,  
MOUNT ALBERT,  
AUCKLAND**

**PREPARED BY**

**BENTLEY & Co**

Resource Management Consultants

**OCTOBER 2021**

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- Attachment 1:** Records of Title
- Attachment 2:** Proposed Plan Change Provisions and Maps
- Attachment 3:** Section 32 Assessment
- Attachment 4:** Civil Infrastructure Assessment (Aurecon)
- Attachment 5:** Draft Wairaka Stormwater Management Plan (MPS)
- Attachment 6:** Design and Architectural Assessment (Klein Architects)
- Attachment 7:** Ecological Impact Assessment (Morphum)
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Social facilities
- Attachment 13:** Transport Assessment (Flow)
- Attachment 14:** Correspondence from HUD

**Signature:**

**Waitematā District Health Board**

by its authorised agents Bentley & Co. Limited:



.....  
Anthony Blomfield

**Reviewed by:**



.....  
Craig McGarr  
December 2021

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## 1 THE APPLICANT AND PROPERTY DETAILS

<b>Applicant's Name:</b>	Waitematā District Health Board
<b>Address for Service:</b>	Bentley & Co Limited PO Box 4492 Shortland Street Auckland 1140 Attn: Craig McGarr/Anthony Blomfield
<b>Site Address:</b>	3A, 81A and 119A Carrington Road, Mount Albert
<b>Legal Description:</b>	Lot 1 DP 531494 (867814) Lot 2 DP 156226 (NA93B/540) Lot 1 DP 531496 (868263)
<b>Site Area:</b>	6.7794ha (combined)
<b>Unitary Plan Zoning:</b>	Special Purpose – Healthcare Facility and Hospital Business – Mixed Use
<b>Unitary Plan Matters:</b>	<p><u>Precincts:</u></p> <p>Wairaka Precinct Wairaka Precinct – Sub-precinct A</p> <p><u>Overlays:</u></p> <ul style="list-style-type: none"><li>• Natural Resources: Significant Ecological Areas Overlay – SEA_T_6008 Terrestrial</li><li>• Natural Resources: Quality-sensitive Aquifer Management Areas Overlay – Auckland Isthmus Volcanic</li></ul> <p><u>Controls:</u></p> <ul style="list-style-type: none"><li>• Macroinvertebrate Community Index – Urban</li><li>• Macroinvertebrate Community Index – Native</li></ul> <p><u>Designations:</u></p> <ul style="list-style-type: none"><li>• N/A</li></ul>

## 2 EXECUTIVE SUMMARY

- 2.1 The Waitematā District Health Board (“**WDHB**”) owns and operates the Mason Clinic facility at the Wairaka Precinct in Mount Albert. The Mason Clinic is a forensic psychiatric healthcare facility, which provides a range of mental health services and includes custodial and secure care, together with accessory and supporting services.
- 2.2 The WDHB is making an application for a Private Plan Change to amend the provisions of the Auckland Unitary Plan (Operative in part) which apply to the Mason Clinic Site located in the Wairaka Precinct, together with recently purchased sites to the north and south of the existing site. The respective sites are subject to different zones and precinct provisions. Collectively, the provisions do not appropriately provide for the intensification of the Mason Clinic activity in a functional, integrated and efficient manner, or for the future development of the Mason Clinic to be managed appropriately relative to the current and future environmental context of the Wairaka Precinct.
- 2.3 The Plan Change will:
- (a) apply a consistent Special Purpose – Healthcare Facility and Hospital zone to the combined sites;
  - (b) apply the Sub-precinct A of the Wairaka Precinct to the combined sites;
  - (c) delete the open space and shared path components from the Wairaka Precinct Plan 1 that apply to the sites;
  - (d) amend the objectives and policies of the Wairaka Precinct to better reflect the nature of the Mason Clinic activity and provide for its ongoing development and intensification, having regard to the environmental attributes and amenity of the anticipated future urban development of the surrounding land ;
  - (e) introduce appropriate standards to guide future development; and
  - (f) introduce new matters of discretion/control and assessment criteria for the consideration of new building development for Sub-precinct A.
- 2.4 The Plan Change Request is supported by a range of technical assessments and an evaluation in accordance with section 32 of the Resource Management Act 1991 (“**RMA**”), which has considered other reasonably practicable options for achieving

the purpose of the Plan Change. These assessments conclude that the proposal is the most efficient and effective option to achieve the objectives of the relevant statutory documents, and that the option promoted by the Plan Change Request is the most optimal in respect of the social, cultural, environmental, and economic benefits and costs, and the potential effects of the change sought on the environment.

### **3 INTRODUCTION**

#### **The Waitematā District Health Board**

- 3.1 The Waitematā District Health Board (“**WDHB**”) is responsible for the public health needs of the North Shore, Waitakere and Rodney health wards, and its jurisdiction extends to the northern boundary of the Auckland Region.
- 3.2 The WDHB operates two hospitals at Waitakere and North Shore, together with the Mason Clinic Regional Forensic Psychiatric Services facility (“**Mason Clinic**”), a Child Rehabilitation Service and Respite Care at the Wilson Home in Takapuna, and several smaller clinics and facilities throughout their jurisdiction.

#### **The Mason Clinic**

- 3.3 The WDHB owns and operates the Mason Clinic which is located at the subject site in Mount Albert. The Mason Clinic was established in 1992, when existing forensic psychiatric services moved from Carrington and Kingseat hospitals. The Mason Clinic is a forensic psychiatric healthcare facility, which provides a range of services, including assessment, acute treatment, rehabilitation and custodial care for users with particular needs and requirements, including users who are admitted to the Mason Clinic under the jurisdiction of several statutes for ongoing secure care (such as users under remand).
- 3.4 The Mason Clinic also comprises a range of accessory activities and supporting services, including facilities for hosting rehabilitation support groups, supporting healthcare services for users, tribunal hearings, education services for nursing and healthcare students, and physical spaces for visitors to spend time with users. Outdoor recreation is a component of the services provided, and several of the buildings on the site are integrated with external courtyards and recreation areas.
- 3.5 The Mason Clinic services the populations of the four Northern Region District Health Boards (Northland, Waitematā, Auckland and Counties Manukau) which

collectively have a population of some 1.9 million people. The Mason Clinic also services populations from other District Health Boards within the North Island.

- 3.6 The Mason Clinic currently contains 114 mental health ‘beds’ and 12 forensic intellectual disability ‘beds’. A new 15-bed facility is currently under construction, and is due for completion in 2021. The existing facilities are all contained within the Mason Clinic Site located at 81A Carrington Road.
- 3.7 Several of the existing buildings have become dilapidated, are not fit-for-purpose, and do not provide a quality of living environment that meets the WDHB’s standards. In addition, the Mason Clinic is near to its full capacity, and will need to expand to service the growth in the demand for the forensic psychiatry services that is forecast by the WDHB in the next 10-20 years, and the broadening of the services provided at the Mason Clinic in respect of youth services and holistic rehabilitation facilities for non-custodial users, to meet changes in demands.
- 3.8 The WDHB purchased two additional land parcels to the north (3A Carrington Road) and south (119A Carrington Road) of the original Mason Clinic property from the Ministry of Housing and Urban Development (“**HUD**”), in 2019. The land purchase was driven by the need to both replace the existing dilapidated buildings with high-quality facilities, and to expand the capacity of the Mason Clinic to cater for the anticipated growth in the demand for services as the regional and national population continues to increase. The land purchased and the Plan Change sought will enable the efficient future use, development and intensification to be planned in a comprehensive, manner to meet modern forensic psychiatric health models.

## **4 SITE DESCRIPTION AND SURROUNDING ENVIRONMENT**

### **Site Location and Description**

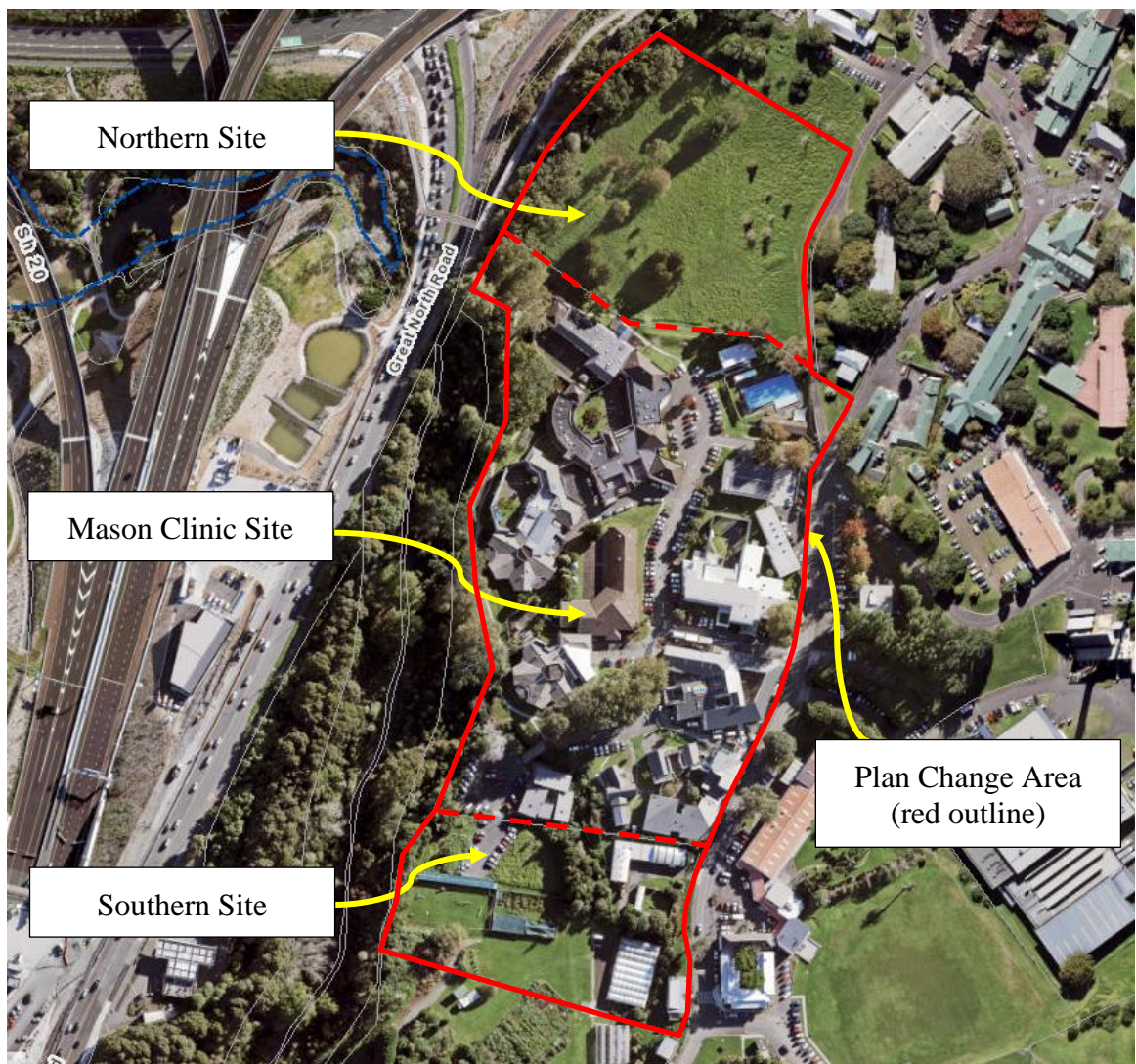
- 4.1 The Plan Change Area comprises three sites located at 3A, 81A and 119A Carrington Road, Mount Albert. These sites are located at the western side of the ‘Wairaka Precinct’, to the east of Oakley Creek / Te Auaunga. The land to the north, east and south of the Plan Change Area is owned by HUD, and is planned to be comprehensively redeveloped for intensive housing and ancillary activities by HUD and the Marutūāhu Rōpū, Waiohua-Tamaki Rōpū, and Ngāti Whātua Rōpū (as development partners). This neighbouring land is currently occupied by facilities



and grounds of Unitec Institute of Technology (“**Unitec**”), and is in the process of being vacated. Also within the Wairaka Precinct, east of the Mason Clinic Site, is the Taylors Laundry facility.

4.2 In this report, the properties are referred to as follows (with reference to **Figure 1**):

- (a) 3A Carrington Road: Northern Site
- (b) 81A Carrington Road: Mason Clinic Site
- (c) 119A Carrington Road: Southern Site
- (d) All properties: Plan Change Area

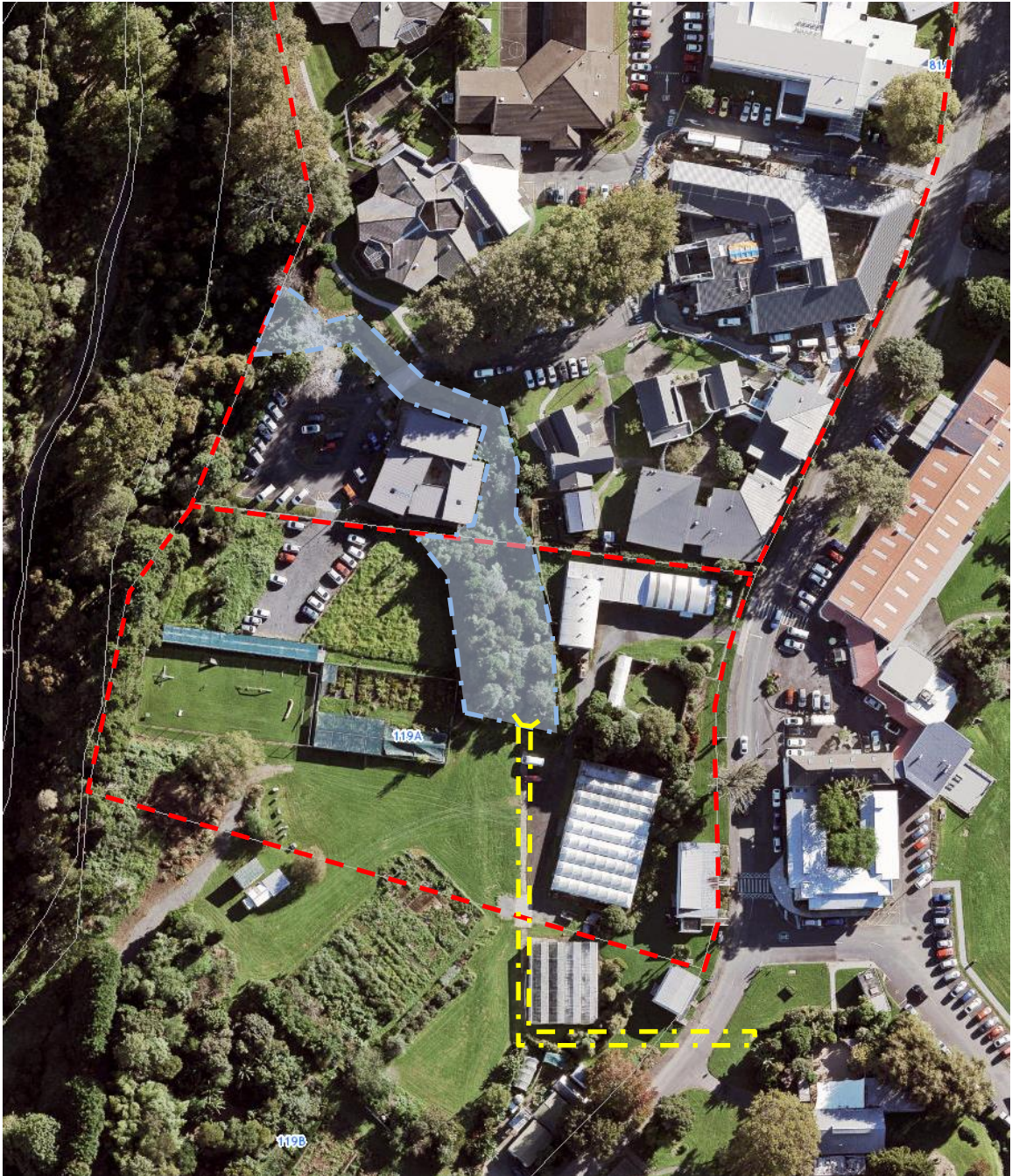


**Figure 1. Aerial photograph showing the respective land areas of the Plan Change Area**

4.3 The Mason Clinic Site is currently occupied by a variety of one to two storey buildings, and are of a range of styles and ages as a consequence of the iterative manner in which the facility has been developed since its inception.

