

AUCKLAND UNITARY PLAN OPERATIVE IN PART

PROPOSED PLAN CHANGE 90 (Private):

8 Sparky Road, Ōtara

SUMMARY OF DECISIONS REQUESTED

Enclosed:

- **Explanation**
- **Summary of Decisions Requested**
- **Submissions**

Explanation

- You may make a “further submission” to support or oppose any submission already received (see summaries that follow).
- You should use Form 6.
- Your further submission must be received by 11 May 2023
- Send a copy of your further submission to the original submitter as soon as possible after submitting it to the Council.

Summary of Decisions Requested

Plan Change 90 (Private): 8 Sparky Road, Ōtara
Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary of Decisions Requested
1	1.1	STET Limited ATTN: Shaun Lee	shaun@stet.co.nz	Decline the plan change, but if approved, make the amendments I requested	Offsetting / mitigation of the impacts of the development might be possible.
1	1.2	STET Limited ATTN: Shaun Lee	shaun@stet.co.nz	Decline the plan change, but if approved, make the amendments I requested	The decision to change the plan and develop the site should take into account the huge losses of native birds from the Tāmaki Estuary over the last 50 years.
1	1.3	STET Limited ATTN: Shaun Lee	shaun@stet.co.nz	Decline the plan change, but if approved, make the amendments I requested	Opposes the plan change.
2	2.1	Craig Brooks	dablueninja@hotmail.com	Decline the plan change	Decline the plan change.
3	3.1	Clarissa Jane Witehira	clarissawitehira@xtra.co.nz	Decline the plan change	Decline the plan change.
4	4.1	Julie Chambers	Julie@Chambers.net.nz	Decline the plan change	Decline the plan change.
4	4.2	Julie Chambers	Julie@Chambers.net.nz	Decline the plan change	The current industrial zone be retained and steps be taken to identify the ecological value of the area and susceptibility to erosion from increasingly prevalent marine vessel wave action.
4	4.3	Julie Chambers	Julie@Chambers.net.nz	Decline the plan change	Take into account severe traffic congestion and negative social societal consequences (and costs) of high-density low-cost housing being built in isolated locations.
4	4.4	Julie Chambers	Julie@Chambers.net.nz	Decline the plan change	Reject the plan change due to the possibility of liquification and because the shoreline is soft sandstone and subject to human generated wave action erosion.
4	4.5	Julie Chambers	Julie@Chambers.net.nz	Decline the plan change	Reject the application because of lack of examination of public health risks.
5	5.1	Davina Mihaka	davinamihaka@yahoo.co.nz	Decline the plan change	Decline the plan change.
6	6.1	ATTN: Karl Flavell	karl_flavell@hotmail.com	Decline the plan change, but if approved, make the amendments I requested	Seeks a Cultural Impact Assessment (CIA) is undertaken by Ngāti Te Ata Waiohua to ensure our values, history and preferred environmental/cultural recommendations are captured, and included in decision-making moving forward.
6	6.2	ATTN: Karl Flavell	karl_flavell@hotmail.com	Decline the plan change, but if approved, make the amendments I requested	Reject the application unless issues addressed in the submission can be adequately addressed.
7	7.1	Jennifer Kay Tongotongo	jennifertongotongo@gmail.com	Decline the plan change	Decline the plan change.
7	7.2	Jennifer Kay Tongotongo	jennifertongotongo@gmail.com	Decline the plan change	Seeks Business/Light Industrial zoning be retained where effects on the road will be far less than extra vehicles associated with residential activities that would arise from THAB zoning.
8	8.1	Wayne Ronald Oliver	wayne.in.desert@gmail.com	Decline the plan change	Decline the plan change and retain the current Business Light Industry zoning.
	8.2			Decline the plan change	Seeks native planting along the coast be retained in its entirety regardless of the zoning.
9	9.1	Tāmaki Estuary Protection Society (TEPS) ATTN: Dr Julie Chambers	Chair@TEPS.org.nz	Decline the plan change	Opposes the plan change and seeks the current zoning to be retained, or the area be established as a natural reserve.
9	9.2	Tāmaki Estuary Protection Society (TEPS) ATTN: Dr Julie Chambers	Chair@TEPS.org.nz	Decline the plan change	Steps be taken to identify the plan change area as of ecological importance due to the presence of wetlands and as geologically vulnerable due to its susceptibility to erosion from increasingly prevalent marine vessel wave action and until now, unanticipated, unprecedented severe rainfall events. The - shoreline is soft sandstone and subject to erosion, from stormwater events and wave action, depositing sediment pollution into the Tāmaki Estuary.
9	9.3	Tāmaki Estuary Protection Society (TEPS) ATTN: Dr Julie Chambers	Chair@TEPS.org.nz	Decline the plan change	Requests that the traffic congestion that will arise be taken into account.
9	9.4	Tāmaki Estuary Protection Society (TEPS) ATTN: Dr Julie Chambers	Chair@TEPS.org.nz	Decline the plan change	Seeks the Integrated Traffic Assessment be rejected.

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9	9.5	Tāmaki Estuary Protection Society (TEPS) ATTN: Dr Julie Chambers	Chair@TEPS.org.nz	Decline the plan change	Requests the current zoning be retained so the existing barge port can be retained to keep the Tāmaki River as a viable water-based transport route.
9	9.6	Tāmaki Estuary Protection Society (TEPS) ATTN: Dr Julie Chambers	Chair@TEPS.org.nz	Decline the plan change	The 'benefits' of the plan change are rejected as the applicant confuses public and private benefit.
9	9.7	Tāmaki Estuary Protection Society (TEPS) ATTN: Dr Julie Chambers	Chair@TEPS.org.nz	Decline the plan change	Seeks the plan change be rejected because there has been no examination of public health risks due to pollutants from heavy metals and toxic chemicals likely being present in the sediment, or health impacts impact from stormwater generated erosion.
10	10.1	Penny Nelson, Director-General of Conservation (the Director-General) c/- Murray Brass	mbrass@doc.govt.nz	Decline the plan change	Reject the plan change, as there is no certainty that adverse effects of development will be avoided, remedied or mitigated through esplanade reserves, and would be inconsistent with the New Zealand Coastal Policy Statement.
10	10.2	Penny Nelson, Director-General of Conservation (the Director-General) c/- Murray Brass	mbrass@doc.govt.nz	Decline the plan change, but if approved, make the amendments I requested	If the plan change is approved, it includes a coastal zone or overlay of at least 20m width, which ensures that coastal values are protected and the NZCPS 2010 is complied with, without relying on uncertain future esplanade provisions.
11	11.1	Business East Tamaki Incorporated	gm@businesset.org.nz	Decline the plan change	Decline the entire plan change as it does not meet the directives of the Auckland Plan or the industrial growth and activities objectives and policies of the Auckland Unitary Plan nor safeguard industrial land for industrial purposes in South Auckland which has a severe undersupply of industrial land, with the subject site not being highly compromised as a development opportunity for industrial activity [refer to Appendix 1 and Appendix 2 of submission for examples of industrial zoned parcels and industrial buildings that are of a size that could be accommodated on the site].
11	11.2	Business East Tamaki Incorporated	gm@businesset.org.nz	Decline the plan change	Decline the entire plan change as the site is unsuitable for residential development in that it is not close to commercial, educational or other services, and has constrained options for active modes of transportation
11	11.3	Business East Tamaki Incorporated	gm@businesset.org.nz	Decline the plan change	Decline the entire plan change as Highbrook Drive is already heavily trafficked and peak hour queue lengths on Highbrook Drive (which would extend northwards beyond the proposed site access intersection) will mean that the subject site access intersection will not be able to function safely and efficiently, in addition to also being adversely affected by traffic effects from the downstream motorway interchange roundabout.
12	12.1	Goodman c/- B&A Attn: Rebbace Payne	rebeccap@barker.co.nz	Neutral, but seek amendments	Goodman is not opposed to the change to residential land use, at an appropriate density and scale, accepting that residential land use could be developed on the land if appropriately managed.
12	12.2	Goodman c/- B&A Attn: Rebbace Payne	rebeccap@barker.co.nz	Neutral, but seek amendments	Goodman do not want any change in use to create traffic effects over and above what would be created under the current zoning.
12	12.3	Goodman c/- B&A Attn: Rebbace Payne	rebeccap@barker.co.nz	Neutral, but seek amendments	Apply the THAB zone to the land for up to 200 dwellings conditional on all transport upgrades in the precinct plan being provided.
12	12.4	Goodman c/- B&A Attn: Rebbace Payne	rebeccap@barker.co.nz	Neutral, but seek amendments	Amend Activity Table I4.4.1(A2) to delete (A2)(i) and introduce new (A3) stating that "Activities that do not comply with Standard I4.6.1 Maximum Number of dwellings is a non-complying activity".
12	12.5	Goodman c/- B&A Attn: Rebbace Payne	rebeccap@barker.co.nz	Neutral, but seek amendments	Any other alternative or consequential relief to give effect to the matters raised in the submission.
13	13.1	Kathryn leGrove	legrovek@gmail.com	Decline the plan change	Decline the plan change.

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13	13.2	Kathryn leGrove	legrovek@gmail.com	Decline the plan change	That part of the site necessary for maintenance of SH1 and the Transpower pylons must not be impacted by residential zoning.
13	13.3	Kathryn leGrove	legrovek@gmail.com	Decline the plan change	Great South Road Tāmaki river bridge and barge port at 8 Sparky Road remains open especially in the event of Great South Road becoming unusable.
13	13.4	Kathryn leGrove	legrovek@gmail.com	Decline the plan change	Land to land remain in industrial use.
14	14.1	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change	<u>Decline the plan change.</u>
14	14.2	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In all cases where amendments to the plan change are proposed, Auckland Transport would consider alternative wording or amendments which address the reason for Auckland Transport's submission. Auckland Transport also seeks any further, other, or consequential relief required to respond to the reasons for this submission and/or give effect to the decisions requested.
14	14.3	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In the event that the Plan Change is to be approved the following options for relief are requested: <ul style="list-style-type: none"> - Updates to the modelling within the ITA to remove reference to 90,000sqm and 18,000sqm of industrial floorspace as a Baseline Scenario; or - Additional modelling for a 500 residential unit development; - Provision of a development feasibility appraisal to support the assumed 'permitted baseline' for the 90,000sqm and 18,000sqm of industrial floorspace within the 'Baseline Scenario'. - If 18,000sqm is not demonstrated as feasible, the reduced and feasible floorspace and reduced baseline should be rerun through the applicant's ITA modelling and a further review of potential additional transport network effects and mitigation carried out. - A reduction to the number of residential units concluded as a 'permitted activity' within the applicant's precinct provisions should also be made if this conclusion is reached. - Any subsequent adverse effects on the transport network from updated modelling scenarios to be provided with mitigation and for that mitigation to be identified with updated precinct provisions (and possible precinct plan) with suitable staging and triggers (or potential caps).
14	14.4	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In the event that the Plan Change is to be approved, request that a new standard I4.6.X requiring a new collector road (to Auckland Transport Design Standards, that provides a safe alternative for pedestrians and cyclists) to be constructed to connect the existing access (located opposite the Plan Change site but in the same ownership) to the Gridco Road / Hellabys Road intersection prior to occupation of the first dwelling. The Precinct Plan 1 is to then be updated accordingly to show the general location of this new collector road. It is noted that the provision of this collector road may reduce impacts on the wider network and if this is agreed by the applicant, further modelling would be accepted that includes the provision of this link prior to first occupation of the first dwelling.
14	14.5	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In the event that the Plan Change is to be approved, the precinct provisions be amended to secure a pair of bus stops with shelters situated near the signalised crossing points in a tail-to-tail style setup. These two bus stop locations shall be confirmed in consultation with Auckland Transport and in place prior to first occupation of the first dwelling.