- 4.4 The existing buildings within the Mason Clinic Site have typically been constructed at the perimeter of the site, and are interspersed with carparking and landscaping.
- 4.5 The ‘frontage’ of the Mason Clinic Site is the eastern boundary, which adjoins the private north-south ‘spine’ road within the Wairaka Precinct, which is accessed from ‘Gates 1 and 2’ from Carrington Road, and from Farm Road in the southern portion of the Precinct. The majority of the eastern boundary of the site is occupied by tall security fencing with climbing vegetation and mature trees. Those buildings located adjacent the frontage have typically not been designed to be orientated to the frontage, with an internal focus being prevalent. This reflects their function and the operational requirements of the Mason Clinic.
- 4.6 The Northern Site is currently vacant, grassed, and contains several mature trees. Several of the trees proximate to the western boundary of the Northern Site are identified in the Wairaka Precinct provisions as ‘protected’.
- 4.7 The Southern Site is occupied by a maintenance compound, a derelict greenhouse structure, and a small building used by Unitec for education activities. The Southern Site has historically been used for a dog training activity, with remnant storage structures located on the eastern side of this land. A ‘spill over’ metalled carparking area is located in the north-western corner of the Southern Site, which is accessed from within the Mason Clinic Site via a bridge across the Wairaka Stream.
- 4.8 The topography of the Mason Clinic Site and the Southern Site gently slopes from east to west towards Oakley Creek / Te Auaunga. The Wairaka Stream traverses both of these landholdings, as shown in **Figure 2**. The stream originates from a spring to the south within Unitec’s land. Within the Southern Site, the Wairaka Stream is largely piped, emerging south of the boundary of the Mason Clinic Site and heading north-west, to discharge to the Oakley Creek. To the south of the Southern Site, the Wairaka Stream is also piped to the eastern side of the north-south spine road.





**Figure 2. Aerial photograph showing the uncovered (blue outline) and culverted (yellow outline) sections of the Wairaka Stream**

- 4.9 The Northern Site slopes from north-east to south-west.
- 4.10 The Plan Change Area contains a variety of mature trees and vegetation, which are dispersed throughout and between existing buildings. As discussed, several trees located towards the western boundary of the Northern Site are currently identified for protection under the Wairaka Precinct.
- 4.11 The Plan Change Area does not contain any scheduled Historic Heritage features, Notable Trees, or any Outstanding Natural Features or Landscapes. The vegetation



adjacent the Oakley Creek to the west of the Site is subject to a Significant Ecological Area overlay, which partially extends onto the Southern Site and the Mason Clinic Site across the western boundary, as shown in **Figure 3**.



**Figure 3. Extent of the Significant Ecological Area (red shading) within the Mason Clinic Site and Southern Site (blue outline)**

4.12 Legal access to the Mason Clinic is taken from Carrington Road at Gate 2, via legal Rights-of-Way over the adjoining (intervening) property, which includes the north-south spine road. Several crossing points are taken to the Mason Clinic from the north-south spine road.

- 4.13 As set out in the Civil Infrastructure Assessment prepared by Aurecon (**Attachment 4**), the Plan Change Area is located at the downstream end of a large stormwater catchment, which generally flows to Oakley Creek. The Plan Change Area is identified on Council’s GeoMaps as being affected by a 1% Annual Exceedance Probability floodplain (“**AEP floodplain**”), together with being subject to several overland flow paths, as shown in **Figure 4**.
- 4.14 A Stormwater Management Plan (“**SMP**”) has been prepared and submitted to Council for ‘adoption’ under the Regional Network Discharge Consent. A copy of the current ‘draft’ SMP is appended as **Attachment 5**. The SMP provides updated modelling of the flooding and overland flows within the Wairaka Precinct, including the Plan Change Area. This modelling identifies a lesser extent of flooding within the Plan Change Area, as shown in **Figure 5**. This will be discussed further in sections 5 and 11 of this assessment.
- 4.15 The Plan Change Area is serviced by existing wastewater, water supply and stormwater infrastructure networks, as explained in the Civil Infrastructure Assessment (**Attachment 4**).



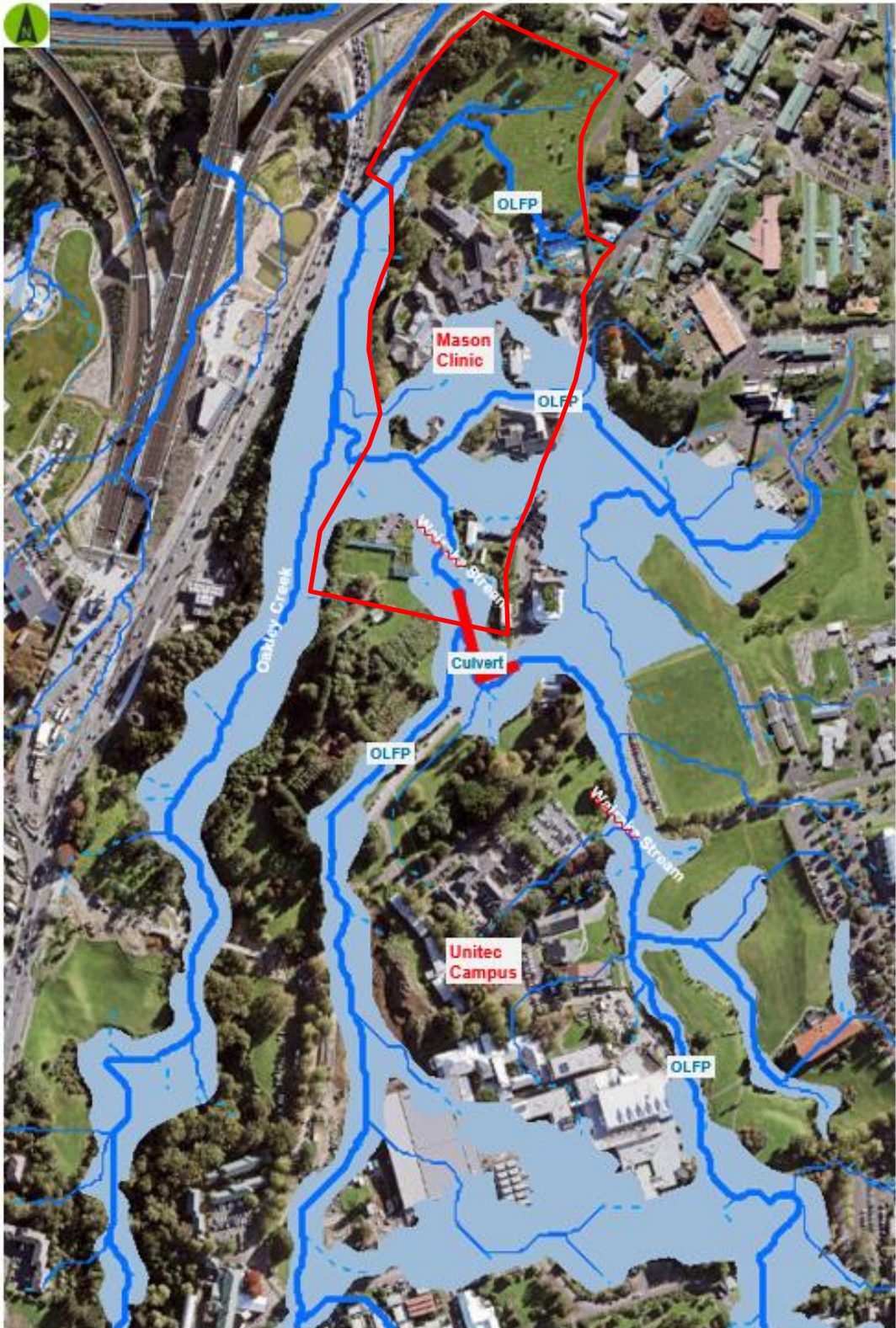


Figure 4. Extent of the AEP Floodplain and overland flow paths shown on Geomaps

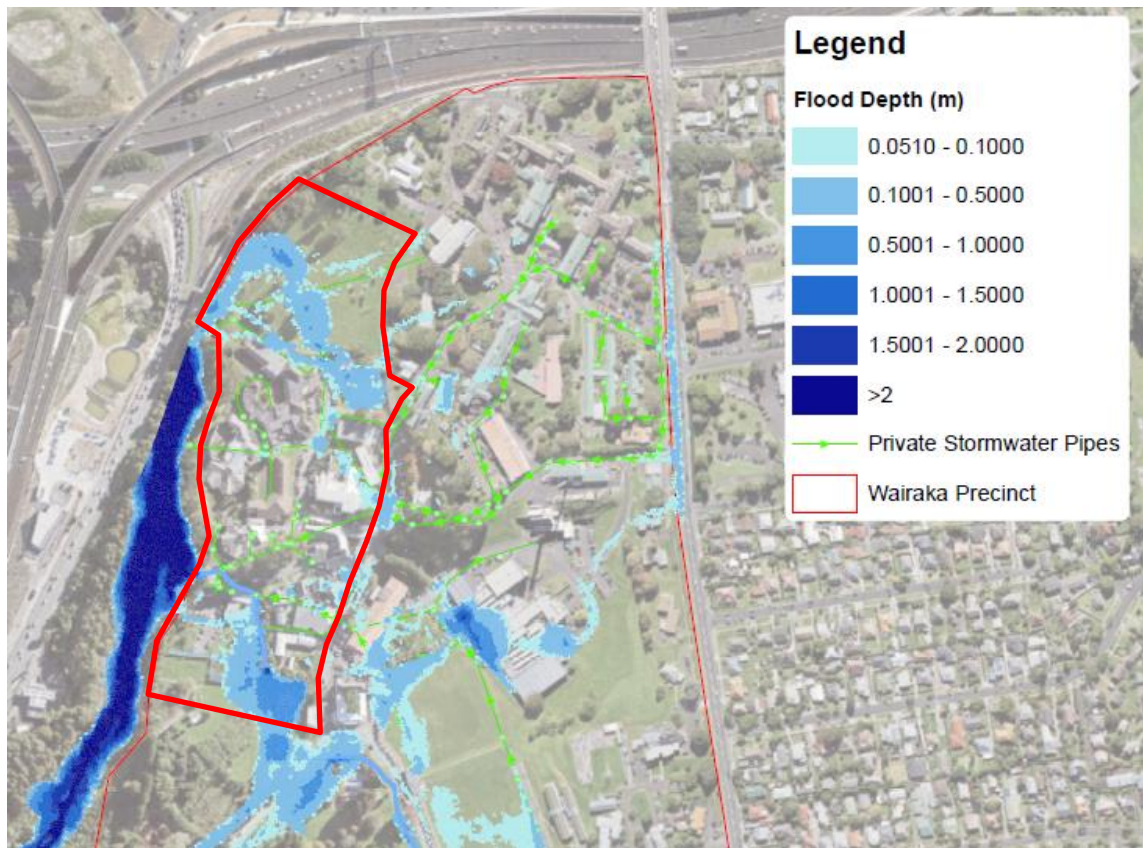


Figure 5. Extent of flooding as modelled by the SMP (Source: MPS)

### The Wairaka Precinct

4.16 The Wairaka Precinct (**Figure 6**) comprises some 64.5 hectares, and applies to the land bound by Carrington Road to the east, State Highway 20 to the north and north-west, Oakley Creek / Te Auaunga to the west, and residential activity to the south (Mark Road, Rhodes Avenue, Renton Road and Laurel Street).





**Figure 6. Aerial photograph showing the boundaries of the Wairaka Precinct and sub-precincts**

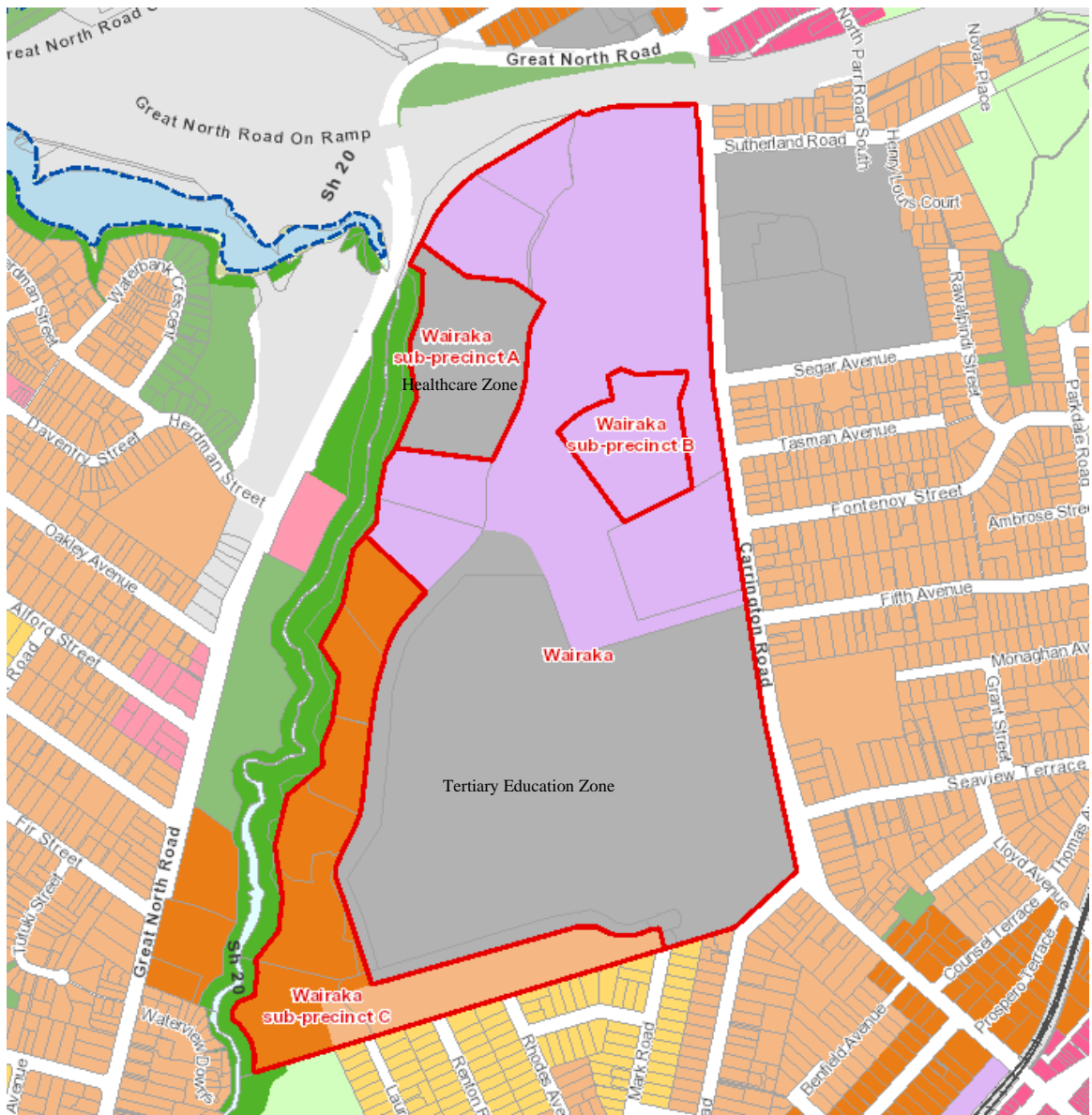
4.17 The Wairaka Precinct has historically been occupied by the Mason Clinic, the Unitec Institute grounds and facilities, and other associated activities, together with the



Taylor's Laundry facility. The spatial extent of the Unitec activity has been reduced to occupy the southern 'half' of the Wairaka Precinct. The resultant area in the north (26.6 ha) is intended to be comprehensively developed over a 15 year period to deliver some 300 new dwellings and ancillary activities.

- 4.18 The southern half of the Wairaka Precinct is occupied by institutional and educational facilities and at-grade parking areas, together with large recreation fields and open areas, and stormwater infrastructure. The northern half of the Wairaka Precinct is more sparsely developed with buildings that are currently vacant or temporarily utilised by Unitec and other associated activities, which includes the scheduled former Carrington Hospital building in the north-eastern corner. The Taylor's Laundry activity occupies a separate site in the centre of the Wairaka Precinct, located at 1A Carrington Road. The Mason Clinic is located at the western side of the Wairaka Precinct.
- 4.19 The Wairaka Precinct includes several areas of open spaces, and is generally well vegetated with a combination of mature exotic and native trees. The Wairaka Stream and the stormwater infrastructure also contribute to the natural characteristics of the precinct.
- 4.20 The Wairaka Precinct, and the underlying zoning of the Precinct area, are structured to provide for the ongoing operation of the existing Mason Clinic, the Taylor's Laundry, the land which is owned by Ngati Whatua Orakei which adjoins the western and southern boundary (which is zoned and intended for residential development), and the Unitec tertiary education activity (within the consolidated southern half of the precinct), together with the future development of the northern half of the precinct. In this respect, as shown in **Figure 7**, the Wairaka Precinct includes three sub-precincts, and is subject to a range of underlying zones, as follows:
- (a) The Mason Clinic Site is subject to Sub-precinct A of the Wairaka Precinct which is specific to this activity, and has an underlying Special Purpose – Healthcare Facility and Hospital zone (“**Healthcare Zone**”);
  - (b) The Northern Site and Southern Site are not subject to a sub-precinct, and are zoned Business – Mixed Use (“**Mixed Use Zone**”);
  - (c) The land adjacent the Plan Change Area is zoned Business – Mixed Use, and is not subject to a sub-precinct;

- (d) The Taylor’s Laundry site is subject to Sub-precinct B of the Wairaka Precinct which is specific to that activity, and has an underlying Mixed Use zone;
- (e) The Unitec campus is not subject to a sub-precinct, and is zoned Special Purpose – Tertiary Education; and
- (f) The land located within the south-western corner of the Wairaka Precinct, adjacent the western and southern boundaries, is subject to Sub-precinct C of the Wairaka Precinct, and has an underlying combination of Residential – Mixed Housing Urban and Residential – Terrace Housing and Apartment Building zones.



**Figure 7. Zoning of the Wairaka Precinct**

- 4.21 The Wairaka Precinct recognises and provides for the ongoing operation of the identified activities (Mason Clinic, Taylor’s Laundry, and Unitec), as well as enabling the development of the balance of the Precinct area for a wide variety of activities.
- 4.22 The Precinct seeks to manage development in a comprehensive and integrated fashion, to ensure that the provision and upgrade of infrastructure and the roading network is coordinated, that development respects and enhances particular environmental attributes, and that a high-quality built outcome with a range of activities and physical development which collectively contribute to a vibrant urban environment is provided for.
- 4.23 The Wairaka Precinct is currently accessed from Carrington Road via four key access locations, including a signalised intersection at ‘Gate 4’. All internal roads are currently privately owned, and are subject to a variety of legal instruments which provide rights of access to the various properties which do not have frontage directly to Carrington Road, including the Plan Change Area.

#### **Redevelopment of the Wairaka Precinct**

- 4.24 As discussed above, the former Unitec land within the northern ‘half’ of the Wairaka Precinct is intended to be comprehensively developed (by HUD, in partnership with the Marutūāhu Rōpū, Waiohua-Tamaki Rōpū, and Ngāti Whātua Rōpū as part of the rights afforded by the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014).
- 4.25 The “Unitec Reference Plan & Strategic Framework June 2020” explains the intentions for the ‘base plan’ redevelopment of this land. This is stated to deliver a combination of open space and developable land for between 2,500 to 3,000 dwellings across nine “precincts” at a density of between 94 and 113 dwellings per hectare (gross), with buildings ranging between two and eight storeys in scale. An artist’s impression of the potential form of development is illustrated in **Figure 8**.



**Figure 8. Artist's impression of potential future development of the Wairaka Precinct**

4.26 The redevelopment of the Wairaka Precinct in the manner envisaged will dramatically alter the character of the precinct, from the former spacious educational campus to an intensive urban community.

### **The Wider Neighbourhood**

4.27 To the north of the Wairaka Precinct is State Highway 16 and the Great North Road Interchange, which comprises a warren of traffic intersections, motorway lanes, and fly-over connections. Great North Road and Oakley Creek are located to the west, with the Waterview neighbourhood further west, beyond Great North Road, which is undergoing urban redevelopment resulting from the up-zoning provided for by the Unitary Plan. To the east and south is the neighbourhood of Mount Albert. The Mount Albert town centre is located further south on Carrington Road. Point Chevalier is located to the north of the State Highway 16 corridor.

4.28 The residential neighbourhoods surrounding the Wairaka Precinct are characterised by typical suburban development of the 1940's-1990's, and are experiencing redevelopment to various degrees and rates. The zoning of the surrounding land is predominantly Residential – Mixed Housing Urban, interspersed with areas of Residential – Terrace Housing and Apartment Building, and Residential – Mixed Housing Suburban. The zoning of the surrounding area is such that significant redevelopment and intensification of neighbourhoods is enabled.

4.29 The location of the Plan Change Area is such that it is separated from the wider neighbourhood physically, visually, and geographically, by the intervening land within the Wairaka Precinct, Carrington Road, Oakley Creek and further west, Great North Road and the motorway network.

## **5 BACKGROUND TO THE PLAN CHANGE REQUEST**

5.1 In 2018, the WDHB undertook an extensive business case process to investigate the opportunity and viability of the options for providing for the continued services that the existing Mason Clinic provides, and how the forecast demand for future services and facilities could be accommodated in a way which was efficient, and which best served the requirements of the users, visitors, and staff, and the relationship with other healthcare services across the region and the upper north island. This business case confirmed that the most efficient outcome was to retain the facility at its current location, and make provision for its refurbishment, intensification and expansion.

5.2 Following this business case process, the WDHB purchased the Northern Site and Southern Site to increase the available land area, to provide for the intensification and expansion of the facility, and to enable this to occur in a way that caused the least disruption to the users and staff of the facility, as well as the inter-related services that the facility integrates with. This decision also provided the opportunity for the staged redevelopment of the Mason Clinic, such that new facilities can be constructed and commissioned, in a way that allows for users and staff of the existing facilities to be decanted to the new facilities to facilitate the removal and replacement of the older, unfit buildings. Such an approach provides for the key functional and operational requirements of the Mason Clinic to be met, including:

- (a) Providing for a mixture of publicly accessible and secure facilities which can be controlled at different security levels in a staged manner;
- (b) Providing for development at a scale which best fits the model of healthcare to be provided (two to three storeys), including limiting the extent of vertical movement, while making efficient use of the physical land resource;
- (c) Providing for the development of new buildings which include integrated secure courtyards;

- (d) Providing for the development of new buildings which are interconnected to form a secure perimeter around a large, centralised open courtyard, which minimises the need for security fencing at the site boundaries; and
  - (e) The flexible provision of sufficient and suitably located carparking.
- 5.3 During and following the purchase of the Northern and Southern Lands, the WDHB has worked collaboratively and undertaken extensive consultation with HUD, as the adjacent landowner, in developing this Plan Change Request, to ensure that the outcomes sought suitably align and integrate with the future development aspirations for the neighbouring HUD land. The provisions that are proposed to manage the future development within the Plan Change Area reflect this consultation, and are supported by HUD.
- 5.4 The provisions that are proposed have been tested by Klein Architects to ensure that practical, efficient and functional healthcare facilities can be designed and accommodated in a manner which provides for the future requirements of the WDHB and responds appropriately (in terms of scale and form) to the existing and future urban context. This is explained further in the Design and Architectural Assessment (**Attachment 6**), which concludes that the provisions proposed by the Plan Change will enable the efficient use and development of the Mason Clinic, in a manner which responds to the functional and operational requirements of the activity.
- 5.5 As a consequence of the necessity to provide for the existing and ongoing demands for the Mason Clinic's services, the WDHB has progressed with the design of a new building that is to be located on the Northern Land, and will seek resource consent for that under the existing planning framework, in advance of the resolution of this Plan Change Request.
- 5.6 As a separate process to this Plan Change Request, the WDHB has partnered with HUD to commission the preparation of an SMP, which will apply to the Wairaka Precinct. The SMP has been prepared in consultation with other relevant stakeholders of the Precinct, and has been submitted for 'adoption' under the Regional Network Discharge Consent. The SMP identifies a range of infrastructure upgrades that will be required to the stormwater network that services the overall Wairaka Precinct, in order to manage its capacity to convey stormwater flows, together with identifying the upgrades considered necessary to existing outfalls to

the Oakley Creek, to reduce the effects of existing point-source discharges. The upgrades that are identified by the SMP will be jointly undertaken by the relevant stakeholders as development progressively occurs. The outcome sought by this Plan Change Request is independent of the outcome of the SMP process.

## **6 DESCRIPTION OF THE PLAN CHANGE REQUEST**

- 6.1 Pursuant to clause 22(1) of Schedule 1 of the RMA, a Plan Change Request is required to include an explanation of the purpose of, and reasons for, the proposed change to a plan.
- 6.2 The following sets out the purpose and reasons for the Plan Change that is sought by the WDHB, and a description of the changes that are sought.
- 6.3 The specific changes that are sought to the relevant planning maps and provisions of the Unitary Plan (Wairaka Precinct) are set out in **Attachment 2**.

### **Purpose of the Plan Change**

- 6.4 The statutory and strategic planning framework (explained in further detail in Section 8) recognises the need to enable the development of the Auckland region to accommodate population growth, as well as the requirement to service the various needs of a growing and changing demographic. This inherently necessitates consideration of how essential social facilities (such as healthcare activities) will be provided to service that growth, including where facilities will be located to best service their users. The Plan Change Request responds to the fundamental health and well-being needs that arise from population growth.
- 6.5 As set out above, the existing Mason Clinic facilities are not fit for purpose, relative to their continued use, and are required to be replaced. In addition to the immediate need to improve the quality of the existing facilities, the capacity of the services provided at the Mason Clinic needs to increase to cater for the anticipated increase in demand for these services as a result of population growth, the increasing demand for services, and the expansion of the 'catchment' that the Mason Clinic services. The WDHB has determined that it will be most efficient to expand and intensify the existing Mason Clinic, rather than relocating the facilities elsewhere, or to develop multiple facilities across separate landholdings.

- 6.6 The three landholdings within the Plan Change Area are subject to different underlying zonings and corresponding provisions. Further to this, unlike the existing Mason Clinic Site, neither the Northern Site or Southern Site are contained within Sub-precinct A of the Wairaka Precinct. As a consequence, the nature of the activity, and the manner in which the land within the Plan Change Area can be developed, are subject to different and conflicting planning provisions.
- 6.7 The purpose of the Plan Change Request is to facilitate the efficient future use, development and intensification of the land in the Plan Change Area, for a forensic healthcare activity, in an integrated and efficient manner. The Plan Change Request seeks to achieve this purpose by aligning the zoning and related Wairaka Precinct provisions, including incorporating the whole of the Plan Change Area within the envelope of Sub-precinct A of the Wairaka Precinct, and by introducing suitable provisions to provide for the future development of the Plan Change Area in an integrated manner.
- 6.8 Such an approach is necessary and appropriate for a range of reasons including:
- (a) The services/activities associated with the operation of the Mason Clinic comprise elements which fall under the Unitary Plan’s definitions of “healthcare facility”, “community facility” and “justice facilities”. This range of activities is permitted in the Healthcare Zone (through the inclusion of “justice facilities” within the definition of “community facilities”). However, within the Mixed Use zone “justice facilities” require resource consent as a Discretionary activity, which elevates the activity as a whole as the components are inseparable. Therefore, in the absence of aligning the zoning of the whole Plan Change Area, its efficient future use/development will be frustrated by competing plan provisions, necessitating onerous and inefficient consent processes associated with a split zoning. The approach taken will provide for the efficient future development of a range of healthcare related and supporting activities to cater for the special and diverse requirements of the users, employees and visitors to the Mason Clinic.
  - (b) The provisions (standards) of the current Mixed Use zone which apply to the Northern Site and Southern Site, do not align with the provisions (standards)



of the Healthcare Zone (or the standards of Sub-precinct A), which will similarly frustrate the efficient future use and development.

- (c) It provides the opportunity to develop a suite of specific provisions (standards) that apply to the Plan Change Area holistically, which will efficiently provide for the future development of the land in an integrated manner, and better promoting its integration with neighbouring land within the Wairaka Precinct.

6.9 In addition to the inefficiencies arising from the underlying zoning and related standards which apply to the respective parts of the Plan Change Area, the Plan Change Request addresses two elements contained in Wairaka Precinct Plan 1 which would otherwise constrain the comprehensive, integrated and efficient future use and development of the Northern Site and Southern Site in a coordinated manner with the existing Mason Clinic Site. These elements comprise that part of the Southern Site identified on Precinct Plan 1 as “key open space (private)”, and that part of the Northern Site identified on Precinct Plan 1 as a “shared path”. The continued presence of these features as a component of the Wairaka Precinct effectively prevents the integrated development of the Northern and Southern Sites with the Mason Clinic Site.

6.10 The Plan Change Request removes these elements from the Plan Change Area. With reference to the functional and operational requirements of the Mason Clinic activity (described in section 5.2), the requirement for open space (in the form of common, secure outdoor courtyards and recreational/amenity areas) will be integrated with the future layout of the Mason Clinic. The continued identification of open space (private) on the Southern Site does not correspond to the requirements of the Mason Clinic. The nature of the Mason Clinic is such that private open spaces are required to be securely managed, rather than being open to other users.

6.11 As discussed in the following section of this assessment, the purpose of the Plan Change cannot be achieved if these elements and their function remain in their current location. The Wairaka Precinct provisions envisage open space and connectivity across the Precinct, and for such elements to be provided for in a suitable location coincident with the master-planning of the design and layout and development of the Precinct, and in a timeframe which responds to the future occupation.

## **Description of the Changes to the Plan Provisions**

6.12 The Plan Change Request seeks changes to the planning maps (zoning and sub-precinct boundaries) and to the provisions of Chapter I334 Wairaka Precinct of the Unitary Plan. The changes proposed are set out in **Attachment 2** and are described below.

### The Underlying Zoning and Sub-Precinct Boundaries

6.13 The Plan Change seeks to rezone the Northern Site and Southern Site to Special Purpose – Healthcare Facility and Hospital, consistent with the zoning of the Mason Clinic Site, and to include the Northern Site and Southern Site within Sub-precinct A of the Wairaka Precinct.

### Precinct Features

6.14 To enable the Southern Site to be efficiently utilised for healthcare purposes and be integrated with the Mason Clinic Site, the Plan Change proposes to delete the ‘Key open space (private)’ element from Precinct Plan 1 of the Wairaka Precinct, from the Southern Site.

6.15 To enable the Northern Site to be efficiently utilised for healthcare purposes and be integrated with the Mason Clinic Site, the Plan Change proposes to delete the ‘Shared path’ element from the Northern Site.

### Precinct Description

6.16 Several changes are proposed to the Precinct Description (I334.1) to better describe the nature of the Mason Clinic activity, and to better explain that the purpose of Sub-precinct A (within the wider Precinct) is to facilitate the future development and intensification of the Mason Clinic for a range of healthcare related and supporting activities to cater for the special and diverse requirements of its users, employees and visitors.

6.17 Changes are also proposed to the Precinct Description to better explain how the open space network within the Precinct can be provided, with reference to those areas identified on Precinct Plan 1, and as an integral component of the future urban intensification envisaged.

### I334.1. Precinct Description

...

The purpose of the Wairaka Precinct is to provide for a diverse urban community, including the ongoing development and operation of the tertiary education facility the development and operation of a range of community, recreation, and social activities, the development of a compact residential community, and commercial service activities, open space, and the development of a range of healthcare related and supporting activities to cater for the special and diverse requirements of the users, employees and visitors to the Mason Clinic. Business and Innovation activities are to be enabled, including activities which benefit from co-location with a major tertiary education institute. The Precinct enables new development to create an urban environment that caters for a diverse population, employees and visitors in the area and that integrates positively with the Point Chevalier, Mt Albert and Waterview communities.

...

The Wairaka Precinct provides overall objectives for the whole area, and three sub-precincts:

- Sub-precinct A provides for healthcare/hospital related ~~purposes~~ activities and is intended to accommodate the intensification of the Mason Clinic
- Sub-precinct B provides for light manufacturing and servicing associated with laundry services and is intended to accommodate the current range of light industrial activities
- Sub-precinct C to the south and west of the precinct provides for a broad range of residential activities, together with supporting uses, activities appropriately located to a major tertiary education institution.

The Mason Clinic contains a mix of activities including healthcare activity, justice facility and hospital. It is a facility which provides for a range of care, and short and long term accommodation for people with disabilities (including mental health, addiction, illness or intellectual disabilities), together with provision for custodial, tribunal, justice, and forensic services, and a range of health related accessory activities.

There are also particular attributes of the Wairaka Precinct, which contribute to the amenity of the precinct and the surrounding area and are to be retained and enhanced, and future areas introduced through the development of the precinct. These include the following:

- The significant ecological area of Oakley Creek;
- An open space network linking areas within the Wairaka Precinct and providing amenity to neighbouring housing and business areas;
- A network of pedestrian and cycleway linkages that integrate with the area network;
- Retention of the open space storm water management area which services Wairaka and adjacent areas, and the amenity of the associated wetland;
- The Wairaka stream and the landscape amenity, ecological and cultural value this affords, and
- The Historic Heritage overlay of the former Oakley Hospital, and identified trees on site.

The open space network for the precinct is provided for by way of a combination of identified areas, and indicative areas, including walking paths and shared paths (shown on Precinct plan 1) and future areas and walkways/shared paths which are to be identified and developed as a component of the future urban intensification envisaged.

The implementation of the Precinct plan ~~outcomes is dependent on~~ ~~requires~~ a series of works. These ~~works~~ focus on the provision of open space and a roading network, including giving access from the east to the important Oakley Creek public open space, ~~and the~~ walking and cycling connections linking east to west to Waterview and areas further west to Point Chevalier/Mount Albert, ~~and~~ north to south to Mount Albert to Point Chevalier, ~~and~~. ~~This precinct plan also provides key linkages on~~ to the western regional cycle network.