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14	14.6	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In the event that the Plan Change is to be approved, additional information is requested from the applicant to understand the shuttle service viability for the precinct for both future residents and future potential employees including (but not limited to): - key destinations for the shuttle service; - the frequency of such a service during morning and afternoon peaks, interpeak, weekdays and weekends; - its anticipated costs to deliver such a service; - a commitment for the shuttle service to be provided in perpetuity or until such time as a high frequency public transport service is operational in the immediate locality of the Plan Change. Advice note: The applicant will also need to ensure the legality of providing a private bus shuttle under the Land Transport Management Act 2003.
14	14.7	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In the event that the Plan Change is to be approved, Auckland Transport seeks that evidence to show trip generation rates are accurate as a baseline to ensure effects on the transport network are accurately identified and appropriate mitigation secured.
14	14.8	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In the event that the Plan Change is to be approved, request that additional precinct provisions and amendments to the precinct plan be made to confirm vehicle and road access restrictions apply on Highbrook Drive as required, as an arterial road within the AUP(OP) planning maps.
14	14.9	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In the event that the Plan Change is to be approved, request that the Gridco Road/Hellabys Road intersection is upgraded/signalised by the applicant prior to first occupation of any residential unit. This should be captured as an infrastructure requirement in the precinct provisions.
14	14.10	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Support in part	In the event that the Plan Change is to be approved, request the provision of a technical acoustic assessment prepared by a suitably qualified expert to support the Plan Change's position that the noise mitigation proposed will achieve 40dB internal noise environment. Such a technical acoustic assessment should identify any potential amendments to the Plan Change 51 noise provisions given the traffic volumes and number of HCV movements along this part of the network and any challenges to achieving the stated 40dB internal noise levels. Any additional mitigation necessary to avoid adverse effects should be addressed through precinct plan provisions.

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14	14.11	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In the event that the Plan Change is to be approved: <ul style="list-style-type: none"> the applicant is to provide further information to demonstrate that the Plan Change area has sufficient space set aside to construct a replacement high-quality communal treatment device (ideally a constructed wetland) in accordance with GD01 which meets the same treatment outcomes as the existing device, particularly for the Highbrook Drive catchment as well as accommodate the stormwater treatment requirements of development enabled by the Plan Change further information is provided on what stormwater management approach is being taken that the precinct plan and provisions are amended to include objectives, policies, and rules relating to stormwater including to address whole of life costs and effectiveness of treatment over time associated with publicly vested stormwater assets (as a matter for discretion and policy).
14	14.12	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In the event that the Plan Change is to be approved, delete policy I4.3(3).
14	14.13	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Support in part	In the event that the Plan Change is to be approved, seek for additional mitigation identified in this submission (and any further mitigation as a result of modelling requested) to be included in an updated Transportation Plan. Also, to ensure clearer trigger wording for delivery of the infrastructure required as mitigation including any consequential amendments to precinct provisions or mechanisms.
14	14.14	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Support if the plan change is approved.	In the event that the Plan Change is to be approved, retain the noise objective and policy provisions as drafted, subject to any amendments necessary as a result of the requested acoustic assessments to justify the precinct provisions drafting proposed.
14	14.15	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Support in part	In the event that the Plan Change is to be approved, amend I4.2 Objective 3 to read: "Subdivision, use and development within the Highbrook Precinct ensures that adverse effects on the safety, capacity and efficiency of the operation of the local surrounding transport network is avoided, remedied or mitigated".
14	14.16	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Support	In the event that the Plan Change is to be approved, Auckland Transport requests the addition of a new objective and policy addressing the safety issues for active mode users to and from the precinct with wording such as: <u>Objective (4) - Pedestrians and cyclists from the Highbrook Precinct who would otherwise be vulnerable along State Highway 1 and Highbrook Drive are provided with safe connections to key nodes such as education, employment, and shopping.</u> <u>Policy (x) –</u> <u>Require active transport mode connections that are sensitive to a heavy vehicle dominant transport environment to be provided with safe alternative routes to also support reduction in dependency on private motor vehicles as a means of transport.</u> <u>Alternative active mode connection routes are to be of the highest quality and design.</u>

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14	14.17	Auckland Transport ATTN: Matt Ford	Matt.Ford@at.govt.nz	Decline the plan change, seeks amendments if the plan change is approved.	In the event that the Plan Change is to be approved, Auckland Transport requests amendments to the precinct provision and plan (objectives, policies and rules) to make clear that any internal road network that is intended to be vested must be located outside of any hazard areas (E36.9) and separated from such areas by building platforms and the requirement for a hazard risk assessment (in accordance with E36.9 of the AUPOP) be required for any subdivision, use or development at the Plan Change site to inform the location of any assets intended to be vested with Auckland Transport so as to be resilient to the effects of climate change.
15	15.1	Heritage New Zealand Pouhere Taonga ATTN: Alice Morris	amorris@heritage.org.nz	Support, subject to amendments	Seeks an archaeological field survey to identify unrecorded archaeological sites and to address appropriate mitigation, including the avoidance and where appropriate the recognition and interpretation of sites in publicly accessible areas.
15	15.2	Heritage New Zealand Pouhere Taonga ATTN: Alice Morris	amorris@heritage.org.nz	Support, subject to amendments	Seeks a full heritage impact assessment, identifying the historic heritage landscape of the entire plan change area, is undertaken to determine the wider heritage significance and therefore ensure appropriate protection is incorporated into the plan change provisions before a decision on the plan change is made.
15	15.4	Heritage New Zealand Pouhere Taonga ATTN: Alice Morris	amorris@heritage.org.nz	Support, subject to amendments	Would support the plan change with amendments as required to protect historic heritage landscape and archaeology following the completion by a qualified archaeologist of an archaeological assessment of the full extent of the plan change area.
16	16.1	The New Zealand Transport Agency ATTN: Rosalind Cowen	rosalind.cowen@nzta.govt.nz	Neutral, but seeks amendments	Seeks amendments and /or further information to provide greater certainty on effects of the proposed development. If the information requested is not provided and/or the effects generated by the proposal cannot be satisfactorily managed, then the plan change be declined.
16	16.2	The New Zealand Transport Agency ATTN: Rosalind Cowen	rosalind.cowen@nzta.govt.nz	Neutral, but seeks amendments	Update the ITA based on a realistic baseline and provide evidence to substantiate the assumptions used in the ITA. The precinct provisions may need to be amended to include mitigation measures to be installed prior to development of the site as a result of this assessment.
16	16.3	The New Zealand Transport Agency ATTN: Rosalind Cowen	rosalind.cowen@nzta.govt.nz	Neutral, but seeks amendments	Provide further information on safety effects generated by the proposed land use, particularly for pedestrians and potential wrong way drivers at the Highbrook Interchange. The precinct provisions may need to be amended to include mitigation measures to be installed prior to development of the site.
16	16.4	The New Zealand Transport Agency ATTN: Rosalind Cowen	rosalind.cowen@nzta.govt.nz	Neutral, but seeks amendments	Provide further information as to the characteristics of the noise environment of the site and what controls will be required to ensure an adequate level of acoustic amenity for future residents of it. Depending on this information either retain or revise the relevant noise provisions.
17	17.1	Beth Evans	bethevanswow@gmail.com	Decline the plan change	Decline the plan change.
17	17.2	Beth Evans	bethevanswow@gmail.com	Decline the plan change	Requests that for the community members trying to understand this plan change and in particular the likely affects on traffic, it be made plain the difference between the status quo and likely PC90 outcomes.
18	18.1	Watercare Services Limited ATN: Mark Iszard	mark.iszard@water.co.nz	Neutral, subject to matters being addressed.	In relation to the proposal's water supply solution, Watercare considers that there are no reasons to decline the plan change.
18	18.2	Watercare Services Limited ATN: Mark Iszard	mark.iszard@water.co.nz	Neutral, subject to matters being addressed.	Wastewater can be serviced, provided that the developer mitigates the risk of potential overflows on the downstream network. Requests that the applicant works with Watercare in advance of lodging the resource consents for subdivision, to ensure a feasible solution is reached for wastewater.
19	19.1	Winston Su	winstonsu785@outlook.com	Decline the plan change	Decline the plan change.
20	20.1	Nastassja Salt	salt.nastassja@gmail.com	Decline the plan change	Decline the plan change.

Submissions

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 90 - Shaun Lee
Date: Tuesday, 28 February 2023 8:15:34 am
Attachments: [HLPPC-sl-01.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Shaun Lee

Organisation name: STET Limited

Agent's full name: Shaun Lee

Email address: shaun@stet.co.nz

Contact phone number: 021555425

Postal address:
shaun@stet.co.nz
Wai O Taiki Bay
Auckland 1072

Submission details

This is a submission to:

Plan change number: Plan Change 90

Plan change name: PC 90 (Private): 8 Sparky Road, Ōtara

My submission relates to

Rule or rules:
See PDF attachment

Property address: 8 Sparky Road, Ōtara

Map or maps: See PDF attachment

Other provisions:
See PDF attachment

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
See PDF attachment

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Offsetting / mitigation the impacts of the development might be possible but I have not considered it

Submission date: 28 February 2023

Supporting documents
[HLPPC-sl-01.pdf](#)

1.1

Attend a hearing

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

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

Declaration

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

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

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

No

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

Highbrook Living Private Plan Change

Recommendations from Stet Limited

March 2022

Stet Limited was formed in 2011 by Shaun Lee, the company is a social enterprise that supports restoration and conservation projects in New Zealand. Principle director Shaun Lee is a member of Forest & Bird, The Tāmaki Estuary Protection Society and Birds New Zealand. He has attended the Tāmaki Estuary Environmental Forum meetings since 2013, has co-ordinated the bird counts of the Tāmaki Estuary since 2017 and has documented the decline of shorebirds in the Estuary¹, largely due to development.