### Objectives and Policies

- 6.18 The existing objectives and policies of the Wairaka Precinct use defined terminology (such as “healthcare” and “hospital”) which do not appropriately encapsulate or reflect the suite of activities and services which the Mason Clinic provides. Nor do the objectives and policies sufficiently reflect and recognise the social and health related benefits that the Mason Clinic provides for.
- 6.19 The existing objectives and policies largely correspond to the current Mason Clinic activities, and do not sufficiently recognise the importance of enabling the growth and intensification of the activity and facilities in a way that is necessary to service the health requirements of the region, or provide for that growth and intensification in an efficient manner.
- 6.20 Further to this, the existing objectives and policies for Sub-precinct A do not incorporate sufficient provisions to support the outcomes promoted for the Sub-precinct, and in particular its integration with the balance of the precinct in terms of building form, design, location, landscaping, and the amenity at the interface of the Sub-precinct with neighbouring Precinct land (and the streetscape), as well as not sufficiently recognising the functional and operational (including security) requirements of the Mason Clinic activities and development.
- 6.21 The Plan Change seeks various amendments to the objectives and policies of the Wairaka Precinct and those specific to Sub-precinct A to appropriately address these matters, and suitably reflect the nature of the Mason Clinic activity in the context of the wider precinct. The proposed amendments seek to provide for the efficient use, development and intensification of the facilities into the future in a way which provides for a high standard of amenity and safety appropriate to the urban environment of the Precinct, while ensuring that the functional, operational (and security) requirements of the Mason Clinic are acknowledged.

6.22 The Plan Change also takes the opportunity to incorporate general ‘tidy ups’ and corrections to the Precinct provisions.

6.23 The changes proposed to the objectives and policies of the Wairaka Precinct are (additions shown in underline and redactions in strike through):

#### **I334.2 Objectives**

- (3) A mix of residential, business, tertiary education, social facilities and community activities is provided, which maximises the efficient and effective use of land.
- (4) The operation and intensification of the healthcare/hospital facility activity, accessory activities and associated buildings, structures and infrastructure in Sub-precinct A (Mason Clinic) are provided for.

#### **I334.3 Policies**

...

- (3A) Recognise the social and health related benefits that the Mason Clinic provides for.
- (4) Promote comprehensive planning by enabling integrated development in accordance with the precinct plan that provides for any of the following:
  - (a) Tertiary education and associated research, and community activities;
  - (b) Provision for the ongoing use, development, intensification and operation of the Mason Clinic;

...

#### **Sub-precinct A**

- (32) Provide for ~~the a~~ range of healthcare, community facilities, and related accessory activities ~~of for~~ the Mason Clinic.
- (33) Enable detailed site-specific planning for the design and development of the Mason Clinic to reflect how the healthcare/hospital facility Sub-precinct will be used and developed.
- (34) Limit the scale of accessory activities so they do not undermine the role of the precinct or result in adverse traffic effects, but still meet the requirements of those who work, live or use services and activities in this sub-precinct.
- (34A) Manage potential adverse effects from buildings at the sub precinct boundary by:
  - (a) establishing a 5m landscaped yard to the Mixed Use Zone boundary to the north and south of the Sub-precinct;
  - (b) requiring new buildings and significant additions to buildings that adjoin the eastern boundary to be designed to contribute to the maintenance and enhancement of amenity values of the streetscape, while enabling the efficient use of the Sub-precinct for the Mason Clinic;
  - (c) Encouraging new buildings to be designed to provide a high standard of amenity and safety appropriate to the urban environment of the

Precinct and be of a quality design that contributes to the planning outcomes of the Precinct.

(34B) Recognise the functional and operational (including security) requirements of activities and development.

### Activities and Standards

- 6.24 Consistent with the changes proposed to the Precinct Description and the objectives and policies, the Plan Change seeks to introduce new (or amend existing) provisions for all new development within Sub-precinct A.
- 6.25 The proposed amendments to the provisions, which include changes to the Activity tables and the Standards, are necessary to implement the outcomes that are sought by the objectives and policies, to provide for both the integrated development of the Mason Clinic, and its inter-relationship with the remainder of the Wairaka Precinct, including the management of the interface of the built form at the boundaries of Sub-precinct A.
- 6.26 The Wairaka Precinct currently requires any development (buildings) to obtain resource consent as a Restricted Discretionary activity (where it is consistent with the Precinct Plan), with a resource consent required as a Discretionary activity where development is not consistent with the Precinct Plan. The Plan Change seeks that for the Sub-precinct A land:
- (a) A Restricted Discretionary activity status applies to all new buildings which are located within 10 metres of, and visible from, the eastern boundary of Sub-precinct A (consistent with the rules which apply in the underlying Healthcare zone); and
  - (b) A Controlled activity status applies to all other new buildings.
- 6.27 The framework proposed by the Plan Change for new development within Sub-precinct A is consistent with the framework of the Healthcare Zone, which applies a Restricted Discretionary activity status for all new building development (and significant building additions) that are visible from and located within 10m of a public road (with all other buildings being a permitted activity in the Healthcare Zone). In this regard the Plan Change proposes to apply the same method for managing new building development (and additions exceeding 20% or 200m<sup>2</sup> to

existing buildings) within 10m of the ‘road’ interface at the eastern boundary of Sub-precinct A (anticipating that the north-south spine road is intended to be upgraded and vested in the future by others).

- 6.28 All other development within Sub-precinct A will be a Controlled activity (except for additions to buildings that are less than 25 per cent of the existing gross floor area of the building or 250m<sup>2</sup> GFA, whichever is the lesser – which are permitted). This is a new rule (to replace the Restricted Discretionary activity status which applies currently to all new development in the Wairaka Precinct). This activity status reflects the particular context of the Mason Clinic activity and the location of the Plan Change Area. Such an approach provides for the management of all new development to achieve a coordinated, integrated urban environment which responds to the characteristics of the precinct, while providing a sufficient level of certainty for the WDHB in terms of the future development of the Mason Clinic Site.
- 6.29 Clause I334.5 Notification is proposed to be amended to provide for the Restricted Discretionary activities with Sub-precinct A to 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 section 95A(4) of the RMA. This is reflective of the scale and form of development enabled, and the relationship of the site with neighbouring properties within the Precinct.
- 6.30 A suite of ‘matters of control’ and ‘matters of discretion’ which relate to activity classifications are proposed to be introduced, with these being tailored to provide an appropriate level of assessment of the nature of effects which may arise from the built form typology enabled, relative to the integration of the activity with the future development of the Precinct. These matters are discussed below.
- 6.31 The specific standards that are proposed to be introduced by the Plan Change for the Sub-precinct are:
- (a) A 5 metre building setback control at the northern and southern boundaries, which is required to be landscaped with tall and dense vegetation. Where this standard is infringed, a Non-Complying activity status applies (reflecting the critical role that this standard contributes to managing the effects on neighbouring land);

- (b) A 3m + 45 degree Height in Relation to Boundary control at the northern and southern boundaries. Where this standard is infringed, a Restricted Discretionary activity status applies;
- (c) A 5 metre building setback control at the north-western boundary adjoining the boundary with the North-Western Motorway corridor. Where this standard is infringed a Restricted Discretionary activity status applies; and
- (d) No minimum or maximum parking requirements.

6.32 In addition to the standards which are proposed to be introduced to Sub-precinct A, the rezoning of the Northern and Southern Sites to Healthcare will consequentially apply other standards to the development of this land (and the Mason Clinic Site). These include:

- (a) A height control of up to 26m as a permitted activity for sites with a land area over 4 hectares (and between 26m-35m as a Restricted Discretionary activity, and above 35m as a Discretionary activity). This will increase the height standard to the Mason Clinic Site from 16m<sup>1</sup> (permitted) to 26m, and will reduce the height standard that applies to the Northern and Southern Sites from 27m<sup>2</sup> to 26m;
- (b) A maximum impervious area control of 80% of the site area;
- (c) A 5m riparian yard standard.

#### Matters of Control / Discretion and Assessment Criteria

6.33 Corresponding to the proposed activity classification for new buildings and for the infringement of the standards proposed for the Sub-precinct, the Plan Change introduces specific matters of control and matters of discretion, together with corresponding assessment criteria. These matters (and criteria) reflect the objective and policy outcomes of the Precinct and Sub-precinct A to require new buildings to be designed in a manner cognisant of the urban environment that the Mason Clinic is located within, and which requires consideration to be given to creating a high standard of amenity and safety (and high quality design), recognising landscape

<sup>1</sup> As the current site is <4 ha.

<sup>2</sup> The permitted height of the operative Mixed Use zone



values, managing potential adverse effects from buildings at the Sub-precinct boundary and, where appropriate, enhancing the streetscape.

6.34 For the Controlled activity status for new development (which is located more than 10m from the eastern boundary) the proposed matters of control relate to the following:

- (a) high quality design and amenity;
- (b) functional and operational (including security) requirements;
- (c) the integration of landscaping;
- (d) safety
- (e) the effects of new access on the roading network; and
- (f) the location and capacity of infrastructure services.

6.35 For development proximate to the eastern boundary of the sub-precinct, the proposed matters of discretion include the same matters of control (for new buildings), and also include the following matters:

- (a) the effectiveness of screening and/or landscaping on the amenity of the streetscape;
- (b) the maintenance and enhancement of pedestrian amenity;
- (c) measures adopted for limiting the adverse visual effects of any blank walls along the street frontage;
- (d) measures adopted to provide for the visual interest at the street frontage, while ensuring the security, and functional and operational requirements of the Mason Clinic; and
- (e) safety.

#### **Elements which do not form part of the Plan Change**

6.36 The Plan Change does not seek to amend any of the following provisions or overlays:

- (a) The provisions of the Special Purpose – Healthcare Facility and Hospital zone;
- (b) The 10 metre building setback control and 8.5m + 45 degree Height in Relation to Boundary control which applies to the western boundary of Sub-precinct A, where it adjoins Open Space zoned land;

- (c) the Significant Ecological Area overlay which applies to the Open Space zoned land to the west (and which partially overlies Sub-precinct A);
- (d) The protected status of trees along the western boundary of the Precinct, as identified in Precinct Plan 2 of the Wairaka Precinct; and
- (e) The Special Information Requirements under section I334.9 of the Wairaka Precinct.

6.37 The future ‘daylighting’ of the extent of the piped section of the Wairaka Stream within the Southern Site (and neighbouring land to the south) has been identified as a desirable outcome through the consultation process. Resource consent has been granted (reference BUN60373075) to undertake ‘daylighting’ works, which enables such works to occur both within the Southern Site and on HUD’s land. The WDHB intends to make provision for such works in the future, coincident with (if practical and cost efficient) when HUD undertakes the daylighting of the section of the Wairaka Stream that is located within its landholdings.

## **7 ACCEPTING THE PLAN CHANGE REQUEST UNDER CLAUSE 25**

- 7.1 Pursuant to Clause 25, Schedule 1 of the RMA, the Council may adopt the Plan Change as if it were a proposed plan made by the Council, or it may accept the request, in whole or in part, or it may decide to deal with the request as if it were an application for resource consent.
- 7.2 The Council may reject the request in whole or in part, but only on the following grounds:
- (a) the request or part of the request is frivolous or vexatious; or
  - (b) within the last 2 years, the substance of the request or part of the request—
    - (i) has been considered and given effect to, or rejected by, the local authority or the Environment Court; or
    - (ii) has been given effect to by regulations made under section 360A; or
  - (c) the request or part of the request is not in accordance with sound resource management practice; or

- (d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or
- (e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.
- 7.3 The Plan Change is supported by technical and specialist analysis, and a comprehensive evaluation is provided with the Plan Change, which demonstrates that the outcomes that are sought by the Plan Change are appropriate. The Plan Change request is not frivolous or vexatious.
- 7.4 The Unitary Plan was made operative (in part) in September 2016, and the substance of this Plan Change has not been considered by the local authority or the Environment Court within the last two years.
- 7.5 The term ‘sound resource management practice’ is not defined by the RMA, but has been considered by case law to require a “coarse scale merits assessment” in order to confirm whether or not a plan change request is in accordance with the purposes and principles of the RMA.<sup>3</sup> A comprehensive evaluation in accordance with section 32 of the RMA has been undertaken and is provided in section 12 of this assessment and in the Table appended as **Attachment 3**.
- 7.6 The outcomes that are sought by the Plan Change are appropriate and will better facilitate the sustainable management of natural and physical resources, in a manner which maintains and enhances the environment, and is consistent with the wider outcomes that are intended by the Unitary Plan for the Wairaka Precinct. As assessed in Section 8 of this Plan Change Request, the request accords with the purposes and principles of the RMA, and is in accordance with sound resource management practice.
- 7.7 Accordingly, there are no grounds present which would justify the request being rejected by the Council.

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<sup>3</sup> *Malory Corporation Limited v Rodney District Council* (CIV-2009-404-005572)

## **8 STATUTORY FRAMEWORK**

### **Resource Management Act 1991**

- 8.1 Part 2 of the RMA sets out the purpose of the Act, which is to promote the sustainable management of natural and physical resources. Section 5 of the RMA defines sustainable management as managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while sustaining resources to meet the reasonably foreseeable needs of future generations, safeguarding the life-supporting capacity of air, water, soil and ecosystems, and avoiding, remedying, or mitigating adverse effects of activities on the environment.
- 8.2 Section 6 of the RMA sets out matters of national importance, which must be recognised and provided for by persons exercising functions and powers under the RMA. The matters which are relevant to the Plan Change include:
- (a) the preservation of the natural character of rivers and their margins (s6(a));
  - (b) the protection of areas of significant indigenous vegetation and fauna (s6(c));
  - (c) the maintenance and enhancement of public access to and along rivers (s6(d));
  - (d) the relationship of Maori and their culture and traditions with ancestral lands, water, sites, waahi tapu, and taonga (s6(e));
  - (e) the protection of historic heritage from inappropriate subdivision, use and development (s6(f)); and
  - (f) the management of significant risks from natural hazards (s6(h)).
- 8.3 Section 7 of the RMA sets out other matters that persons exercising functions and powers under the RMA shall have particular regard to. Of relevance to the Plan Change, these other matters include:
- (a) kaitiakitanga (s7(a));
  - (b) the ethic of stewardship (s7(aa));
  - (c) the efficient use and development of natural and physical resources (s7(b));
  - (d) the maintenance and enhancement of amenity values (s7(c));

- (e) intrinsic values of ecosystems (s7(d));
  - (f) the maintenance and enhancement of the quality of the environment (s7(f));
  - (g) the finite characteristics of resources (s7(g)); and
  - (h) the effects of climate change (s7(i)).
- 8.4 Section 8 of the RMA sets out that all persons exercising functions and powers under the RMA shall take into account the principles of the Treaty of Waitangi.
- 8.5 The purpose of the Plan Change is to enable the efficient future use, development and intensification of the Mason Clinic, to provide specialised forensic psychiatric services to people with particular health needs. The Plan Change will accord with the purpose of the RMA, in that the enabling of efficient healthcare services will promote the sustainable management of natural and physical resources in a manner which enables people, communities and future generations to provide for their social, cultural and economic well-being, and their health and safety.
- 8.6 The Plan Change contains provisions which, together with the retained complementary provisions of the Unitary Plan, will safe-guard the life supporting capacity of air, water, soil and ecosystems, and will avoid, remedy and mitigate adverse effects of activities on the environment.
- 8.7 The Plan Change will not adversely affect any of the matters of national importance that are provided for by s6. Specifically, the proposed rezoning of the Northern and Southern Sites and the proposed provisions to enable and manage development will not affect the natural character of rivers and their margins, significant indigenous vegetation and fauna, public access to rivers, the relationship of Maori to ancestral lands and water, sites, waahi tapu and taonga, historic heritage or the management of significant risks of natural hazards.
- 8.8 The Plan Change will align with the outcomes identified by s7 in respect of kaitiakitanga, the ethic of stewardship, the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, the intrinsic values of ecosystems, and the maintenance and enhancement of the quality of the environment, and the Plan Change will recognise the finite characteristics of physical resources and the effects of climate change.
- 8.9 The Plan Change is not contrary to the principles of the Treaty of Waitangi.

## National Policy Statements

8.10 Subject to s62(3) and s75(3)(a), the Unitary Plan (both the Regional Policy Statement and district plan provisions) must give effect to any national policy statement. In relation to the Plan Change Request, the following National Policy Statements are relevant, and are assessed below:

- (a) the National Policy Statement on Urban Development 2020 (“**NPS-UD**”); and
- (b) the National Policy Statement on Freshwater Management 2020 (“**NPS-FW**”).

### National Policy Statement on Urban Development 2020

8.11 The NPS-UD came into effect on 20 August 2020. The NPS-UD applies to planning decisions by any local authority that affect an urban environment.