Site ecology



The site is blanketed with regenerating native forest comprised of Pūruri, Flax, Kānuka, Whau, Māhoe, Pittosporum, Caprosma, Karaka, Totara, Karo, Pusedopanax, Pōhutukawa and Cabbage trees. It supports a diverse range of endemic and native passerine species including kotare, riroriro, silvereye and tui. The forest is part of an important corridor for native species moving across the isthmus. The forest is impacted by weeds including woolly nightshade, moth plant, wilding pine, gorse and pampas. The forest is more than a decade old and the weeds are not threatening its growth.

¹ <https://blog.shaullee.co.nz/reversing-the-decline-of-the-shorebirds-of-the-tamaki-estuary/>



Figure 1. *N* = Northern saltmarsh. *S* = Southern saltmarsh and roosting area. *SP* = Stormwater pond.

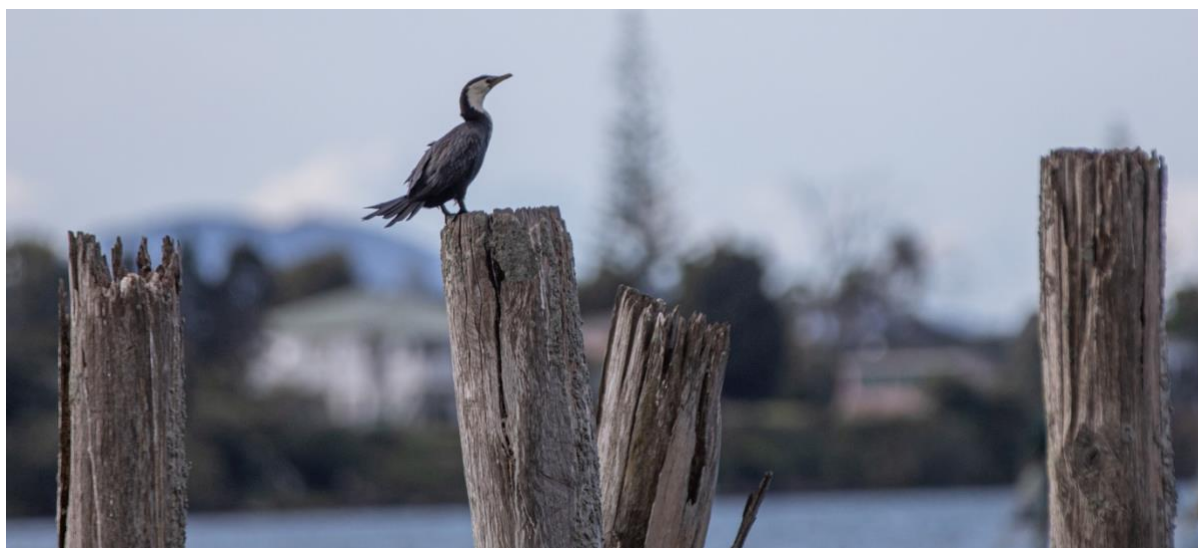
Valuable lowland areas. The northern and southern ends of the site (see Figure 1) contain saltmarsh habitat, this habitat is rare and threatened by development and sea level rise. It provides important roosting habitat for shorebirds.



“Unlike the Manukau and Waitematā Harbours, the Tāmaki Estuary has very few high tide roosts for shorebirds. The carrying capacity of intertidal areas for shorebirds is linked to the proximity of good high tide roosts. If roosts are degraded or lost, the numbers of shorebirds using the adjacent intertidal feeding areas may decline.”
 – Dr Tim Lovegrove, Auckland Council (2016)

The southern saltmarsh is a regular roost for herons, ducks and gulls, large flocks of Poaka / Pied Stilts (*Observed by Shaun Lee*) and Tōrea / South Island Pied Oystercatchers (Kathryn Legrove pers. coms.) have been recorded roosting at the location. Unlike more developed areas of the estuary the saltmarsh has space to retreat with sea level rise and is not threatened by coastal squeeze.

The northern and southern sites also have adjacent poles which are used by roosting gull, tern and shag species. Many of which are Declining / At Risk of extinction and one is Threatened with extinction.



The southern stormwater pond (See Figure 1) is part of a network of stormwater ponds along Highbrook Drive. The ponds are used by ducks, Pukekeo and endemic New Zealand Dabchick (*Noel Knight pers. coms*).

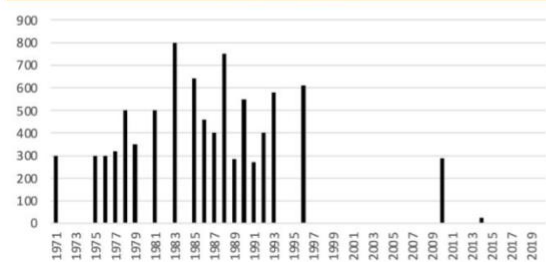
The decision to change the plan and develop the site should take into account the huge losses of native birds from the Tāmaki Estuary over the last 50 years. Local extinctions have happened and the trend is continuing due to loss of breeding, roosting and feeding habitat.

1.2

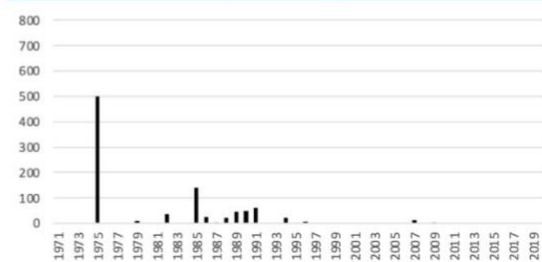


Kuaka Bar-tailed godwit

SUMMER



WINTER



Bird counts at the Tahuna Torea Nature Reserve²

² <https://blog.sh aunlee.co.nz/wader-population-trends-at-tahuna-torea/>

My position on the plan change

I am opposed to the plan change. My understanding is that the plan change will double the value of the site making development more likely.

1.3

The development is most likely to:

- Reduce the forest cover
- Compromise the function of the forest as a corridor
- Reduce the saltmarsh habitat
- Create coastal squeeze for the remaining salt marsh (see diagram in appendix)
- Destroy shorebird roosting habitat
- Increase human activity near feeding areas and artificial shorebird roosts compromising their function (see diagram in appendix).

These outcomes do not align with:

- The vision of Auckland Council's Indigenous Biodiversity Strategy
- The Auckland Unitary Plan Operative in part, most specifically E15
- Section 8 of The Hauraki Gulf Marine Park Act
- The Aotearoa New Zealand Biodiversity Strategy / Te Mana o te Taiao

Sincerely

Shaun Lee
Director
Stet Limited

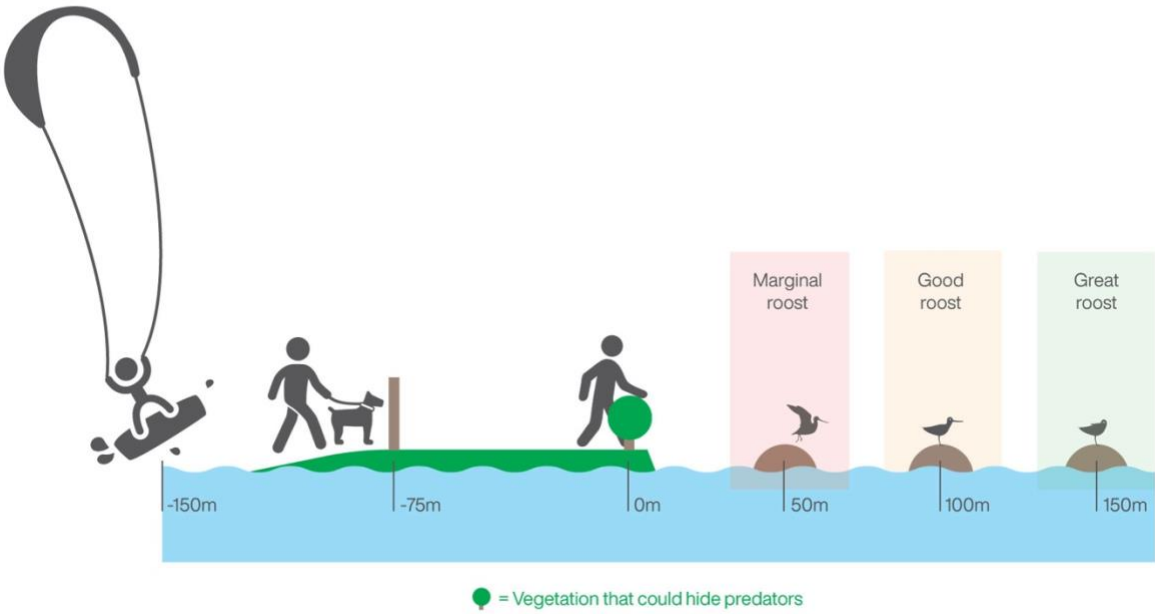
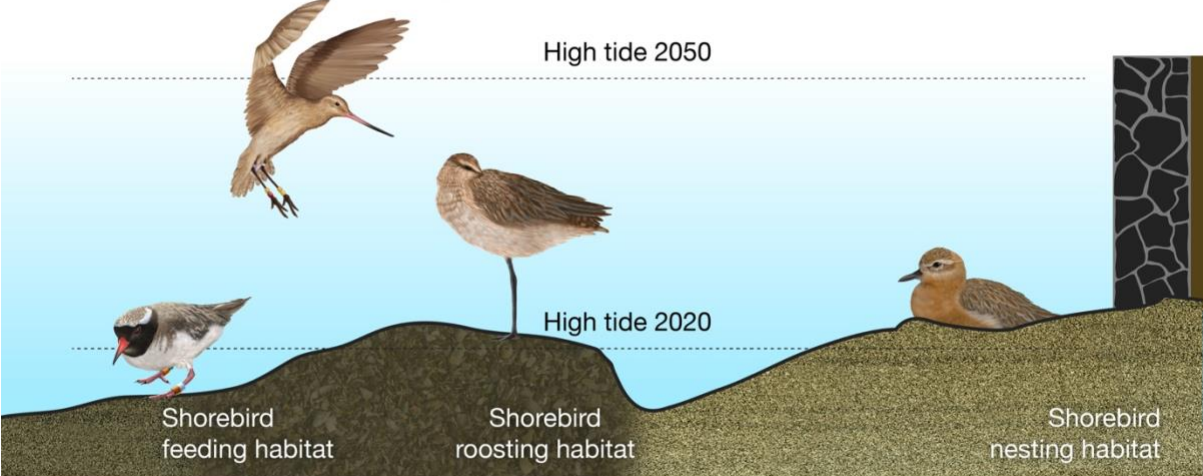
shaun@stet.co.nz

021 555 425

Appendix

Sea level rise destroys coastal habitats

On land, we build structures like seawalls to protect ourselves from the rising ocean. Squeezed between the water and the walls, coastal habitats will be reduced and many species will have nowhere else to go.



From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 90 - Craig Brooks
Date: Sunday, 5 March 2023 7:30:28 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Craig Brooks

Organisation name:

Agent's full name: Craig Brooks

Email address: dablueinja@hotmail.com

Contact phone number: 0224041561

Postal address:
dablueinja@hotmail.com
Auckland
Auckland 1062

Submission details

This is a submission to:

Plan change number: Plan Change 90

Plan change name: PC 90 (Private): 8 Sparky Road, Ōtara

My submission relates to

Rule or rules:
The new development on highbrook drive

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The traffic now on highbrook drive is insane by adding 200 more homes to the area is going to create further traffic issues also the fustructure to the water ways will be affected further more.

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

Submission date: 5 March 2023

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 90 - Clarissa Jane Witehira
Date: Monday, 6 March 2023 8:00:20 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Clarissa Jane Witehira

Organisation name: N/A

Agent's full name: N/A

Email address: clarissawitehira@xtra.co.nz

Contact phone number: 0272806715

Postal address:
17 Hannah Road,
Otara
Auckland 2023

Submission details

This is a submission to:

Plan change number: Plan Change 90

Plan change name: PC 90 (Private): 8 Sparky Road, Ōtara

My submission relates to

Rule or rules:

Property address: 8 Sparky Road Otara

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
traffic is heavy now and a housing sub division will cause added congestion on an already congested road

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

Submission date: 6 March 2023

Attend a hearing

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

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

3.1

Declaration

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

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

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

Yes

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 90 - Julie Chambers
Date: Friday, 10 March 2023 9:46:12 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Julie Chambers

Organisation name:

Agent's full name: Chris and Julie Chambers

Email address: Julie@Chambers.net.nz

Contact phone number:

Postal address:
 199 St Heliers Bay Road
 St Heliers,
 Auckland 1071

Submission details

This is a submission to:

Plan change number: Plan Change 90

Plan change name: PC 90 (Private): 8 Sparky Road, Ōtara

My submission relates to

Rule or rules:
 PC 90 (Private): 8 Sparky Road, Ōtara

Property address: 8 Sparky Road, Ōtara

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I oppose PC90 and seek to have the current industrial zone retained and steps taken to identify the coastal area of this land as of ecological value due to the presence of wetlands and geologically vulnerable due to its susceptibility to erosion from increasingly prevalent marine vessel wave action and until now, unanticipated, unprecedented severe rainfall events.

4.2

It is also requested that the severe traffic congestion and negative social societal consequences (and costs) of high-density low-cost housing being built in isolated locations, be taken into account.

4.3

1 Applicants claim there is an inability to accommodate light industrial activity. The application states the land cannot be used for industrial activity because heavy vehicles cannot access the site and turn adequately on site. This request is that this is rejected because:

The proposed residential area would need to be accessed by buses, rubbish trucks, construction

trucks, cranes (which are also needed post construction - sometimes years later), and any number of other heavy vehicles. If the site cannot be accessed by vehicles servicing a light industry complex, it is unlikely to also be suitable for adequate access for residential vehicles required to service the number of properties and density proposed.

The applicant assumes a large 'size and weight' of vehicle is required for all light industry options. This is contested. A great deal of modern 'light industry' does not require frequent access by large heavy vehicles.

The applicant states that if the land is not rezoned for high density residential use, it will be 'left vacant' and undeveloped', in a negative context. This is emotive terminology. The applicant repeatedly uses these terms, and the assertion is not supported by evidence. These terms should be disregarded as unsupported opinion and disregarded as feasible argument for need for the Plan Change.

Further there is no evidence the land has at any time been presented in any meaningful way as an opportunity for development for light industry.

The applicant's citation of 'territorial authority reports' on the economics of land use, while verbose, do not contain or include any conclusions relevant to this land or this application.

2. Applicants claim that land is vacant because it is only suitable for vertical, residential development and although it would not provide employment opportunities as a residential area this is not problematic because of nearby industry. This request is that this be rejected because:

The applicant is disregarding the identification of many more suitable residential areas under development nearby.

3. The applicant lists supposed 'benefits' of the proposed plan changes. These listed 'benefits' are rejected because:

- The applicant consistently and repeatedly confuses public and private benefit.
- Example - "The proposal would lower marginal infrastructure costs and has the potential to bring with it economies of scale" – "The proposal has the ability to supply the market with an additional 200 dwellings. This increases the overall competitiveness and efficiency due to the intensity of the proposed development" these are (repeated) references to private gain. These claims do not take into account huge social costs that have been generated by 'low-cost' high-density housing complexes located in areas isolated from social support services and wider social networks.

There will be insufficient numbers of individual homes to sustain local access to medical and other essential social services. There are many international examples of high and ongoing public costs, due to ongoing intergeneration social problems that arise within high density 'low cost' residential high rise apartment developments that are geographically and socially isolated due to roading configurations or traffic congestion.

Public cost is also possible because the land in question is (and will be even more so if this Plan Change is granted) 'road blocked' by traffic congestion. There will be insufficient homes to provide any long term, sustainable form of public transport that is not heavily subsidized by public funding. The applicant's suggestion a 'private shuttle service' would be sustained is not supported by evidence from any example elsewhere. The consequence of the service failing would result in demand for public funding to maintain it.

- Proximity to the employment area of High brook is only relevant if reliable, high frequency public transport services, or good road access is possible. This appears unlikely. The applicant assumes residents will work in a limited geographic area and this is accessible. The applicant provides no assurance or evidence residents will work 'nearby'-and even if they do, that they will choose to walk, because walking distances are appropriate and that use of 'walkable access' is supported by evidence. Thirty minutes is not 'walkable'.

4. The application should be rejected because the applicants do not rule out the possibility of

liquefaction.

5. The application should be rejected because the shoreline is soft sandstone and subject to human generated wave action erosion, damaging property and depositing sediment pollution into the Tamaki Estuary.

The applicant states there is 'no wave' action within the Tāmaki River. This is incorrect. There are examples elsewhere in the estuary where the coastline is rapidly eroding and depositing tons of sediment into the River, Estuary (and further out into the gulf) due to wave action from recreational vessels almost continuously entering and leaving the river and estuary.

Boating use of the area is rapidly increasing, and this is resulting in unprecedented and continuous wave action. Evidence is available to show this wave action eroding Bucklands Beach. More evidence exists, there is serious, ongoing erosion at Wai-o-Taiki Bay and at 259 Riddell Road, Glendowie, where Glendowie Road is in danger of falling into the sea.

Tamaki Marine Park's existing 260-boat dry stack facility is nearby and accommodates boats from 4m up 12m in length. Boats are routinely reported as exceeding the 5knot per hour speed restriction, and local communities have been advised little can be done to prevent this. This application will significantly increase the demand for recreational vessel use in this area (such as jet skis). No mitigation has been suggested.

The application should be rejected because there has been no examination of public health risks to residents due to heavy metal pollutants from the motorway being likely present in the riverbank sediment. There has been no investigation or examination of this issue, despite this area being proposed as a 'shoreline' recreational area. This should be investigated before any land is vested into public ownership.

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

Submission date: 10 March 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

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

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

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

Yes

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 90 - Davina Mihaka
Date: Friday, 10 March 2023 1:01:01 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Davina Mihaka

Organisation name:

Agent's full name: Davina Mihaka

Email address: davinamihaka@yahoo.co.nz

Contact phone number:

Postal address:
davinamihaka@yahoo.co.nz
Auckland
Auckland 1072

Submission details

This is a submission to:

Plan change number: Plan Change 90

Plan change name: PC 90 (Private): 8 Sparky Road, Ōtara

My submission relates to

Rule or rules:
200 houses on Highbrook Drive, East Tamaki AKL, An estuary where wild life are, This is a very busy area where trucks and cars are built up all day long. Not to mention this will impact the environment

Property address:

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
Impacts the environment

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

Submission date: 10 March 2023

5.1

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

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

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

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

Yes

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



NGĀTI TE ATA WAIOHUA

“Ka whiti te rā ki tua o rehua ka ara a Kaiwhare i te rua”

13th March 2023

SUBMISSION REGARDING:

**Auckland Unitary Plan
Proposed Plan Change 90 (Private): Highbrook Living Limited 8 Sparky Road, Ōtara
to the Auckland Unitary Plan**

To: John Duguid Manager – Plans & Places
Auckland Council
Name of Submitter: Ngāti Te Ata Waiohū (the **Submitter**)
c/- Po Box 437
Pukekohe 2120

INTRODUCTION

1. This is a submission regarding proposed Private Plan Change 90 is a proposal that seeks to rezone 4.4 hectares of land on the north-western side of Highbrook Drive at 8 Sparky Road, Ōtara, from Business – Light Industry to Residential – Terrace Housing and Apartment Building zone. The proposed private plan change also seeks to introduce the Highbrook Precinct applying to the rezoned land. The precinct includes provisions that relate to transport and noise. The remainder of the site retains its existing Business – Light Industry zone and is not included in the Highbrook Precinct.

SUBMISSION

2. Ngāti Te Ata have a long traditional and historic relationship to the proposed site and wider environs of the Ōtara district.
3. After careful consideration Ngāti Te Ata have determined that we **do not support** PPC90 in its current form – namely for the following reasons:
4. The submitter considers that the proposal is still inconsistent with the RMA, and in particular Part 2. Specifically, is inconsistent with:
 - a. Section 6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.
 - b. Section 6(f) which states that historic heritage is to be protected from inappropriate subdivision, use and development;
 - c. Section 7(a) which requires all persons exercising functions and powers under the RMA to have particular regard to kaitiakitanga; and
 - d. Section 8 which requires all persons exercising functions and powers under the RMA to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

e. Section 88 4th schedule (d) which states:

*Matters that must be addressed by assessment of environmental effects (1) An assessment of the activity's effects on the environment must address the following matters: (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects: (b) any physical effect on the locality, including any landscape and visual effects: (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity: (d) any effect on natural and physical resources having aesthetic, recreational, scientific, **historical, spiritual, or cultural value**, or other special value, for present or future generations:*

5. It is imperative for the people of Ngāti Te Ata that the mana of the land subject to the PPC90 development is upheld, acknowledged and respected and that their people have rangatiratanga (opportunity to participate and be involved in decision making) over their ancestral land and taonga. In addition, Ngāti Te Ata have responsibility as kaitiaki to fulfil their obligation and responsibilities to the environment in accordance with customs passed down, and to be accountable to the people (current and future generations) in these roles as custodians.