8.12 The NPS-UD directs decision makers to give effect to the objectives and policies of the NPS-UD, which recognise the national significance of:

- having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future; and
- providing sufficient development capacity to meet the different needs of people and communities.

8.13 The aim of the NPS-UD is to ensure that planning decisions enable the sufficient supply of housing that is needed to meet demand, improve the general affordability of housing around the country, and ensure housing is supported by more businesses and community services.

8.14 The NPS-UD is concerned with regional policy statements and district plans enabling more people to live in, and for more businesses and community services to be located in, areas of an urban environment which are in or near a centre zone, are well-serviced by existing or planned public transport, or where there is high demand for housing or business land, relative to other areas (Objective 3).

8.15 The NPS-UD requires planning decisions to contribute to well-functioning urban environments, that as a minimum have or enable a variety of homes that meet the needs of different households, and which have good accessibility for all people

between housing, jobs, community services, natural spaces and open spaces (Policy 1).

8.16 The NPS-UD also requires district plans of a tier 1, 2 or 3 territorial authority (which includes Auckland Council) to remove any provisions of the district plan which have the effect of requiring a minimum number of car parks to be provided for a particular development, land use, or activity (other than in respect of accessible car parks) (Policy 11).

8.17 Overall, the NPS-UD supports urban intensification to meet housing demand together with enabling all people and communities to be able to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. In this respect, the NPS-UD takes a holistic approach to providing for residential intensification, recognising that such intensification is required to be serviced by appropriate community services, including healthcare facilities.

8.18 While the change proposed to the zoning of the Northern and Southern Sites will reduce the extent of land zoned Mixed Use, this is not inconsistent with the outcomes intended by the NPS-UD. The Plan Change will provide for the efficient utilisation of the land for social infrastructure which services the health and wellbeing needs of the Auckland region and the North Island as they grow and intensify, in a manner which contributes to the well functioning urban environment. The intensification of the Mason Clinic as an integrated facility is efficient and avoids the need to develop ‘scattered’ landholdings for the same purpose.

8.19 The proposed car parking standard for the activities provided for within Sub-precinct A is consistent with the requirement of the NPS-UD for minimum parking standards to be removed from district plans.

8.20 For the reasons described above, the Plan Change is aligned with the objectives and policies of the NPS-UD.

#### National Policy Statement on Freshwater Management 2020 (NPS-FM)

8.21 The NPS-FM came into effect on 3 September 2020. The NPS-FM sets out the objectives and policies for freshwater management under the RMA.

8.22 The NPS-FM provides local authorities with an updated direction on how to manage freshwater in a way that gives effect to Te Mana o te Wai, including new requirements for improving (and avoiding degradation of) the quality of streams.

8.23 The objective and policies that are relevant to the proposal are:

**Objective 1:** The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:

- (a) first, the health and well-being of water bodies and freshwater ecosystems
- (b) second, the health needs of people (such as drinking water)
- (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

**Policy 1:** Freshwater is managed in a way that gives effect to Te Mana o te Wai.

**Policy 2:** Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for.

**Policy 3:** Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

**Policy 4:** Freshwater is managed as part of New Zealand's integrated response to climate change.

**Policy 5:** 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 and (if communities choose) improved.

**Policy 7:** The loss of river extent and values is avoided to the extent practicable.

**Policy 9:** The habitats of indigenous freshwater species are protected.

**Policy 13:** The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.

**Policy 14:** Information (including monitoring data) about the state of water bodies and freshwater ecosystems, and the challenges to their health and well-being, is regularly reported on and published.



**Policy 15:** Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.

8.24 The Plan Change has been developed and assessed with reference to the relevant objective and policies of the NPS-FM, and is considered to be consistent with the outcomes that are sought in respect of freshwater management. The proposal to change the zoning and related standards which apply to the Plan Change Area do not fundamentally change the extent of development that could otherwise occur within the site (with respect to the extent of roofed and paved surfaces), and which might otherwise lead to differences in the quantity, flow or quality of stormwater discharges from the site. All future development of the site will be subject to the requirements of the Wairaka Precinct Stormwater Management Plan, which is intended to manage stormwater to maintain and enhance the freshwater ecosystems which receive stormwater discharges from the subject area.

#### **National Environmental Standards**

8.25 Section 43 of the RMA allows the Governor-General to pass National Environmental Standards, which impose national regulations on particular activities. The following National Environmental Standards are relevant to the assessment of the Plan Change Request, and are assessed below:

- (a) the National Environmental Standards for Freshwater 2020 (“**NES-FW**”); and
- (b) the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (“**NES-CS**”)

#### National Environmental Standard for Freshwater 2020

8.26 The NES-FW, which came into effect on 3 September 2020, regulates certain activities that pose risks to freshwater and freshwater ecosystems.

8.27 With regards to the proposal, the relevant standards of the NES-FW relate to the drainage of natural wetlands, and the protection of urban and rural streams from infilling. The zoning, land uses and activities that will be enabled by the Plan Change do not involve the drainage of natural wetlands or the infilling of streams. The Plan Change Area is confirmed (**Attachment 7**) to not contain a natural wetland, and the outcomes enabled by the Plan Change do not pose risks to freshwater and freshwater ecosystems.

- 8.28 The WDHB intends that the current piped section of the Wairaka Stream on the Southern Site is to be daylighted, either concurrently with HUD undertaking the same on their land to the south (if funding is available) or at a later date when the Southern Site is developed. Resource consent has been granted for these works to occur, and the Plan Change Request will not affect the outcome being implemented in the future.
- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- 8.29 The NES-CS establishes the standards for the assessment and management of soil contamination, which apply to activities which involve the use and development of land (and other activities).
- 8.30 A Site Contamination Report has been prepared by Aurecon (**Attachment 8**) which confirms that the Plan Change Area was historically used for horticulture, together with a variety of other activities (fuel storage, fill, building demolition waste) which have the potential to have resulted in contamination in soil. Intrusive soil testing has been undertaken within the Northern Site (which is expected to be developed first), which has confirmed generally low concentrations of various contaminants. The Site Contamination Report confirms that, subject to a Contaminated Site Management Plan being prepared to manage all ground disturbance works, the site is suitable for the proposed development and land use to occur in the future.
- 8.31 It is appropriate for the requirements of the NES-CS to be satisfied through subsequent resource consent processes for the future development of the subject site, relative to the scope of works involved. The Plan Change Request is not implicated by the NES-CS.

## **9 STRATEGIC CONTEXT**

### **The Auckland Plan**

- 9.1 The Auckland Plan 2050 is a long-term spatial plan that sets out the strategic direction for the development of Auckland, which is to create a quality, compact city. The Auckland Plan 2050 identifies the challenges that Auckland faces, which include high population growth and environmental degradation.
- 9.2 The Auckland Plan 2050 recognises the importance of the health and wellbeing of people and communities, and the necessity to improve access to healthcare services

and other infrastructure to address inequality and disparities of the quality of health experienced by different communities in Auckland.

- 9.3 The Plan Change will provide for the efficient development, growth and intensification of the Mason Clinic facilities, which will improve the level and quality of healthcare services that are provided to the Auckland region (and other regions). The Plan Change is consistent with the strategic directions of the Auckland Plan 2050 to create a quality, compact city which is serviced by necessary infrastructure (including social infrastructure) and community services.

### **Regional Policy Statement**

- 9.4 The Regional Policy Statement (Chapter B of the Unitary Plan) identifies the resource management issues of the Auckland region, and sets out the policies and methods that will be used to achieve integrated management of the natural and physical resources of the region. The RPS implements the strategic spatial strategy that is established by the Auckland Plan. Pursuant to section 75(3)(c) of the RMA the Unitary Plan must give effect to the RPS.

### Chapter B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form

- 9.5 At the core of the RPS is the provision for the growth of the Auckland region in a way that enhances the quality of life for people and communities, achieves the integrated use of resources and the efficient use of the urban environment, and which encourages the efficient use of existing social facilities and provides for new social facilities.<sup>4</sup>
- 9.6 Consistent with the Auckland Plan 2050, the RPS seeks to achieve this outcome by directing the growth of Auckland in a ‘quality compact’ form, with a ‘quality built environment’. In relation to urban growth and form, the objectives and policies of the RPS include the following outcomes:

#### **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;

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<sup>4</sup> B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form, B2.1 Issues

- (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 growth.

### **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

...

### **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.

...

- (3) The health and safety of people and communities are promoted.

...

## **B2.4 Residential growth**

### **B2.4.1 Objectives**

- (1) Residential intensification supports a quality compact urban form.

...

- (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.

9.7 In addition to the above, to support the growth of the urban area in a compact, quality urban form, the RPS specifically identifies the need to provide for social facilities (which includes the Mason Clinic). The objectives of the RPS which relate to social facilities are:

## **B2.8. Social facilities**

### **B2.8.1. Objectives**

- a. 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.
- b. Social facilities located where they are accessible by an appropriate range of transport modes.
- c. Reverse sensitivity effects between social facilities and neighbouring land uses are avoided, remedied or mitigated.

9.8 These objectives are to be implemented by a set of enabling policies. Specifically, the policies seek to:

### **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.
- (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.

9.9 The explanation and reasons for adopting the above policies elaborate on the reasons why social facilities are necessary:

Social facilities include public and private facilities which provide for services such as education, health, justice, corrections, community and cultural facilities. They also 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 wellbeing.

9.10 While the Unitary Plan was prepared and made operative prior to the NPS-UD, the provisions are aligned with the outcomes that are sought by the NPS-UD with respect to enabling sufficient capacity for residential intensification which is supported by community services and businesses. When read together, the provisions of the RPS seek to enable residential intensification in appropriate locations, that is supported by social facilities, which collectively achieves a quality compact urban form. There is no conflict between the provisions of the RPS and the NPS-UD, insofar as they relate to the Plan Change.

9.11 The Mason Clinic provides an important health service for users with particular needs, which requires purpose-built facilities. The Plan Change will enable the efficient use, growth and intensification of the Mason Clinic facility in its current location, in a way which will continue to provide healthcare services to the Auckland region and wider catchment. The efficient intensification of the facility will enable people and communities to provide for their health and well-being.

9.12 The Plan Change will be consistent with the objectives of the RPS which seek to enable consolidated urban intensification. The Plan Change will enable the efficient intensification of the Mason Clinic activity in a manner that will keep pace with the increasing and changing health needs of the community.

9.13 The Plan Change includes objectives, policies and rules that will provide for the efficient use and further development of the Mason Clinic facility, in a manner that will manage adverse effects on surrounding land uses (including reverse sensitivity effects). The provisions which are sought by the Plan Change Request are strongly aligned with the outcomes that are anticipated by the RPS for social facilities to be provided to service the increasing and changing needs of people and communities.

#### Chapter B7 Toitū te whenua, toitū te taiao – Natural resources

9.14 The RPS identifies that the intensification of the urban environment, in combination with past practices related to the management of land, coastal and freshwater resources, have placed pressure on those resources and reduced the quality of air. The RPS seeks to identify and protect areas of significant indigenous biodiversity value (significant ecological areas), and to manage the effects of land use and development on freshwater systems, coastal waters, and air.

9.15 The Plan Change does not conflict with these outcomes. The Plan Change does not seek to introduce any new provisions or modify the existing provisions of the Unitary Plan in respect of managing natural resources, including the manner in which earthworks and stormwater discharges are required to be managed. The Plan Change does not seek to change the setbacks required from the western boundary, which adjoins (and is overlain by) a scheduled Significant Ecological Area.

#### **Auckland Unitary Plan (Operative in Part)**

9.16 The following summarises the outcomes that are anticipated and directed by the objectives and policies of the Unitary Plan. The subsequent assessment of effects, and the s32 evaluation, has been prepared having regard to these outcomes.

#### Wairaka Precinct (Chapter I334)

9.17 The Wairaka Precinct recognises the existing land uses within the precinct area, being the Mason Clinic, the Unitec tertiary education facility, and Taylor's Laundry, beyond which it anticipates the development of a diverse, urban community,

providing for a wide range of activities, including education, business, office, research, healthcare, recreation, residential, community facilities and appropriate accessory activities, within a high quality urban form, which protects and enhances the characteristics and environmental attributes of the Precinct. The objectives of the Wairaka Precinct seek development to occur in a way which is integrated with the existing transport network and which facilitates transport choices, together with being undertaken comprehensively to manage effects on infrastructure networks.

- 9.18 As they relate to the Mason Clinic, the objectives of the Wairaka Precinct provide for the existing facility, and describe it as a ‘healthcare/hospital’ facility. The specific policies for Sub-precinct A (which applies to the Mason Clinic Site) provide for the “range of healthcare and related accessory activities of the Mason Clinic”, and enable detailed site-specific planning and development, while limiting the scale of accessory activities to protect the role of the facility, while meeting the requirements of those who work in, live in, or use the services.

#### Special Purpose Healthcare Facility and Hospital Zone (Chapter H25)

- 9.19 The Healthcare Zone underlying Sub-precinct A applies to generally large, land-extensive facilities with a range of activities provided for which relate to their primary function of providing hospital and healthcare services to cater for the diverse requirements of users, employees and visitors. The objectives provide for the efficient operation and development of hospitals and seek to manage the adverse effects of land uses and development on adjacent areas.
- 9.20 The policies of the Healthcare Zone enable a range of facilities to meet the needs of the community and seek to minimise the effects of supporting activities and of physical development on adjacent land. In doing so, the policies require new buildings that adjoin streets and public open spaces to be designed to contribute to the maintenance and enhancement of amenity values, and encourage new buildings to be designed to provide a high standard of amenity and safety.

#### **Other Documents**

- 9.21 Section 74(2)(b) requires a territorial authority to have regard to any management plan or strategy prepared under other Acts, when preparing or changing a district plan. Relative to the Plan Change Request, the Albert-Eden Local Board Plan 2017 is relevant, and is addressed below.



## Albert-Eden Local Board Plan 2017

- 9.22 The site is located within the Albert-Eden Local Board area. The Albert-Eden Local Board Plan 2017 sets the strategic outcomes that guide the Local Board in performing its functions for a three year period. The outcomes that are identified in the Local Board Plan include a strong sense of community, positive use of parks and community spaces, a thriving and growing local economy and town centres, a convenient transport system, valued natural and cultural heritage, and protecting the environment. The Local Board Plan identifies that the planning and development of new communities in areas such as the Unitec area (the Wairaka Precinct) must be well planned, as a ‘challenge’ in relation to the outcome of having thriving town centres.
- 9.23 The Plan Change will provide for the appropriate integration of the future development of the land with the surrounding land in a manner that will both recognise and provide for the functional and operational requirements of the Mason Clinic, and the built form and landscape characteristics that are anticipated in the future in the neighbourhood. The Plan Change does not conflict with the local outcomes identified in the Albert-Eden Local Board Plan 2017.

## **10 CONSULTATION**

### **Ministry of Housing and Urban Development**

- 10.1 As part of the land purchase of the Northern Site and Southern Site, the WDHB consulted with HUD. The WDHB has subsequently undertaken regular consultation with HUD and its experts on the development of the Plan Change, so as to ensure the outcome sought results in a situation which can successfully integrate with the future development aspirations of HUD as a neighbouring landowner, and the Precinct outcomes more widely. This has included the incorporation of specific provisions (standards, and matters of discretion for new development) as part of the Plan Change to manage the effects of future built form at the common boundary with the HUD land, and at the street frontage interface at the eastern side of Sub-precinct A.
- 10.2 Throughout consultation, HUD has expressed their intention to take responsibility for the provision of open spaces within their landholdings within the precinct, together with ensuring public connections are maintained and provided for. This

commitment is confirmed in the correspondence from HUD appended as **Attachment 14**. Such outcomes will be identified and provided for by a combination of resource consent processes, and/or a private plan change request by HUD. Such an outcome is appropriate, enabling the design, location and function of such spaces to be developed in a way which aligns with the pattern of future development, and enables the provision of such spaces in a timeframe which responds to the growth of the community.

### **Marutūāhu Rōpū and Waiohua-Tamaki Rōpū**

- 10.3 The proposed Plan Change has been explained to the Marutūāhu Rōpū and Waiohua-Tamaki Rōpū, via both in-person meetings and subsequent correspondence. To date, WDHB has not received any formal or written feedback from these parties to the Plan Change.
- 10.4 The meetings with the Rōpū parties identified a desire for the Wairaka Stream to be ‘daylighted’ in the future. This outcome is acknowledged by the WDHB, who have confirmed that they intend to undertake this work in the future, coincident with the staging of the development by the WDHB of the Southern Site, or (if funding and resources enable) coincident with such works that are undertaken by HUD. These works do not form part of this Plan Change.

### **Mana Whenua**

- 10.5 Correspondence was sent to the iwi of the Marutūāhu Rōpū and Waiohua-Tamaki Rōpū requesting feedback as to whether specific consultation with mana whenua was required. This request was not responded to.
- 10.6 Correspondence has similarly been sent to the mana whenua identified in **Attachment 9**. Formal feedback has not been received.