RELIEF

6. That a Cultural Impact Assessment (CIA) report is undertaken by Ngāti Te Ata Waiohua to ensure our values, history and preferred environmental/cultural recommendations are captured, and included in the decision making moving forward. | 6.1
7. The Submitter seeks the following decision from Auckland Council:
- (a) **Reject the Application** unless the issues addressed in this submission can be adequately addressed. | 6.2
8. The Submitter wishes to be heard in support of their submission.

13th March 2023



Karl Flavell

Te Taiao (Manager)
Ngāti Te Ata Waiohua
c/- Po Box 437
Pukekohe 2120

Ph: 027 9328998

karl_flavell@hotmail.com

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 90 - Jennifer Kay Tongotongo
Date: Tuesday, 14 March 2023 1:00:13 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jennifer Kay Tongotongo

Organisation name:

Agent's full name:

Email address: jennifertongotongo@gmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 90

Plan change name: PC 90 (Private): 8 Sparky Road, Ōtara

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:

Traffic

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

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

The reason for my or our views are:

I feel that Highbrook Drive is already at maximum capacity with long delays experienced at multiple times of the day. Add to this the number of extra vehicles that would be on the road to get people to work, children to school and to go about general daily activities that would arise from Terraced Housing and Apartment Buildings the drive times would become unacceptable.

I would like to see the zone remain Business/Light Industrial where the effects on the road will be far less.

| 7.2

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

| 7.1

Submission date: 14 March 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

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

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

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

No

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 90 - Wayne Ronald Oliver
Date: Tuesday, 14 March 2023 5:15:21 pm
Attachments: [PC 90 Submission 23_03_14.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Wayne Ronald Oliver

Organisation name:

Agent's full name:

Email address: wayne.in.desert@gmail.com

Contact phone number: 027 302 2982

Postal address:
11 Curlew Bay Road
Otahuhu
Auckland 1062

Submission details

This is a submission to:

Plan change number: Plan Change 90

Plan change name: PC 90 (Private): 8 Sparky Road, Ōtara

My submission relates to

Rule or rules:
PC 90 (Private): 8 Sparky Road, Ōtara

Property address: 8 Sparky Road, Ōtara

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
See attached.

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

Submission date: 14 March 2023

Supporting documents
PC 90 Submission 23_03_14.pdf

Attend a hearing

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

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

Yes

Declaration

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

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

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

Yes

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

The distance from or lack of public amenities ie shops, schools, public transport etc makes the plan change area unsuitable for a high density residential development. Most of the reasons stipulated by Manukau City Council for zoning the Waiouru Peninsula industrial rather than residential when it was subdivided are also valid in this case and should be consulted before considering this plan change.

There is insufficient public transport available. Only a limited service actually goes past the plan change area and is unpredictable at peak hours due to traffic congestion on Highbrook Drive and Hellabys Road. The 'Integrated Transport Assessment' states that "Bus Route 325 runs along Highbrook Drive along the site frontage". It doesn't. This route runs along Bairds Road and crosses Hellabys Road, going nowhere near Highbrook Drive. The distance to the nearest stop to the plan change area on this route is presently about 1.5 km.

If the integrated transport assessment includes basic errors such as that, all other information presented must be given close scrutiny and verified for accuracy. Especially the traffic modelling. Observation and common sense suggests that approving the plan change will increase traffic volumes and congestion either locally on Highbrook Drive and/or on connecting roads. Also, the distance to walk to Wymondley School from the plan change area is closer to 1.2 km than the 400 m "as the crow flights" stated. It is further still by vehicle.

That a private shuttle service is required for a residential development to be viable suggests the location is totally unsuited for residential zoning and the plan change should be declined for this reason alone.

The geotechnical appraisal makes light of coastal erosion. The significant ongoing erosion of the cliff was of great concern to Contact Energy when it owned the site, ultimately resulting in the existing native planting in the vicinity of the cliff edge to stabilise it. This seems to have been largely successful. These trees also provided a degree of screening of the industrial area behind as viewed from Otahuhu.

This native planting should clearly be retained in its entirety regardless of the land zoning. The various reports commissioned and decisions made previously regarding the stability of the cliffs should be consulted before considering the plan change or consenting any type of development or vegetation removal near the cliff edge.

8.2

The 'Highbrook Living Development Coastal Plan' shows the existing barge dock repurposed as a public recreation area. What a horrible place that would be to go and recreate given the noise and exhaust emissions from the traffic on nearby State Highway 1. This facility would be more suitable retained for maritime purposes such as transporting freight. As was being previously promoted by Auckland Council for the unloading of cars. In fact, the Integrated Transport Assessment suggests "Given the site's waterfront location, there are also potential future opportunities for water transport that could be considered in the future".

Also shown on the Highbrook Living Development Coastal Plan is an "existing boat ramp for kayaks, dinghies etc". This ramp is currently in disrepair and is inaccessible from the water due to the proliferation of mangroves along the shoreline. If mangroves are to be removed from this location then the precedent set will encourage mangrove removal from other areas of the Tamaki River. Also, having a boat ramp available for public use would seem to contradict the current Auckland Council policy of preventing boat access to the upper reaches of the Tamaki River. Of the 4 existing public ramps/launching sites within 2 km of this ramp, all inexplicably have some form of barrier in place preventing their use.

The current light industrial zoning should be retained.

But the best use of this land is for it to be set aside as open space as a reserve contribution when the inevitable subdivision of the rest of the ex Otahuhu power station site takes place.

Chairperson: Dr Julie Chambers

Email: Chair@TEPS.org.nz

Website: www.teps.org.nz

Facebook Page: [Tamaki Estuary Protection Society | Facebook](#)

Physical Address: 199 St Heliers Bay Road, St Heliers Auckland 1071

Phone: 021 2044118

Tāmaki Estuary Protection Society (TEPS) Submission

Thank you for this opportunity for TEPS to submit to Plan Change 90 (8 Sparky Road).

TEPS submission **opposes** Plan Change 90, seeks to have the current zoning retained and the ecological importance of this area acknowledged.

9.1

The Tāmaki Estuary Protection Society (TEPS) is an incorporated Society whose members are committed to improving the waterways, and shorelines of the Tāmaki Estuary, and protecting and enhancing the habitat for local native wildlife.

The Tāmaki Estuary has been an undervalued natural and community asset. For many years the Estuary has been detrimentally affected by under investment in pollution control, stormwater management and treatment, and ecological restoration.

TEPS focus includes:

- Improvement of water quality and the ecological health of the Tāmaki Estuary and its waterways.
- Community wellbeing through connection and engagement with the environment of the Tāmaki Estuary and its kaitiakitanga.
- Catchment-wide ecological restoration.

Executive Summary

1. **TEPS submission opposes** Plan Change 90. TEPS seeks to have the current zoning retained and the ecological importance of this area acknowledged.
2. **Ecological importance of the site:** TEPS requests steps are taken to identify this area of land as of ecological importance due to the presence of wetlands. The Tamaki Estuary is a regionally important wildlife habitat, that is as an Area of Significant Conservation Value (ASCV) with the bank opposite the development site described as a special ecological area for wading bird habitat.
3. **The applicant's proposed 'benefits' of the proposed plan change** repeatedly confuse **public and private benefit**. The applicant's inference that providing 'economies of scale' results in a 'public good', does not take into account huge social costs that might be generated by high-density 'low cost' housing located in areas isolated from social support services and wider social networks. Government intention for greater density does not mean a specific developer (or residential development) should be permitted, simply because the company can achieve 'greater' economies. *Examples - "The proposal would lower marginal infrastructure costs and has the potential to bring with it economies of scale" and "The proposal has the ability to supply the market with an additional 200 dwellings. This increases the overall competitiveness and efficiency due to the intensity of the proposed development"*. These statements relate to **private, rather than public, gain**.
4. **Erosion from stormwater and boat-wake wave action have not been considered.** The Plan Change application should be rejected because the shoreline is soft sandstone and geologically vulnerable due to its susceptibility to erosion from increasingly prevalent marine vessel wave action and unprecedented severe rainfall events. Elsewhere in the Estuary where the coastline is rapidly eroding and depositing sediment into the River, Estuary (and gulf) due to wave action from recreational vessels almost continuously entering and leaving the river and estuary, at speed.
5. **TEPS** draws attention to the **huge transport and traffic challenges** presented by this proposal and contests the applicant's transport assessment report.

Submission

1. **TEPS opposes** PC90 and seeks to have the current zone retained, or the area established as a natural reserve. Light industry structures are likely to be of lesser environmental impact than high density residential housing. 9.1

2. TEPS requests steps taken to identify this area of land as of ecological importance due to the presence of wetlands and as geologically vulnerable due to its susceptibility to erosion from increasingly prevalent marine vessel wave action and until now, unanticipated, unprecedented severe rainfall events. 9.2

3. TEPS also requests the severe traffic congestion that will arise because of this development, be noted as an isolating factor for the proposed development and the negative societal consequences (and costs) of high-density low-cost housing being built in isolated locations, be taken into account. 9.3

4. **Applicants claim there is an inability for this land to accommodate light industrial activity** because heavy vehicles cannot adequately access and turn on site. TEPS requests is this is **rejected** because:
 - a. The proposed residential area would need to be accessed by buses, rubbish trucks, construction trucks, cranes (which are also needed post construction), and any number of other heavy vehicles. If the site cannot be accessed by vehicles servicing a light industry complex, it is unlikely to also be suitable for adequate access for residential vehicles required to service the proposed number of properties and density.
 - b. The applicant assumes a large 'size and weight' of vehicle is required for all light industry options. This is contested. Not all modern 'light industry' requires frequent access by large heavy vehicles.
 - c. The applicant's citation of 'territorial authority reports' on the economics of land use, while verbose, do not include any conclusions relevant to this land or application.