### **Albert-Eden Local Board**

- 10.7 The WDHB has made presentations to the Albert-Eden Local Board at several regular meetings of the Local Board. A copy of the presentations to the Local Board and the minutes of these meetings are appended as **Attachment 10**.
- 10.8 The feedback received from the Local Board has focussed on the desirability for the application to be publicly notified, and the need for ongoing public consultation. The WDHB does not request limited notification, and therefore a full public notification

process will be undertaken which will enable any persons to express their views on the Plan Change. The WDHB will consider all submissions received, and keep the Local Board apprised of the development of the Plan Change (and process) as it progresses.

### **Other Groups**

10.9 The WDHB and its experts met with the Friends of Oakley Creek to explain the proposal on 4 September 2020. No formal feedback has been received. At the meeting with the members (Wendy Johns and Marin Adams) of this organisation, the nature and purpose of the Plan Change was described. No issues were raised by the members in respect of the outcomes being sought by the Plan Change. The daylighting of the Wairaka Stream was discussed. The WDHB explained that the daylighting of the stream within the Plan Change Area will occur as a separate process.

10.10 Experts of the WDHB met with members (Linda Holdaway and Chris Judd) of the Mt Albert Residents Association on 14 September 2020, and correspondence was sent to the members following this meeting. Formal feedback has not been received from the Residents Association. During the meeting, the Residents Association members expressed an interest in the nature of the proposed development, and the timing of development. No issues were raised during the meeting regarding the outcomes sought by Plan Change.

10.11 An offer consult with the landowner of the property at 1A Carrington Road (Taylors Laundry), was made on 12 October 2020. This was declined. The explanation given for this was that they are involved in negotiations with HUD for the sale of this land.

10.12 The WDHB met with representatives of Unitec on 22 February 2021, and correspondence was sent following this meeting. No issues were raised during this meeting, with general agreement being expressed by Unitec in respect of the intentions for the Plan Change Request. Formal feedback from Unitec will be provided if received.

## **11 ASSESSMENT OF ENVIRONMENTAL EFFECTS**

11.1 Clause 22(2), Schedule 1 of the RMA requires a description of any environmental effects that are anticipated from the implementation of the plan change, in such detail

as corresponds with the scale and significance of the actual or potential environmental effects.

- 11.2 The Plan Change has been comprehensively assessed by a suite of technical experts, with their reports appended. The following assessment adopts the expert assessments that have been prepared.
- 11.3 In the first instance, when considering the actual or potential environmental effects, it is necessary to set out the ‘scope’ of the Plan Change and the activities that will be enabled by it, in order to properly contextualise the changes that will be enabled.
- 11.4 At its core, the Plan Change seeks an efficient and consistent planning framework for the combined Mason Clinic sites., This involves the rezoning of the Northern and Southern Sites to align with the zoning of the Mason Clinic Site, extending Sub-precinct A to include the Northern and Southern Sites, amending the relevant provisions and amending the planning maps and Precinct Plan 1 of the Wairaka Precinct.
- 11.5 The outcome sought will achieve a more efficient planning framework, which appropriately recognises and provides for the nature of the activity, and provides for the management of future development in a manner which ensures that it will be consistent with and integrate with the wider Precinct outcomes.
- 11.6 The ‘healthcare’ and ‘justice’ components of the Mason Clinic activity are currently provided for by Sub-precinct A of the Wairaka Precinct (and the underlying Healthcare Zone). Healthcare activities and community facilities are also provided for by the Mixed Use zoning of the Northern Site and Southern Site. However, ‘justice facilities’ (which captures the custodial aspect of some of the accommodation services provided) are classified as a Discretionary activity.
- 11.7 All physical development (buildings) requires resource consent under the provisions of the Wairaka Precinct. This situation will be maintained by the Plan Change, and the scale of development that is enabled by the proposed standards will not significantly change with the change of zoning and extension of the Sub-precinct A

boundary (with the exception of the height control which applies to the Mason Clinic Site)<sup>5</sup>.

11.8 The Plan Change will not fundamentally change the nature of activities that could be reasonably anticipated within the Plan Change Area, other than better enabling the ‘justice’ component of the activity within the Northern and Southern Sites. The Plan Change Request will enable an outcome to occur with more regulatory efficiency, by establishing an appropriate and activity-specific, efficient and cost-effective planning framework, together with removing unnecessary constraints. The change of the zoning of the Northern and Southern Sites (and their incorporation into Sub-precinct A) will also clearly signal the intended use for these sites to the community, compared with the current Mixed Use zoning which provides for a wide range of activities.

11.9 Notwithstanding this context, for the purposes of assessing the potential effects of the changes sought by the Plan Change Request, the specialist reports prepared by Aurecon (civil infrastructure) and Flow (transport) have assessed the changes sought against a ‘status quo’ scenario, which assumes that the Northern and Southern Sites will not be developed for the Mason Clinic, and will instead be developed consistent with the balance of the Mixed Use Zone within the Wairaka Precinct. To inform the nature and scale of ‘activity’ that could feasibly occur within such a scenario, HUD’s ‘Reference Plan’ document<sup>6</sup> has been used, as described further below.

11.10 With reference to Clause 22 Schedule 1 of the RMA, the following assessment of effects addresses the following matters:

- (a) landscape and visual effects;
- (b) urban design and amenity effects, and the provision of an open space network;
- (c) infrastructure;
- (d) transportation;
- (e) ecological effects; and

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<sup>5</sup> As discussed in paragraph 6.33, this is as a consequence of the overall Healthcare Zone area being increased to >4 ha.

<sup>6</sup> Unitec Reference Plan & Strategic Framework, June 2020, Ministry of Housing and Urban Development website [https://www.hud.govt.nz/assets/Urban-Development/UNITEC/Unitec\\_Plan\\_and\\_strategic\\_framework\\_June\\_2020.pdf](https://www.hud.govt.nz/assets/Urban-Development/UNITEC/Unitec_Plan_and_strategic_framework_June_2020.pdf)

(f) the effects of natural hazards.

### **Landscape and Visual Effects**

11.11 A Landscape and Visual Effects Assessment (“**LVEA**”) has been prepared by Thomas Consultants (**Attachment 11**). The LVEA describes the key characteristics of the Wairaka Precinct and the Plan Change Area, and provides an assessment of the potential landscape effects that may arise from the specific changes that are proposed by the Plan Change, including the changes to the height standard applying to the Mason Clinic Site as a consequence of the increased size of the Healthcare zone, the particular standards that are proposed to apply to Sub-precinct A, and the outcomes sought by the rules that are to apply to new development.

11.12 In undertaking this assessment, the LVEA has identified several features and outcomes which are important to the landscape values of the Wairaka Precinct, which are:

- (a) the band of identified (Oak) trees at the north-western boundary;
- (b) the ecological area of Oakley Creek;
- (c) the historical features of the Wairaka Precinct;
- (d) pedestrian and bicycle connections through the precinct; and
- (e) the amenity and privacy of users within the Mason Clinic and visitors to the surrounding areas.

11.13 The Plan Change does not change the existing provisions of the Unitary Plan relative to the level of protection provided to the identified trees in Precinct plan 2, the extent of the Significant Ecological Area associated with Oakley Creek, or any of the identified historical features of the Wairaka Precinct.

11.14 In respect of the change to the height opportunity that will be enabled by the Plan Change for the Mason Clinic Site (which will increase from 16m to 26m), the LVEA concludes that buildings of such a height, however likely relative to the functional requirements of the Mason Clinic’s facilities, will be appropriately managed by the application of the matters of control/matters of discretion that are proposed to apply to all new development (and which require an assessment of visual amenity), and that this scale will be compatible with the scale of development that is otherwise provided for (27m) within the Wairaka Precinct surrounding the Mason Clinic.

11.15 The LVEA concludes that the proposed northern and southern boundary yard and landscaping standards will ensure that future development of the Mason Clinic has positive amenity outcomes, in terms of the site's relationship with neighbouring properties, the streetscape, and the users of the Mason Clinic. The standards have been assessed to be site-appropriate and compatible with the anticipated land uses at these boundaries. Similarly, the LVEA concludes that the provisions that will apply to all new development will provide for an appropriate level of assessment in respect of the appearance of new buildings, and their integration (including landscaping) with the characteristics of the wider Precinct.

11.16 With reference to the LVEA, the removal of the open space and shared path will be acceptable from a landscape and visual perspective. The LVEA states that while the identified location of the 'open space (private)' feature would have the benefit of providing for a linkage to the Oakley Creek, its landscape values are limited by its location at the western edge of the precinct, its physical separation from other activities (existing and future), and by the location of the road at the eastern boundary and the closed boundary of the Mason Clinic to the north. As a result of these factors, the LVEA considers that the identified location of the open space (private) feature will not be optimally integrated with the future development of the Wairaka Precinct. In addition, the functional needs of the Mason Clinic (including security requirements) means that this private open space cannot be utilised by Mason Clinic service users. Secure open space will be incorporated into the design of the Mason Clinic facility and will be able to be used and enjoyed by service users.

11.17 With regards to the linkage provided by the identified location of the 'open space (private)' feature within the Southern Site, the approved resource consent documentation for the daylighting of the Wairaka Creek culvert incorporates a landscaped path between the north-south road and the Oakley Creek walkway.

11.18 Similarly, the 'shared path' feature within the Northern Site could be readily accommodated further to the north, and would provide a more logical connection to the bicycle path at a level location.

11.19 The design and integration of open spaces and connections as components of the design of the development of the land within the Wairaka Precinct will result in positive outcomes for the intended future residents. The LVEA concludes that there

is sufficient land area within the Precinct to achieve equivalent outcomes in terms of the provision of private open space, and that there are adequate provisions to achieve these outcomes. The correspondence provided by HUD (**Attachment 14**) commits to providing equivalent outcomes within future development, which will mitigate the removal of the open space (private) feature in its currently identified location and result in a more useable and functional open space overall.

11.20 The potential visual effects arising from the overall development outcomes that will be enabled by the Plan Change are assessed by the LVEA. This assessment focusses on the views that may be available of the Plan Change Area from outside of the Wairaka Precinct (which are available from the North-Western transport corridor including the pedestrian and bicycle paths), and from within the Wairaka Precinct which are available in close proximity to the northern, eastern and southern boundaries of the Plan Change Area.

11.21 The LVEA considers that relative to the views available from outside of the Wairaka Precinct the resultant form of development enabled has a good ability to assimilate with the environmental context, as a consequence of the transient nature of viewers from the adjoining transport routes and the buffering provided by the perimeter vegetation at the north-western boundary of the Sub-precinct. The visual effects are assessed to be ‘very low’.

11.22 Views from within the Wairaka Precinct are generally available from the adjacent north-south spine road, and the currently open area to the south of the Plan Change Area. Views are also available from the north from the HUD land. The LVEA states that it is relevant to consider the ability of these views to ‘absorb’ changes within the Plan Change Area in the context of the physical changes that are anticipated to occur around the Mason Clinic. In this respect, while the Mason Clinic is surrounded by open, vegetated areas and low-scale development, this context is expected to dramatically change as the Precinct is developed for intensive mixed use activities.

11.23 Within this context, the development that will be enabled by the Plan Change will incorporate landscaped buffers at the northern, western and southern boundaries, and the consideration of built form, design and landscaping at the eastern frontage. The Wairaka Creek, when daylighted, will also contribute an ecological corridor with riparian planting on either side, which will contribute to the appreciable visual and



landscape amenity. This has been assessed by the LVEA to contribute to the achievement of ‘positive’ visual effects on the views and amenity of people within the Wairaka Precinct in the future.

11.24 With regard to the removal of the ‘open space (private)’ feature, in the short term (prior to the redevelopment of the surrounding area of the Wairaka Precinct), the LVEA concludes that the ‘removal’ of the ‘open space (private)’ feature will not significantly affect the landscape values of the surrounding area which is characterised by a spacious and landscaped form of development. When the precinct is developed with integrated open spaces and a network of walkways and connections (as confirmed in the attached correspondence from HUD), the ‘loss’ of the open space (private) feature has similarly been assessed to result in ‘very low’ potential adverse visual effects.

11.25 As set out above in respect of the ‘context’ of the changes sought, the Plan Change does not enable a fundamentally different activity (noting that healthcare activities are provided for under both the Healthcare and Mixed Use zones), or a different scale of development, to occur within the Plan Change Area, relative to what could be readily anticipated to occur on the land under the ‘status quo’. That is, under the existing provisions, the Northern Site (and to a lesser extent the Southern Site) could be developed for healthcare activities contained within 27m tall buildings. The Plan Change seeks to impose new controls to manage the expansion and ongoing development of the Mason Clinic into the future, which are more restrictive than the current provisions for Sub-precinct A (or those which apply to development which could occur under the current zoning of the Northern and Southern Sites). This approach has been taken to better enable the efficient integration of the future development of the site with the nature and form of development envisaged in the wider Precinct, and to better manage the interface of the site with neighbouring properties and the ‘street’ frontage.

11.26 Overall, the level of change that is enabled by the Plan Change, and the resulting landscape and visual effects, are considered to be appropriate, and the potential effects of the form of development enabled will positively contribute to the amenity of the Mason Clinic and the wider Precinct.

## Urban Design Effects and the provision of an Open Space Network

11.27 A Design and Architectural Assessment (“**Design Assessment**”) has been prepared by Klein Architects (**Attachment 6**). This assessment evaluates the changes proposed by the Plan Change in the context of the ‘design’ outcomes that are anticipated by the Wairaka Precinct, as expressed by the objectives and policies of Chapter I334. These include:

- (a) Providing for a diverse urban community comprising a variety of activities, which integrate with surrounding communities (Objectives 1, 3, 4, 5, 10(e), 11, Policies 1, 4, 7, 8 and 9);
- (b) Providing for the functional and operational requirements of the Mason Clinic activity (Objective 4, Policies 32, 33);
- (c) Retaining and enhancing the particular identified attributes of the Wairaka Precinct, including:
  - a. The significant ecological area of Oakley Creek;
  - b. An open space network which links areas of the precinct together, and a pedestrian and cycling network which connects to areas outside of the precinct; and
  - c. The Wairaka Stream, and the heritage and natural landscape features of the precinct (Precinct Description, Objective 7, Policies 4(i), 14, 15, 16, 17, 18, 19).
- (d) Creating an integrated urban environment which incorporates high quality built form with a design quality that integrates development with the adjoining land, manages adverse effects of development on the environment, is developed comprehensively and complements the landscape and character of the Precinct and the surrounding neighbourhoods (Objective 10, Policies 4, 13, 14, 27, 28).

11.28 The Design Assessment has considered how the Northern and Southern Sites can be amalgamated and integrated with the existing Mason Clinic Site, and how the existing facilities can be developed and extended with new buildings/facilities in a way which provides for an efficient and effective outcome that meets the future needs of the WDHB, while respecting the sites’ context within the wider Precinct.

- 11.29 Having regard to the Design Assessment, the managed growth and expansion of the Mason Clinic can be undertaken optimally and efficiently through the use of the adjacent land, which is suitable for the nature of the activity and the built form typology, and will provide for an integrated facility.
- 11.30 The Design Assessment confirms that the efficient effective development of the Mason Clinic can be achieved within the extended Sub-precinct A, and within what are considered to be good design and layout parameters, including the standards and assessment matters that will apply to new development.
- 11.31 The Design Assessment considers that the ‘open space (private)’ element currently identified on the Southern Site is not required for the Mason Clinic facility in terms of its location and ability to integrate with the function and design of the built form and outdoor areas required for the Mason Clinic users. The open space associated with the Mason Clinic users, for operational and security purposes, is necessarily typically provided for ‘internally’ within centralised common secure areas, which are flanked by the related buildings for ease of access for their users. Such spaces are not intended to be open to other Precinct occupiers or the public, and are designed and positioned in a manner which serves the needs of users, staff and visitors of the Mason Clinic in a way which provides for the safety and security of the facility, as well as the safety of other residents and visitors of the Wairaka Precinct.
- 11.32 Having regard to the wider context of the Precinct, the Design Assessment considers that in determining an appropriate location for open space (serving the wider Precinct), this is best arrived at in conjunction with the development of the masterplanning of the design and layout of the adjacent HUD land, including how this and the wider Precinct is connected together, and linked with surrounding neighbourhoods and transport infrastructure.
- 11.33 The Design Assessment considers that the current location of the open space within the Southern Site is inappropriate, both relative to the requirements of the Mason Clinic, and the wider Precinct attributes, and it is appropriate to locate this in a way which better integrates with the intended layout of future development, and services the needs of the future residents and visitors to the Precinct area. Such an approach is consistent with the intended outcomes of the Wairaka Precinct provisions to enable

the comprehensive and integrated development of the precinct, including providing for an open space network which links parts of the precinct together.

11.34 The Design Assessment confirms that the existing location of the shared path traversing the Northern Site is not practical, and cannot be accommodated with the efficient and integrated development of the amended Sub-precinct A for the Mason Clinic. As with the location of the open space, the manner in which connectivity through the Precinct (and the function of such connections) should be provided is best confirmed at the time of the wider master planning and through a future resource consent and/or plan change process, having regard to the layout of the future mixed use development, noting that public connections cannot be functionally or safely accommodated through the Mason Clinic.

11.35 In this regard, the existing provisions of the Wairaka Precinct require these open space and connectivity outcomes to be considered for all restricted discretionary activity development (where it is ‘in accordance’ with the precinct plan) with reference to the following provisions:

*1334.8.1 Matters of Discretion*

*(4) Any development not otherwise listed in Tables I334.4.1 and I334.4.3 that is generally in accordance with the precinct plan:*

...

*(c) The effects on the recreation and amenity needs of the users of the precinct and surrounding residents through the provision of:*

*(i) open spaces which are prominent and accessible by pedestrians;*

*(ii) the number and size of open spaces in proportion to the future intensity of the precinct and surrounding area; and*

*(iii) effective and safe pedestrian and/or cycle linkages;*

*(a) The location, physical extent and design of open space;*

*1334.8.2 Assessment Criteria*

*(4) Any development not otherwise listed in Tables I334.4.1 and I334.4.3 that is generally in accordance with the precinct plan:*

...

(c) *The effects on the recreation and amenity needs of the users of the precinct and surrounding residents through the provision of and pedestrian and/or cycle connections:*

(i) *The extent to which the design demonstrates the staging of wider network improvements to public open space, including covered plaza, open spaces, pedestrian walkways and cycleway linkages including;*

- *the layout and design of open space and connections with neighbouring streets and open spaces;*
- *integration with cultural landmarks, scheduled buildings, scheduled trees and historic heritage in and adjacent to the precinct; and*

(d) *the extent to which the location, physical extent and design of open space meets the demand of future occupants of the site and is of a high quality, providing for public use and accessibility, views, sunlight access and wind protection within the application area.*

11.36 Having regard to the nature and intensity of development which is anticipated and enabled by the Wairaka Precinct (and underlying zoning), open spaces and pedestrian connections to surrounding areas will be intrinsically provided for as part of the master-planning of the wider precinct development. These provisions will secure the provision of suitable open space, which is of a location, size, function and design to meet the demands of future occupants of the precinct. The correspondence from HUD (**Attachment 14**) confirms that these outcomes will be integrated as part of the ongoing redevelopment of the Wairaka Precinct.

11.37 The Design Assessment confirms that the proposed standards and assessment criteria which will apply to all new development (and some alterations) within Sub-precinct A are suitable to encourage design to be of a high standard that contributes to the amenity of the Wairaka Precinct. The framework that applies to new development within Sub-precinct A is similar to that of the underlying Healthcare Zone, with respect to how development proximate to roads and open spaces is managed. The Plan Change additionally requires a resource consent, as a Controlled activity, for all other new development within Sub-precinct A which is appropriate to deliver a high

quality design outcome which integrates landscaping, and provides for the functional requirements of the Mason Clinic, together with responding appropriately to the wider Precinct amenity attributes.

### **Ecological Effects**

11.38 The Plan Change Area is located adjacent to, and is partially overlaid by, the scheduled Significant Ecological Area associated with Oakley Creek / Te Auaunga, and the downstream reach of the Wairaka Stream. These features are identified by the Wairaka Precinct as being attributes of this environment which are to be retained and enhanced through the planning and development of the Precinct.

11.39 An Ecological Assessment has been prepared by Morphum (**Attachment 7**) which describes the existing ecological values of the Plan Change Area and those of the wider Wairaka Precinct, including the presence (or likely presence) of terrestrial vegetation, avifauna, herpetofauna, bats, and the freshwater values of the streams. This assessment determines that the ecological value of onsite vegetation is low, and that fauna is typically limited to common species, but that the potential for the habitat on site to be used by threatened species of bats and herpetofauna cannot be ruled out, however unlikely.

11.40 The Ecological Assessment assesses the potential ecological effects that might be generated by the development of impervious areas, the removal/repositioning of the identified (private) open space, the introduction of landscaped yard standards to the Plan Change Area, and the application of the Healthcare zone's Riparian Yards standard to the Southern Site (when the piped section of the Wairaka Stream is daylighted).

11.41 The Ecological Assessment considers that the rezoning of the Northern and Southern Sites, and the corresponding application of Standard H25.6.4 (maximum impervious area – 80%) of the Healthcare zone, which is more restrictive than the status quo standard, is an improvement over the existing provisions, and will better maintain the ecological value of the receiving environments relative to the status quo.

11.42 In respect of the open space, the Ecological Assessment concludes that while any ecological contribution that the open space would provide is uncertain (as there are no standards associated with the potential use and development of this area), any

potential impacts that will arise from its removal from the Southern Site will be offset by the equivalent provision within the wider Wairaka Precinct.

11.43 The Ecological Assessment also concludes that the introduction of specific landscaped yard standards to the northern and southern boundaries of the Plan Change Area will provide some habitat function for native fauna, which is an overall benefit to the ecological values of the subject site.

11.44 The re-zoning of the Southern Site will consequently include a 5m Riparian Yard control, consistent with that which currently applies along the length of the Wairaka Stream within the Mason Clinic Site. The Landscape Assessment confirms that a 5m yard will provide sufficient width for suitable riparian planting, including trees which will provide canopy cover over the stream. The Ecological Assessment concludes that the 5m control in association with future daylighting of the stream will contribute to an improvement of the freshwater ecology, relative to the existing physical situation, and that a 5m control will contribute to the ecological habitat values within the Plan Change Area.

11.45 The 5m Riparian Yard standard in the Healthcare zone is derived from the recommendations of the Independent Hearings Panel in respect of the Proposed Auckland Unitary Plan. The Recommendations Report prepared by the Panel (**Attachment 12**) addressed the riparian yard for the Special Purpose – School zone, for which submitters had sought a reduced riparian yard (from 10m). The recommendation of the Panel was to apply a 5m riparian yard, on the basis that a 10m control was onerous, and a reduced control would “strike a balance between avoiding the potential for adverse effects, while enabling future development and the efficient and sustainable use of school land”. The Recommendation Report did not specifically address the control for the Healthcare zone, however the same principle is equally applicable to the Healthcare zone. In this respect, ‘carrying over’ the 5m riparian yard standard of the Healthcare zone to the Southern Site will appropriately balance the ecological values of the Wairaka Stream, with the necessity to enable the efficient use and development of the physical land resource for healthcare activities. In addition, and for clarity, the 5m riparian yard will only apply once daylighting of the Wairaka Stream occurs. Therefore, there is no ‘reduction’ in the riparian margin (from the 10m margin provided in the underlying zone) as there will be an overall benefit from daylighting the stream.

11.46 Overall, the Ecological Assessment finds that the level of effects from the proposed form of development that will be enabled by the Plan Change are “low – net gain”, and that the Plan Change does not fundamentally change the appreciable ecological values.

### **Transport and Access**

11.47 A Transport Assessment has been prepared by Flow Consultants (**Attachment 13**) to assess the potential effects of the Plan Change on the surrounding transport infrastructure. The Transport Assessment describes the existing transport networks and services in the local area, and concludes that the Plan Change Area is well serviced by a variety of transport routes and modes, including public transport, cycling and pedestrian infrastructure which directly connect to the site and/or the Wairaka Precinct.

11.48 Under the existing provisions of the Wairaka Precinct, all new development requires a resource consent, which requires an assessment of the effects of the location and design of access on the safe and efficient operation of the adjacent transport network. The rules proposed will continue to require such an assessment, specific to the sub-precinct, of the effects of access on adjoining roads, including the north-south spine road adjacent to the Plan Change Area’s eastern boundary.

11.49 The Plan Change provisions will continue to ensure that the suitability of the access arrangements to the Mason Clinic Site are addressed as the site is progressively developed, and with reference to the evolving context of the Wairaka Precinct, including any roading upgrades, and having regard to neighbouring mixed-use development which may occur. Although the Plan Change does not propose to implement any physical works, the Transport Assessment has also assessed the potential access arrangements that could eventuate with the further development of the Mason Clinic, and the prospect of future upgrades undertaken by others which may occur to the north-south spine road (including the prospect of a 20m wide road reserve incorporating separated cycling and pedestrian lanes). In the event that roading upgrades are not undertaken, access arrangements to the site will respond accordingly to the layout of the internal road network. Flow conclude that the proposed matters of discretion (and assessment criteria) for all new development



within Sub-precinct A are suitable to enable a comprehensive assessment of the relevant effects of any proposed access arrangements to the sub-precinct.

11.50 The Transport Assessment confirms that the existing Mason Clinic generates some 84 vehicle trips (in and out) in the morning peak hour, and 32 combined trips in the afternoon peak hour, and notes that the ‘peak’ afternoon trip generation occurs outside of the typical peak hour for the adjoining transport network (Carrington Road). The additional capacity that will be enabled by the Plan Change (being some 246 beds by 2049), has been assessed to result in 200 total morning-peak and 64 afternoon-peak trips.

11.51 The Transport Assessment has been prepared having regard to a draft Integrated Transport Assessment (“ITA”) which has been prepared by Stantec, on behalf of HUD, to model the potential impacts of traffic generated by future development within the Wairaka Precinct, including the level of prospective development that is intended for the Mason Clinic. The draft ITA includes consideration of the necessity (and timing) of any upgrades to the access points to the Precinct from Carrington Road.

11.52 Flow’s Transport Assessment utilises this modelling data to address the specific impacts of the level of activity that will be enabled by the Plan Change, relative to the capacity of Carrington Road. In the context of the purpose of the Plan Change, the Transport Assessment compares the private vehicle trips that would be generated by the future capacity of the Mason Clinic (set out above) with the number of vehicle trips that would otherwise be generated by the development of the Northern and Southern Sites if they were not otherwise zoned Healthcare and incorporated into the Sub-precinct (the status quo). The basis for the status quo development is HUD’s ‘Reference Plan’ for the Wairaka Precinct development, which indicates that development will achieve an average dwelling density ratio of between 94 to 113 dwellings per hectare. Applying this ratio to the Northern and Southern Sites<sup>7</sup>, the Transport Assessment concludes that the ‘status quo’ scenario would result in 142 to 170 vehicle trips in the morning peak, and 85 to 103 trips in the afternoon peak. These trip rates are significantly higher than that which will be enabled by the Plan

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<sup>7</sup> The Transport Assessment states that HUD’s Reference Plan accounts for the provision of open space as part of the overall development, and applies the dwelling density ratio to the Southern Site as opposed to assuming that this area will be left as open space.

Change (when deducting the existing vehicle trip generation of the Mason Clinic as it currently operates). Therefore, the transport effects of the ‘change’ of land use that will be enabled by the Plan Change will be less than that which is enabled by the status quo.

11.53 Flow have also assessed the potential impacts on the operation of the Gate 2 access to the Wairaka Precinct from Carrington Road (which is the vehicle access which services the Plan Change Area), in the context of the additional vehicle trips generated by the comprehensive development of the overall precinct (together with planned upgrades to the Gate 2 access), and including the vehicle trips that are predicted to result from the development of the Mason Clinic (without any other development within the precinct). This assessment concludes that the intersection will operate well when upgraded to service the significant redevelopment of the precinct, and will also operate efficiently and safely in its existing design to service the development of the Mason Clinic only, should no further development within the Wairaka Precinct occur.

11.54 The Plan Change Request proposes a new standard to apply to Sub-precinct A, which will require no minimum or maximum parking for any activity within the sub-precinct, which will replace any existing requirements of the Auckland-wide provisions of the Unitary Plan. This approach is consistent with the NPS-UD, as discussed in section 0, and will ensure that the provision of carparking within the Mason Clinic is flexible, and responsive to the actual functional and operational requirements of the Mason Clinic, which may change over time with improvements to transport infrastructure and services, and changing travel behaviours.

11.55 With reference to the comprehensive analysis undertaken by Flow, the potential transport effects of the changes proposed by the Plan Change are comparable with or less than those effects that would be generated by the development of the land for an activity provided for under the status quo. The proposed standards, matters of discretion and assessment criteria which apply to the consideration of new development within Sub-precinct A, together with the existing Auckland-wide provisions which apply to transportation matters generally, will effectively manage the transport effects of development, relative to the capacity of the transport network, and the outcomes that are anticipated by the Wairaka Precinct.

## Effects on Infrastructure

- 11.56 An assessment of the capacity of the existing infrastructure networks has been prepared by Aurecon (**Attachment 4**).
- 11.57 The Mason Clinic Site is serviced by existing wastewater, water and stormwater infrastructure. The wastewater network comprises of a large-capacity interceptor pipe which runs from the east to a manhole within the centre of the Mason Clinic Site, and heads south, together with wastewater pipes which connect at the same manhole and which service Point Chevalier to the north and Waterview to the west. The assessment prepared by Aurecon confirms that there are multiple options to provide new connections to the existing wastewater network to service additional development within the Mason Clinic. Similarly, the existing water supply networks are expected to be readily adaptable to service new development at the site.
- 11.58 The Aurecon assessment compares the anticipated loading on the wastewater and water supply networks generated by the level of activity that is proposed to be enabled within the Mason Clinic, with that of a level of development that could be reasonably expected to occur on the Northern and Southern Sites under the ‘status quo’, which has been calculated using the residential development densities proposed by HUD for the balance of the development land within the Wairaka Precinct. This assessment finds that the demands for wastewater and water infrastructure is less than that of potential residential development of the Northern and Southern Sites, and comparable with the development of the Northern Site only (in the scenario where the Southern Site is developed as an open space and does not generate demand for services). In this respect, the intensity of development enabled by the Plan Change will generate less demand on infrastructure compared with that of a development enabled under the status quo.
- 11.59 The redevelopment of the wider Wairaka Precinct may necessitate larger upgrades of trunk infrastructure, including wastewater treatment plants and pumps. Where development of the Mason Clinic contributes to the necessity for upgrades, such works will be readily managed through the resource consent and engineering plan approval processes, and are not matters for consideration in respect of this Plan Change Request.

11.60 The outcome sought by the Plan Change will not implicate the management of stormwater to the receiving environment, or implicate overland flow. Consistent with the status quo, the resource consent requirements for future building development are required to address matters concerning the location and capacity of infrastructure servicing. Similarly, the Plan Change Request does not affect the provisions of the Unitary Plan which relate to discharges of contaminants to water (Te Auaunga) and discharges associated with the creation of impervious surfaces.

11.61 The infrastructure networks may require upgrades in the future, particularly as significant redevelopment occurs within the balance of the Wairaka Precinct, and this will be appropriately managed through the resource consent process. Similarly, mechanisms (Stormwater Management Plan requirements) exist within the Wairaka Precinct provisions to ensure the integrated management of stormwater from all development. As discussed above a Stormwater Management Plan has been submitted to the Council for inclusion within the Network Discharge Consent (**Attachment 5**).

#### **Effects of Natural Hazards**

11.62 The Plan Change Area is affected by overland flow paths and floodplains, as described in section 4. The Northern and Southern Sites are currently zoned Mixed Use, which enables a wide range of activities to be established within this area, including residential activity (consistent with the zoning of the majority of the balance of the Precinct). The proposed rezoning of these properties to a Healthcare Zone, and the aspiration to develop this land for healthcare purposes, does not fundamentally introduce or increase the risk of people or property to the effects of natural flooding hazards. The particular operational requirements of the Mason Clinic, with respect to the secure nature of the facility and the needs of staff and users, are operational matters which are managed by standard emergency management procedures which the WDHB is required to implement as a matter of protocol.

11.63 The Unitary Plan contains Auckland-wide provisions which apply to new activities which are sensitive to natural hazards (which includes healthcare activities with overnight stay facilities), and for new buildings and structures within floodplains and overland flow paths, and this requires an assessment of the effects of development

on the flood hazard, and vice versa. Further to this, there are Special Information Requirements under Chapter E37 which require a hazard risk assessment for a range of activities within natural hazard areas. These provisions will apply to all new development within the Plan Change Area, where it occurs within natural hazard areas, such that the risks of natural hazards will be appropriately managed through future resource consent processes.

11.64 In addition, the precinct-wide Stormwater Management Plan which is currently being developed, comprehensively sets out how flood hazards will be required to be managed as part of the ongoing development of the overall Precinct. The SMP specifies a range of comprehensive stormwater network upgrades which are designed to increase the capacity of the stormwater infrastructure to convey flows from the 10- and 100-year flood event, and these upgrades will be jointly implemented by the development stakeholders of the Wairaka Precinct as part of future development to lessen the extent and the impacts of these flooding hazards. The WDHB is aware of the need to upgrade particular stormwater assets within the Mason Clinic landholdings, and this will form part of future consent processes.