5. **Integrated Transport assessment report rejected:** TEPS contests the applicant's Integrated Transport assessment and requests errors be noted. 9.4
 - a. Bus service No 325 does not service the plan change area, the nearest stop for the 325 is on Baird's Road.

- b. There are **not** shared paths on both sides of Highbrook Drive. The dedicated cycle/walking path on the western side ends at the pedestrian crossing 50 m north of Otara creek. The path then becomes a single lane gravel path that follows the contour of the river.
6. The applicant's assessment claims Wymondeley Road School, one of the schools closest to the site, is "approximately 400m as the crow flights" (sic). TEPS notes students heading for Wymondeley Road school will need to cross five roads to get to school, two of which (Hellabys Road) enter a roundabout, and are unlikely to be serviced by a pedestrian crossing.
7. The assessment incorrectly claims there is only one dedicated formal pedestrian crossing. There are **two** dedicated pedestrian crossings, one 50m from the roundabout and the other 200m from the roundabout (refer page 13).
8. There are newly installed pedestrian crossings and traffic lights at the entrance to the site. If this development proceeds the frequent use of these crossings by residents, while necessary because of the heavy traffic, will add to the congestion on Highbrook Drive.
9. TEPS requests the zoning remains light industrial, so the existing barge port can be retained as such, to keep the Tāmaki River as a viable water-based transport route. | 9.5
10. The Tāmaki River has been a transport route since the fifteenth century and the arrival of Māori, who used the various portages to gain access to the west coast and the southward. Early Europeans also used the river for transport until the building of the Great South Road and the bridge across the Tāmaki River at Otahuhu in 1853. Even today it is the only route capable of carrying very heavy equipment south.
11. TEPS members request Commissioners note the Barge Port was constructed to convey equipment destined for the building of the Huntly Power Station (not the Otahuhu power station as stated). The barge port may be needed again in the future and could even be considered a civil defence site.
12. **TEPS requests supposed 'benefits' of the proposed plan changes are rejected** because the applicant repeatedly confuses **public and private benefit**. *Example - "The* | 9.6

proposal would lower marginal infrastructure costs and has the potential to bring with it economies of scale” – “The proposal has the ability to supply the market with an additional 200 dwellings. This increases the overall competitiveness and efficiency due to the intensity of the proposed development” these are (repeated) references to private gain.

13. These claims do not take into account huge social costs generated by ‘low-cost’ high-density housing complexes located in areas isolated from social support services and wider social networks.
14. There will be insufficient numbers of individual homes to sustain local access to medical and other essential social services, and poor access to the same. There are many international examples of high and ongoing public costs, due to ongoing intergeneration social problems that arise within high density ‘low cost’ residential high rise apartment developments that are geographically and socially isolated due to roading configurations or traffic congestion.
15. Public cost is also possible because the land in question is (and will be even more so if this Plan Change is granted) ‘road blocked’ by traffic congestion. There will be insufficient homes to provide any long term, sustainable form of public transport that is not heavily subsidized by public funding. The consequence of the shuttle service failing would result in demand for public funding to maintain it.
- 16. The application should be rejected because the shoreline is soft sandstone and subject to erosion, from stormwater events and wave action, depositing sediment pollution into the Tāmaki Estuary.**
17. The applicant’s claim there is ‘no wave’ action within the Tāmaki River **is rejected**. There are examples elsewhere in the estuary where the coastline is rapidly eroding and depositing tons of sediment into the River, Estuary (and further out into the gulf). Strong easterly winds create local wave action, even to the point of people using the path reporting mangrove seeds being deposited onto the bike path following winds and high tide.
18. Boating use of the area is rapidly increasing and this is resulting in unprecedented and continuous wave action. Evidence is available to show this wave action eroding

Buckland's Beach. More evidence exists, there is serious, ongoing erosion at Wai-o-Taiki Bay and at 259 Riddell Road, Glendowie, where Glendowie Road is in danger of falling into the sea. The applicant has not included as a consideration.

19. Tāmaki Marine Park's existing 260-boat dry stack facility is nearby and accommodates boats from 4m up 12m in length. Boats are routinely reported as exceeding the 5knot per hour speed restriction, and local communities have been advised little can be done to prevent this.
20. The application should be rejected because there has been no examination of public health risks due to pollutants from heavy metals and toxic chemicals likely being present in the sediment, or health impacts impact from stormwater generated erosion.
21. TEPS notes **the likely disturbance to a wide range of birds and their feeding grounds by this proposed residential development.** The applicant's ecological assessment was based on one site visit and a desktop assessment of 'ebird'. This concluded the weir area was used only by roosting birds and as they were undisturbed by the traffic above, they would likely be undisturbed by the public. TEPS disputes this finding.
22. The whole of the Tamaki Estuary is a regionally important wildlife habitat. It is an Area of Significant Conservation Value (ASCV) with the bank opposite the development site described as a special ecological area for wading bird habitat.
23. At low tide the channel runs close to the foreshore of the development area. This is the area used by large numbers of feeding birds, the species varying according to the season. Increased sediment erosion will impact on feeding grounds.
24. A public foreshore esplanade reserve would greatly impact the feeding birds not only from the construction but also from the disturbance by the public when in use. Similarly, birds feeding on the Ōtara creek weir would be disturbed. There is ready evidence from previous large-scale developments that these adversely impact bird feeding grounds. One example is Shoal Bay Special Bird Area on the northern side of the Waitemata harbour. The same would happen here. TEPS requests this application be rejected. ENDS

9.7

Form 5: Submission on notified proposal for policy statement or plan, change or variation

Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991

To: Auckland Council (**the Council**)

unitaryplan@aucklandcouncil.govt.nz

Name of submitter: Penny Nelson, Director-General of Conservation (the **Director-General**)

1. This is a submission on proposed Private Plan Change PC 90, 8 Sparky Road, Ōtara.
2. I could not gain an advantage in trade competition through this submission.
3. The specific provisions of the proposal that my submission relates to are the whole plan change.
4. The **reasons** for my submission are:
 - a. The intended development site adjoins the Tamaki River, which has a range of coastal values – habitat for wading birds (including threatened and at risk species), intertidal mudflats, mangroves, coastal landscape and coastal natural character.
 - b. There are three Significant Ecological Areas within the Tamaki River mapped in the Auckland Unitary Plan within 100m of the site (SEA-M2-45w2, SEA 45 c and SEA 2908).
 - c. The development which would be enabled by the proposed plan change could affect these values through disturbance, discharges, earthworks, construction, and disturbance of contaminated land.
 - d. The applicant's s32 evaluation and the proposed plan change fail to adequately recognise coastal values or protect them from potential effects.
 - e. In particular, the s32 evaluation relies on future esplanade provisions to address effects on coastal values, but:

- i. It is unclear exactly what those esplanade provisions would be – the s32 evaluation does not specify what is proposed, and uses a range of different terms ('esplanade reserve' / 'esplanade' / 'esplanade area' etc).
 - ii. Site development, including earthworks, management / remediation of contaminated soils, civil engineering works, and construction are likely to occur prior to any subdivision which would trigger the creation of esplanade reserves.
 - iii. Although the application refers to various provisions of the AUP which promote the creation of esplanade reserves, it remains open to a future subdivider to seek a reduction or waiver of esplanade reserve requirements.
- f. There is therefore no certainty that adverse effects of development will be avoided, remedied or mitigated through esplanade reserves. Adverse effects are likely to occur prior to the creation of esplanade reserves, and the final reserve configuration(s) may not adequately address longer term effects.
- g. The development site and adjoining Tamiki River contain:
- i. Indigenous biodiversity values which trigger Policy 11(a) of the New Zealand Coastal Policy Statement 2010 (NZCPS), including threatened and at risk species. Policy 11(a) requires that adverse effects on these values be avoided.
 - ii. Indigenous biodiversity values which trigger Policy 11(b) of the NZCPS, including indigenous vegetation and intertidal zones. Policy 11(b) requires that significant adverse effects on these values be avoided, and other adverse effects be avoided, remedied or mitigated;
 - iii. Coastal natural character which triggers Policy 13 of the NZCPS; and
 - iv. Coastal natural features and landscape which trigger Policy 15 of the NZCPS.
- h. The applicant's reliance on uncertain future esplanade provisions means that the proposed plan change would not protect coastal values, and would be inconsistent with the NZCPS.

5. I **seek** the following decision from the Council:

a. EITHER the plan change not be approved; or

| 10.1

b. IF the plan change is approved, it includes a coastal zone or overlay of at least 20m width, which ensures that coastal values are protected and the NZCPS 2010 is complied with, without relying on uncertain future esplanade provisions.

| 10.2

6. The decision sought in this submission is required to ensure that the proposed Private Plan Change:

a. Recognises and provides for the matter of national importance in section 6(c) of the Act (the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna); and

b. Gives effect to the NZCPS 2010;

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



Rebecca Rush

Operations Manager / Pou Matarautaki,

Tamaki Makaura / Auckland Mainland District

Department of Conservation

Acting pursuant to delegated authority on behalf of Penny Nelson, Director-General of Conservation

Date: 22/3/23.

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Address for service:

Attn: Murray Brass

mbrass@doc.govt.nz

027 213 3592

Christchurch Shared Services

Private Bag 4715, Christchurch Mail Centre, Christchurch 8140, New Zealand

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 90 - Business East Tamaki Incorporated
Date: Wednesday, 22 March 2023 12:00:43 pm
Attachments: [Submission on PC 90 - FINAL.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Business East Tamaki Incorporated

Organisation name: Business East Tamaki Incorporated

Agent's full name:

Email address: gm@businesset.org.nz

Contact phone number: 027 234 0885

Postal address:

Level 1
1 Sir William Avenue
East Tamaki
Auckland 2013

Submission details

This is a submission to:

Plan change number: Plan Change 90

Plan change name: PC 90 (Private): 8 Sparky Road, Ōtara

My submission relates to

Rule or rules:

Our submission relates to the entire proposed Plan Change

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

See attached

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

Submission date: 22 March 2023

Supporting documents

Submission on PC 90 - FINAL.pdf

11.1
11.2
11.3

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Submission on PC 90 (Private): 8 Sparky Road, Otara Business East Tamaki

Introduction

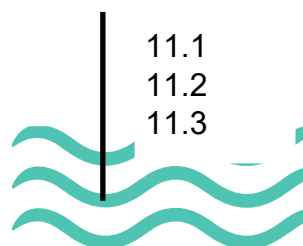
1. Business East Tamaki Inc is an incorporated society (639532) having its registered office at Wynyard Wood, Level 1,60 Highbrook Drive, East Tamaki, Auckland, 2013. Business East Tamaki is also a business improvement district within the Auckland Region. Its functions include: informing, researching and advocating for business and property owners in the economic development of East Tamaki; providing a conduit to business support, resources, education and networking; Enhancing the safety and security of East Tamaki; and promoting the area as a great place to do business and to work.
2. East Tamaki is a manufacturing and distribution hub of some 2,000 businesses strategically located close to the motorway, airport and port, generating: \$3 billion for the New Zealand economy each year; \$19 million in rates, and 30,000 jobs with projected jobs of 45,000 on completion of Highbrook Business Park. The precinct has developed from greenfield origins and the availability and relative cost of land has, in the past, made the precinct attractive to businesses. As such, the area has a number of nationally and internationally significant companies, some of which are involved in developing innovative technologies. It has concentrations of activity in manufacturing, wholesale, administrative and support services as well as professional, scientific and technical services.
3. Over the past two decades, the development potential of greenfield land at Highbrook has attracted businesses from throughout the region seeking large sites for purpose-built buildings. Highbrook and East Tamaki generally have offered development lots for significant sized warehouses, distribution centres and purpose built buildings. Significant sized lots are now in extremely limited supply in Auckland. However, as East Tamaki's greenfield land has been developed, businesses have been maximising their efficiency in terms of use of land (including the use of available greenfield sites and the redevelopment of brownfield sites).
4. Business East Tamaki welcomes the opportunity to make submissions on Plan Change 90 (Private) 8 Sparky Road, Otara.