## **12 SECTION 32 ASSESSMENT**

12.1 Section 32 of the RMA requires that an evaluation report must:

- (a) Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA (s32(1)(a));
- (b) Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives (s32(1)(b)) by:
  - a. identifying other reasonably practicable options for achieving the objectives; and
  - b. assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
  - c. summarising the reasons for deciding on the provisions
- (c) Assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions (s32(2)), including the opportunities for:

- a. Economic growth that are anticipated to be provided or reduced; and
  - b. Employment that are anticipated to be provided or reduced
- (d) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (s32(2)(c)).

### **Whether the Objectives Achieve the Purpose of the RMA**

12.2 The purpose of the Plan Change is to enable the efficient use, development and intensification of the Mason Clinic as a forensic healthcare activity, which will involve the upgrade of existing buildings and development of new buildings.

12.3 The Plan Change seeks to achieve this purpose by integrating a set of suitable provisions into the current planning framework, which facilitate such an outcome in a manner which will be consistent with the broader objectives of the Wairaka Precinct, within which intensive mixed-use development is anticipated to occur.

12.4 The Plan Change seeks to amend two objectives of the Wairaka Precinct, as follows:

#### I334.2 Objectives

(3) A mix of residential, business, tertiary education, social facilities and community activities is provided, which maximises the efficient and effective use of land.

(4) The operation and intensification of the healthcare/hospital facility activity, ~~accessory activities~~ and associated buildings, structures and infrastructure in Sub-precinct A (Mason Clinic) are provided for.

12.5 The proposed amendments to Objectives I334.2(3) and (4) seek to include appropriate recognition of the nature of the Mason Clinic activity as a component part of the mix of activities envisaged in the Precinct, and to also recognise the function of future development as being an activity that the Precinct provides for. These changes will complement the outcomes intended by the existing objectives of the Wairaka Precinct in respect of the activities envisaged and provided for and the environmental outcomes that are to be maintained and enhanced. These amendments will also align with the objectives of the Healthcare Zone, which underlies the Precinct (as it relates to the Mason Clinic Site), and which anticipate the further use and development of healthcare facilities to provide for the needs of people and communities.

12.6 Section 8 of this assessment summarises the purpose of the RMA, as being to promote the sustainable management of natural and physical resources, in which

development and protection of such resources occurs in a way, or at a rate, which enables people and communities to provide for their social, cultural, economic and cultural well-being and for their health and safety (as well as providing for the needs of future generations, safeguarding the life-supporting capacity of resources, and managing the adverse effects of activities on the environment).

12.7 The objectives of the Wairaka Precinct, as sought to be amended are consistent with, and are the most appropriate way to achieve, the purpose of the RMA. They will contribute to ensuring that the Wairaka Precinct appropriately recognises and provides for the efficient use, development and intensification of the Mason Clinic, in a manner that will increase and improve the services able to be provided to continue to enable people and communities to provide for the well-being, health and safety, and to provide for the reasonably foreseeable needs of future generations.

12.8 With regards to section 6 of the RMA (summarised in paragraph 8.5), the Plan Change will not adversely affect any of the outcomes that are identified as matters of national importance. The Plan Change will not affect the protection of significant indigenous vegetation or habitats of indigenous fauna (with reference to the adjoining Significant Ecological Area overlay to the west of the site), and will maintain public access to and along the margins of the Oakley Creek, and will not affect the historic heritage features of the Wairaka Precinct.

12.9 As noted above, section 7 of the RMA sets out a range of other matters to be given particular regard (which are summarised in paragraph 8.3). As these other matters relate to the Plan Change:

(a) The objectives of the Plan Change will enable the efficient use and development of the physical land resource for a healthcare purpose (s7(b)), in a manner which recognises the finite characteristics of such land resources (s7(g)) in that the Plan Change will enable the Mason Clinic to remain in the current location and to efficiently grow and intensify in an integrated way to service the growing needs of people and communities;

(b) The amended objectives that are proposed by the Plan Change, together with the objectives of the Wairaka Precinct that will remain unchanged, will maintain and enhance the amenity values of the environment (s7(c)), as the neighbourhood undergoes significant redevelopment in an integrated manner.

12.10 With regards to section 8 of the RMA, the Plan Change does not conflict with the principles of the Treaty of Waitangi. The WDHB have consulted with Rōpū which have partnered with HUD to develop other land within the Wairaka Precinct, and will continue to work with these parties and iwi, where relevant, to ensure that the manner in which the site is developed has regard to the principles of Te Ao Māori.

12.11 The objectives of the Plan Change are the most appropriate way to achieve the purpose of the RMA.

### **Assessment of the Provisions to Achieve the Objectives**

12.12 Having established that the proposed objectives are the most appropriate to achieve the purpose of the RMA, section 32 requires an examination of whether the provisions in the Plan Change are the most appropriate way to achieve the objectives. Such an assessment must:

- (a) identify other reasonably practicable options for achieving the objectives;
- (b) assess the efficiency and effectiveness of the provisions in achieving the objectives (including an assessment of the benefits and costs of the environmental, economic, social and cultural effects that are anticipated, including economic growth and employment),
- (c) summarise the reasons for deciding on the provisions.

### **Other Reasonably Practicable Options for Achieving the Objectives**

12.13 To assess the appropriateness of the provisions to achieve the objectives of the Plan Change, the following reasonably practicable options have been identified:

- Option 1: Retain the status quo (having the WDHB landholdings split over two zonings and the Wairaka Precinct/Sub-precinct A);
- Option 2: Retain the underlying zoning and the existing extent of the Sub-precinct A boundaries and provisions but remove the ‘Key Open Space (Private)’ and ‘Shared path’ elements from the Southern Site and Northern Site respectively;
- Option 3: Rezone the Northern and Southern Sites to Healthcare Zone, apply Sub-precinct A to the whole of the Plan Change Area, retain the current provisions of the Healthcare Zone and Sub-precinct A, and



remove the 'Key Open Space (Private)' and 'Shared path' elements from the Southern Site and Northern Site respectively;

Option 4: Rezone the Northern and Southern Sites to Healthcare Zone, apply Sub-precinct A to the whole of the Plan Change Area, modify the provisions of Sub-precinct A, and remove the 'Key Open Space (Private)' and 'Shared path' elements from the Southern Site and Northern Site respectively (i.e. the Plan Change as proposed).

12.14 A further zoning option was considered, which also removed the open space and shared path elements. This included consideration of the zoning of the land as an alternative business zone (either a Business – Metropolitan Centre or Business – Town Centre zone), being the only other zones which provide for 'justice facilities' as a permitted activity.

12.15 This option has been disregarded as a reasonably practicable alternative, for the following reasons:

- (a) The location and characteristics of the site do not reflect the attributes of a metropolitan or town centre.
- (b) In the event that the Plan Change Area was rezoned to a business zone, and the land was used for alternative activities in accordance with such a zoning, the location of the Plan Change Area within the Wairaka Precinct is not a logical focal point for the local community.
- (c) These business zones seek to enable retail activities at an intensity which is inconsistent with the premise of the Wairaka Precinct.
- (d) The Plan Change Area is located within 500m of the Point Chevalier Town Centre, and within 1-2 km of three other Town Centres (Mt Albert, St Lukes and Avondale), such that a business zoning would compete with the viability of these established centres.
- (e) The Unitary Plan includes 'special purpose' zones which appropriately recognise and provide for specific activities. The characteristics of the site and the Mason Clinic are such that the Healthcare zone is a better fit.

### Assessment of the Provisions in Achieving the Objectives

12.16 An evaluation of the Options identified and summarised above, with respect to the matters contained in s32(1)(b)(ii) and s32(2)(a), is set out in Table 1 of **Attachment 3**. This assessment is summarised below.

#### Option 1 – Status Quo

12.17 The ‘status quo’ option would retain the ‘split zoning’ across the site (being the Healthcare Zone for the Mason Clinic Site, and the Mixed Use zone for the Northern Site and Southern Site), retain the boundaries of Sub-precinct A so that it continues to apply only to the Mason Clinic Site, and retain the existing provisions under this zoning/precinct framework (including the shared path and open space elements identified on Wairaka Precinct plan 1). This will necessitate iterative resource consent applications for each new development, which will require assessment against the provisions of the current Wairaka Precinct Plan, and the underlying zones (which seek varying outcomes).

12.18 This option is not considered to effectively and efficiently achieve the objectives of the Unitary Plan and the Regional Policy Statement, which seek to enable quality, compact urban development which is supported by appropriate social facilities, including healthcare facilities.

12.19 In addition to having to address development which crosses zoning boundaries with different standards, resource consent applications under the ‘status quo’ would need to address the inconsistencies in the way the Mason Clinic activities (‘justice facilities’, ‘healthcare facilities’, ‘community activities’) are respectively provided for with different activity classifications. As a consequence of these overlapping matters, resource consent for a Discretionary activity would be required overall for the ‘activity’, and for a development that would not be ‘in accordance with’ the Precinct Plan.

12.20 The status quo option carries a high degree of consenting risk in terms of certainty of outcome, and substantive inefficiencies and complexities in terms of the resource consent process, with each development needing to be assessed against a planning framework which does not properly provide for the activity as a whole, and not properly aligning with the Precinct plan in its current form. This option also does not forecast the future use/development outcomes intended for the Plan Change Area

by the WDHB, and as such does not provide the community with an understanding or expectation of the future use and form of development.

12.21 Having regard to the intention of the Wairaka Precinct, which is to enable development in a comprehensive and integrated manner, the intensification and extension of the Mason Clinic to the north and south will facilitate such an outcome, but as a consequence of not being in accordance with Precinct plan 1 (in terms of the presence of the open space and pathway elements), the consent process will be unnecessarily complex, generating additional cost and time. Undertaking iterative resource consent processes within such a framework is inefficient and will generate economic, social and cultural costs to the WDHB, and to the wider community. It risks delaying or preventing the expansion of important mental health facilities that are urgently required by the community.

Option 2 – Retain zoning and Sub-precinct A boundaries, retain provisions, remove the open space and shared path features

12.22 This option would limit the extent of changes required by the Plan Change, such that only the open space and shared path elements are removed from the Wairaka Precinct plan. Such a change would remove the key spatial constraints to the development of the Northern and Southern Sites, but would not address the manner in which the Mixed Use zone provides (or does not provide) for the respective activities that are inherent to the operation/function of the Mason Clinic, or the suitability of the provisions of the Wairaka Precinct in respect of enabling the expansion of the facility and managing the form of development to integrate with its surrounds, and particularly the future residential intensification envisaged for the neighbouring land within the Precinct.

12.23 This option has been assessed to be an improvement of the status quo (Option 1) however this option does not address the inconsistent planning provisions which apply between the Mason Clinic Site, and the Northern and Southern Sites. These provisions have been assessed to be inefficient at achieving the objectives of the RPS and the Unitary Plan which relate to effective urban development and the efficient provision of social facilities, including healthcare activities.

12.24 With respect to the objectives of the Wairaka Precinct which relate to the provision of open spaces and connectivity, this option provides less certainty with respect to

the location of open spaces within the Wairaka Precinct as a result of the removal of the ‘key open space (private)’ feature from the Southern Land, notwithstanding the Plan Change will retain existing provisions which require suitable and sufficient consideration of such features, for any development proposal.

12.25 This option has been assessed to result in economic, social and environmental benefits, by providing for more certainty for the development of the Northern and Southern Sites. However, this option would continue to generate significant costs to the WDHB, with applications for consent having to address an inconsistent and inefficient planning framework (split zoning and related discrepancies in the way the activities that the Mason Clinic are provided for within the zones and Precinct), and which has conflicting standards and assessment matters for the layout and management of future development in an integrated way. As with Option 1, this option also does not provide the community with an understanding of the likely future land and development within the Plan Change Area.

Option 3 – Rezone the Northern and Southern Sites to Healthcare Zone, adjust Sub-precinct A boundaries to align with the whole of the Plan Change Area, retain Precinct standards, objectives and policies, remove the open space and shared path features

12.26 This option would involve rezoning the Northern and Southern Sites to Healthcare and extending the application of Sub-precinct A to these sites, to achieve a consistent spatial framework. The open space and walkway features would be extinguished (as with Option 2), but otherwise the provisions of the Wairaka Precinct would be retained in their current form.

12.27 This option would result in more efficiencies and certainty, relative to the ‘status quo’, as the intended outcomes for the use of the Northern and Southern sites would be made clear, and thus reducing the inefficiencies (time/cost/uncertainties) of the resource consent processes. While such an outcome would enable the application of a consistent zone/Sub-precinct framework across the Plan Change Area, the related unchanged activity status, standards, and assessment matters/criteria do not sufficiently provide for the management of the potential effects of the future development of the Sub-precinct, and its integration with the wider Precinct in a

comprehensive manner, so as to contribute to the creation of an integrated, vibrant urban community with a high quality built form.

12.28 As a consequence, the provisions of Option 3 will not be the most efficient or effective in achieving the objectives of the Unitary Plan. In particular, this option will not achieve the objectives of the Wairaka Precinct which seek the comprehensively planned and integrated development of all sites within the precinct, in a manner which incorporates high quality design, responds to the attributes of the precinct, and manages effects on the environment.

12.29 This Option will similarly generate environmental, economic, social and cultural costs in respect of inadequate management of built development within the Plan Change Area and its integration with surrounding land within the Wairaka Precinct.

Option 4 – Rezone the Northern and Southern Sites to Healthcare Zone, apply Sub-precinct A to the whole of the Plan Change Area, modify the provisions of Sub-precinct A, and remove the open space and shared path

12.30 This option is the proposed Plan Change, and involves rezoning the Northern and Southern Sites to a Healthcare zone, incorporating these sites within Sub-precinct A, adjusting the Precinct Activity table to better reflect and provide for the nature of Mason Clinic activity, provide Sub-precinct specific standards and assessment matters to manage the location of built form, and refine the Precinct description and objectives and policies to better enable the activity.

12.31 This option has been assessed to be the most efficient and effective option to achieve (and to be consistent with) the objectives of the Wairaka Precinct and the underlying Healthcare Zone, as well as the higher order provisions of the Regional Policy Statement, to provide for the efficient delivery of social facilities which will service the growing population of the Auckland region.

12.32 This option addresses all of the discrepancies of the conflicting outcomes associated with the alternate options, and will provide for the most efficient and effective planning framework to facilitate and enable the future expansion and redevelopment of the Mason Clinic, to service the growing and changing health needs of people and communities. Correspondingly this option will best provide for economic growth, and will enable additional employment to meet the operational needs of the activity. This includes both additional onsite healthcare workers, as well as indirect

employment, for example to service the catering and laundry requirements of the expanded facility.

12.33 This option will provide suitable certainty to the community as to the future use and development of the site, such that the design, layout and development of neighbouring land can be planned for.

**Risk of Acting or Not Acting (section 32(2)(c))**

12.34 With regards to the preceding assessment, there is sufficient and certain information about the subject matter of the proposed provisions. It is not necessary to undertake an assessment of the risk of acting or not acting in respect of the proposed provisions.

### **13 CONCLUSION**

13.1 The Plan Change request is made by WDHB to amend the provisions of the Unitary Plan to better recognise and provide for the efficient use, redevelopment, expansion, and intensification of the Mason Clinic forensic psychiatric facility at 3A, 81A and 113A Carrington Road, Mount Albert.

13.2 The request is made in accordance with the provisions of Schedule 1 and section 32 of the RMA.

13.3 The potential effects of the Plan Change have been assessed to be appropriate, relative to the surrounding environment, and the current and future context that the Mason Clinic forms part of. The Plan Change will not fundamentally enable a different outcome for the subject area, with the activity and scale of development being provided for (to a greater or lesser extent), and in this respect the Plan Change will amend the Unitary Plan provisions which apply to the site to better facilitate and efficiently provide for the activity, and to remove constraints on the developable land area, which may otherwise frustrate the achievement of an appropriate outcome. The provisions which are proposed to be introduced will effectively manage the potential visual, amenity, and transportation effects of the activity and development relative to neighbouring land within the Wairaka Precinct and beyond the Precinct.

13.4 An evaluation has been undertaken pursuant to s32 of the RMA, which has confirmed that the objectives are the most appropriate way to achieve the purpose of the RMA. The evaluation has identified and considered five options, including retaining the status quo, and assessed the efficiency and effectiveness of each option in giving

effect to the objectives, and the benefits and costs of each option. It has been concluded that the proposed Plan Change is the most appropriate option to achieve the purpose of the RMA and the relevant objectives of the Regional Policy Statement and the Unitary Plan.

13.5 The preceding assessment has also considered the purpose of the Plan Change in the context of the statutory framework, including National Policy Statements and National Environmental Standards, and it has been concluded that the Plan Change will be consistent with this framework.

13.6 Overall, it is considered that the Plan Change is consistent with the purpose of the RMA to enable the sustainable management of natural and physical resources. For these reasons, the Plan Change should be accepted and approved.

Bentley & Co Limited  
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