Submissions

5. Private Plan Change (90) aims to rezone 4.4 hectares of land on the north-western side of Highbrook Drive at 8 Sparky Road, Otara, from Business – Light Industry to Residential – Terrace Housing and Apartment Building zone. The proposed private plan change also seeks to introduce the Highbrook Precinct applying to the rezoned land. The precinct includes provisions that relate to transport and noise. The remainder of the site retains its existing Business – Light Industry zone and is not included in the Highbrook Precinct.
6. The submission relates to the entire Plan Change.
7. Business East Tamaki opposes the entire Plan Change.
8. Business East Tamaki will not gain an advantage in trade competition through the submission.
9. The decision Business East Tamaki seeks from the Council is to decline Plan Change (90).

Reasons for opposing the entire Plan Change

10. Our reasons for opposing the entire Plan Change are set out below.



11. The Plan Change (90) area is approximately 4ha, forming part of the larger site located at 8 Sparky Road, Ōtara. The full site at 8 Sparky Road is approximately 35ha in area, and was the location of the former Ōtāhuhu Power Station, which is currently being dismantled. The full site is currently zoned Business – Light Industry Zone.

Safeguarding industrial land for industrial purposes

12. There are very few areas of undeveloped light industry zoned land within the Rural Urban Boundary ('RUB') of the Auckland Region and concern over the scarcity of industrial land to meet forecast demands.
13. The Auckland Plan directs that Auckland makes the best use of existing business land. "Existing business land, particularly important industrial areas, will be safeguarded. Once lost to other uses, such as housing, it is difficult to replace."¹ Therefore, the proposed plan change will not sustainably manage development, that is inconsistent with the RMA purpose.
14. Auckland Plan 2050 recognises in "Opportunity and prosperity – Focus Area 2: Ensure regulatory planning and other mechanisms support business, innovation and productivity growth."
15. Council also value "Measure 4: Zoned industrial land" as one of the key performance indicators for implementing Auckland Plan 2050.
16. During the development of the Auckland Unitary Plan, industrial business associations, including Business East Tamaki, emphasised that the use of the industrial land must be protected for use by industrial activities and not for residential purposes.
17. Business East Tamaki notes Objective B2.5.1(3) of the Auckland Unitary Plan, which provides that:
- (3) Industrial growth and activities are enabled in a manner that does all of the following:
 - (a) promotes economic development;
 - (b) promotes the efficient use of buildings, land and infrastructure in industrial zones;
 - (c) manages conflicts between incompatible activities;
 - (d) recognises the particular locational requirements of some industries; and
 - (e) enables the development and use of Mana Whenua's resources for their economic well-being.
18. Business East Tamaki also notes Policies B2.5.2(7) to (10) of the Auckland Unitary Plan, which provide that:
- (7) Enable the supply of land for industrial activities, in particular for land-extensive industrial activities and for heavy industry in areas where the character, scale and intensity of the effects from those activities can be appropriately managed.
 - (8) Enable the supply of industrial land which is relatively flat, has efficient access to freight routes, rail or freight hubs, ports and airports, and can be efficiently served by infrastructure.
 - (9) Enable the efficient use of industrial land for industrial activities and avoid incompatible activities by all of the following:
 - (a) limiting the scale and type of non-industrial activities on land zoned for light industry;

 - (b) preventing non-industrial activities (other than accessory activities) from establishing on land zoned for heavy industry; and

¹ Auckland Plan 2050. See <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/auckland-plan/development-strategy/Pages/business-areas.aspx>

(c) promoting co-location of industrial activities to manage adverse effects and to benefit from agglomeration.

(10) Manage reverse sensitivity effects on the efficient operation, use and development of existing industrial activities, including by preventing inappropriate sensitive activities locating or intensifying in or adjacent to heavy industrial zones.

19. Turning to the National Policy Statement on Urban Development ('NPS-UD'), while the applicant has emphasised the residential aspects of the NPS-UD, Business East Tamaki notes that the National Policy Statement also emphasises the need for business land. Business East Tamaki also notes the National Policy Statement for Highly Productive Land 2022 and the likely restraints this will place on the redevelopment of highly productive land in the south of Auckland, such as such as Drury and Pukekohe.

20. With respect to the applicant, Business East Tamaki does not believe the Plan Change safeguards this industrial land for industrial purposes. Nor does it meet the directives of the Auckland Plan or the industrial growth and activities objectives and policies of the Auckland Unitary Plan.

11.1

Eco1: Industrial land occupation 2017-2022

21. Business East Tamaki submits, with regard to industrial land occupation, that many of the other places where industrial activities might locate if they were unable to establish on the site are located around the Auckland urban periphery (eg Whenuapai PC52, Drury, Pukekohe and Silverdale). With a significant increase in residential capacity planned in central Auckland, areas closer to central Auckland will be required for employment opportunities that are easy to access.

22. Business East Tamaki also submits that East Tamaki, and indeed all of South Auckland, has a severe under supply of industrial land. This has put significant pressure on industrial land prices which have increased roughly 5-fold in the last decade. Similarly, Goodman's Highbrook development is near completion and 100% occupied. East Tamaki industrial vacancy is also at 0% and industrial rents have increased by over 25% in the last 24 months. This is extremely prohibitive to business growth and will only add to the shortage of industrial property and increase in price pressure in East Tamaki and the surrounding areas.

11.1

Eco 2: Ability to accommodate industrial activity

23. With regard to the ability to accommodate industrial activity, Business East Tamaki submits that the subject site is not highly compromised as a development opportunity for industrial activity but agrees that it does have some unique features. Business East Tamaki submits that the site could be used light industry activities and that there are many industrial zoned parcels and industrial buildings that are of a size that could be accommodated on the site, including across a wide range of activities that are permitted in the operative Light Industry zone. For examples in East Tamaki, see Appendix 1. For other examples, see Appendix 2.

Eco 3: Economic efficiency of industrial land within this location

24. Business East Tamaki submits again with regard to the economic efficiency of industrial land within this location that again East Tamaki, and indeed all of South Auckland for that matter, has a severe under supply of industrial land. This has put significant pressure on industrial land prices which have increased roughly 5-fold in the last decade. Similarly, Goodman's Highbrook development is near completion and 100% occupied. East Tamaki industrial vacancy is also at 0% and industrial rents have increased by over 25% in the last 24 months. This is extremely prohibitive to business growth and will only add to the shortage of industrial property and increase in price pressure in East Tamaki and the surrounding areas.



Eco 9: Negative externalities of residential development

25. Business East Tamaki submits, concerning the negative externalities of residential development at the proposed site, that the site is unsuitable for residential development in that it is not close to commercial, educational or other services, and has constrained options for active modes of transportation. 11.2

TP 3: Traffic Effects of SH1 Southbound / Highbrook Road / Hellaby's Road Roundabout upon Subject Site Intersection

26. Business East Tamaki submits, with regard to traffic effects, that Highbrook Drive is already heavily trafficked and it is concerned that the peak hour queue lengths on Highbrook Drive (which would extend northwards beyond the proposed site access intersection) will mean that the subject site access intersection will not be able to function safely and efficiently. It will also be adversely affected by traffic effects from the downstream motorway interchange roundabout. 11.3



Appendix 1

Industrial units, across the intersection from the proposed site.



BUSINESS^{#11} EAST TĀMAKI

Multi use small industrial units on Business Parade South, Highbrook



Scaffolding storage yard at the end of business Parade north, Highbrook
(Scaffolding company Safesmart)



These two photos show the intersection of the junction of the land that is being requested for re-zoning and it is used by Carters building products for logistics storage and staging of completed/semi-complete building frames.





Appendix 2

Storage King Onehunga (11 Gloucester Park Road, Onehunga)



23 March 2023

Auckland Council
Attention: Planning Technician
Via email: unitaryplan@aucklandcouncil.govt.nz

Submission on Plan Change 90: 8 Sparky Road, Otara

Introduction

- This is a submission on Plan Change 90 (PC90) – 8 Sparky Road, Otara on behalf of Goodman Property Trust (acting by and through its manager, Goodman (NZ) Limited) (“**Goodman**”). PC90 was notified by Auckland Council on 23 February 2023.
- This submission relates to the provisions in PC90 for residential development as they relate specifically to the western part of the site located at 8 Sparky Road, Otara.
- Goodman are particularly concerned with potential traffic effects of developing the land. East Tamaki is one of Auckland’s most important economic areas for industrial users and the current roading infrastructure is stressed and at capacity. For this reason, Goodman would not like to see any change of use of this land, have a material increase in traffic over and above what would be created with its current zoning.
- Goodman could not gain an advantage in trade competition through this submission.

Background to Goodman

Goodman is an NZX listed managed investment scheme which invests in commercial property in NZ and is managed by Goodman (NZ) Limited, a member of the global Goodman Group, itself listed on the ASX property group.

Within New Zealand, Goodman owns, develops and manages high-quality urban logistic spaces. This includes logistics facilities, warehouses and business parks. Goodman is exclusively invested in the Auckland region with estates located in key strategic suburbs of Albany, East Tāmaki, Māngere, Manukau, Mt Roskill, Mt Wellington, Ōtāhuhu, Panmure, and Penrose.

Submission

1. Goodman submit a **Neutral** view regarding the rezoning of the land identified in PC90 at 8 Sparky Road to Residential – Terrace Housing and Apartment zoning.
2. Goodman is not opposed to the change to residential land use, at an appropriate density and scale, accepting that residential land use could be developed on the land if appropriately managed.

12.1

3. However, Goodman’s main concern is the potential traffic effects of developing the land. Goodman do not want any change in use to create traffic effects over and above what would be created under the current zoning. In particular it is noted that:

12.2

- (a) East Tamaki is one of Auckland’s most important economic areas for industrial users and the current roading infrastructure is stressed and at capacity.
- (b) Waiouru Peninsula and to an extent the wider East Tamaki commercial area (which is a key area for commercial activity in Auckland) is constrained from a traffic perspective with the Waiouru Peninsula essentially having only one road in and one road out.
- (c) The roading infrastructure has been sized based on industrial uses located on the land which typically have relatively low trip generation rates; and
- (d) There is particular concern about high traffic generating activities (such as high density residential) establishing without appropriate transport infrastructure or mitigation measures being in place.

Decision Sought and Hearing

- Apply the Residential-Terrace Housing and Apartment Building zone to the land for up to 200 dwellings identified in PC90 at 8 Sparky Road conditional on all transport upgrades in the precinct plan being provided.

12.3

As outlined in the application and the supporting Integrated Transport Assessment (ITA), these upgrades are required to mitigate potential adverse traffic effects on the surrounding and wider transport network.

- At this stage, it is unknown whether the traffic effects of more than 200 dwellings can be mitigated. The plan change requires that further transportation modelling and a revised ITA assessment is necessary for any development greater than 200 dwellings at resource consent application stage. While the requirement of an ITA and additional assessment is supported, Goodman also request that the activity status is changed from Discretionary to Non complying in Activity Table I4.4.1 as below:

12.4

Land use and development		Activity Status
(A1)	Activities that do not comply with Standard I4.6.5 Road noise attenuation	RD
(A2)	Activities that do not comply with the following Standards: (i) Standard I4.6.1 Maximum number of dwellings	D

12.4

	(ii) Standard I4.6.2 Highbrook precinct Transportation Plan (iii) Standard I4.6.3 Upgrading of shared cycle/pedestrian path (iv) Standard I4.6.4 Construction of a bus stop	
(A3)	<u>Activities that do not comply with Standard I4.6.1</u> <u>Maximum Number of dwellings</u>	NC

12.4

- In addition to that specific relief, Goodman seeks such other alternative or consequential relief to give effect to the matters raised in this submission.
- Goodman wishes to be heard with regards to its submission. If others wish to make a similar submission, Goodman will consider presenting a joint case with them at the hearing.

12.5

Yours sincerely | Nāku noa, nā

Barker & Associates Limited




Gerard Thompson
Director
0294746660 | gerardt@barker.co.nz

Rebecca Payne
Associate
0273092858 | rebeccap@barker.co.nz

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Kathryn leGrove

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

Address for service of Submitter

92A Hutton St Otahuhu 1062

Telephone: Fax/Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

Plan Change/Variation Name

The specific provisions that my submission relates to are:

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

Plan provision(s)

Or

Property Address

Or

Map

Or

Other (specify)

the whole application rezoning 4.4 ha of 8 Sparky Road and applying Precinct designation to that area
the whole application rezoning 4.4 ha of 8 Sparky Road and applying Precinct designation to that area

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

- the Tamaki river is important shorebird habitat and will be negatively affected by increase in sedimentation
- sea level rise and erosion mean the area is unsuitable for residential zoning.
- the integrated transport assessment does not reflect the actual effects of the rezoning See page 2

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

13.1

I wish to be heard in support of my submission

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

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

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

23/3/23
Date

Notes to person making submission:

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

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

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

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

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

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

(a) adversely affects the environment; and

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

PC 90 submission continued
Kathryn le Grove
92 A Hutton St Otahuhu Auckland 1062

Oppose rezoning 8 Sparky Road.

The plan change area as described in appendix 3 and shown in the map above includes the area with designation 6714 State Highway 1 to undertake maintenance operation use and improvement to state highway network. It also shows that this area is subject to inundation.



This area was used as recently as 2016 when works were undertaken to strengthen the SH1 motorway bridge after the maximum heavy vehicle load limits were increased. The work site was used for a week to undertake the works. If this area is rezoned to residential and becomes full of houses, people, children, dogs and parked cars how is maintenance work going to be carried out.. What if pylon needs maintenance?

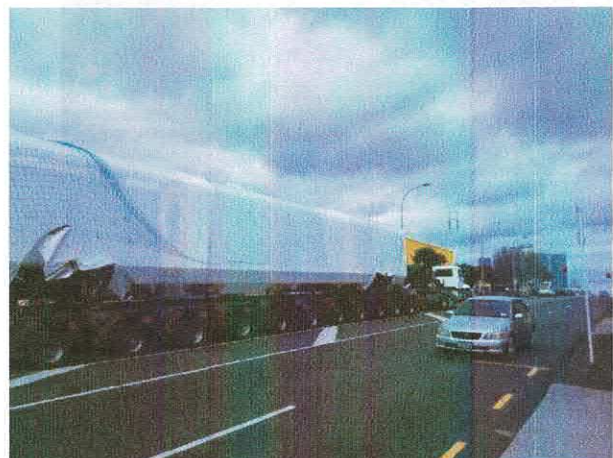
The barge port is also part of the maintenance operation area and is an essential part of the Tamaki river transportation route. The river has been in use as a transportation route since the arrival of Maori until the Great South Road was built. The Great South Road Tamaki river bridge is the only access to the south for heavy vehicles and is in constant use today. Otahuhu residents are accustomed to heavy vehicles thundering through their shopping area. The only alternative to this route is the Tamaki river and the barge port at 8 Sparky Road. This mode of transportation was used in the 1980's to transport heavy equipment for building the Huntly Power Station. It is essential that this access route from the Waitemata to the interior remains open

13.2

13.3

especially in the event of the Great South Road becoming unusable. The zone change application should be declined for this reason alone. The land should remain in industrial use.

13.4

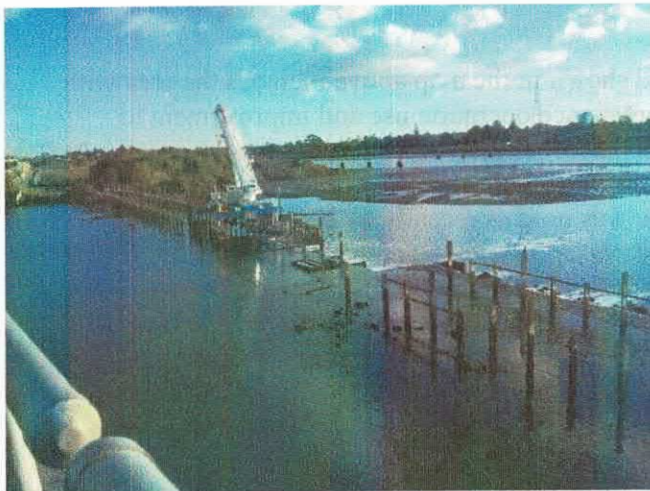


Heavy vehicle on the Great South Road Otahuhu

Similarly at the other end of the plan change area is the Otara creek weir. It is a hazardous area.

Who is going to be responsible for that? It doesn't even get mentioned in the application document. How is maintenance of the weir and Highbrook Bridge going to be able to happen if the area is full of buildings and parked cars No to the rezoning for 8 Sparky Road. Leave it for the birds.

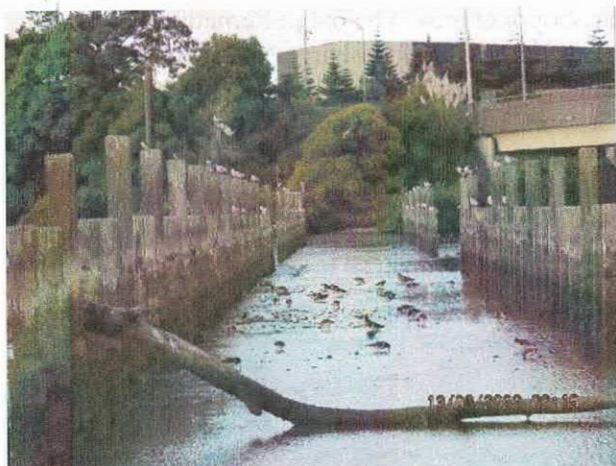
Left Crane in use on the weir in 2014



Below Hazard notice on Otara creek weir



Below. Shore birds feeding and roosting on Otara Creek weir



23 March 2023

Plans and Places
Auckland Council
Private Bag 92300
Auckland 1142

Attn: Planning Technician

Email: unitaryplan@aucklandcouncil.govt.nz

SUBMISSION ON PROPOSED PRIVATE PLAN CHANGE 90: 8 SPARKY ROAD, ŌTARA

Please find attached Auckland Transport's submission on Proposed Private Plan Change 90 to the Auckland Unitary Plan (Operative in Part).

Should you have any queries in relation to this submission, please contact Matt Ford (Planner, Land Use Policy/Planning) on +64212400159 or Matt.Ford@at.govt.nz.

Yours sincerely

Matt Ford
Planner, Land Use Policy and Planning Central



cc.
Sukhi Singh sukhi.singh@babbage.co.nz

Encl: Auckland Transport's submission on Proposed Plan Change 90 8 Sparky Road, Ōtara

FORM 5 - SUBMISSION ON NOTIFIED PROPOSAL FOR PRIVATE PLAN CHANGE 90: 8 SPARKY ROAD, ŌTARA UNDER CLAUSE 6 OF SCHEDULE 1, RESOURCE MANAGEMENT ACT 1991

To: Auckland Council
Private Bag 92300
Auckland 1142

Submission on: This Private Plan Change aims to rezone 4.4 hectares of land on the north-western side of Highbrook Drive at 8 Sparky Road, Ōtara, from Business – Light Industry Zone to Residential – Terrace Housing and Apartment Building Zone.

The proposed Private Plan Change also seeks to introduce the Highbrook Precinct applying to the rezoned land. The precinct includes provisions that relate to transport and noise. The remainder of the site retains its existing Business – Light Industry Zone and is not included in the Highbrook Precinct.

From: Auckland Transport
Private Bag 92250
Auckland 1142

1. Introduction

- 1.1 Private Plan Change 90 ('PPC 90' or 'the Plan Change') aims to rezone 4.4 hectares of land on the north-western side of Highbrook Drive at 8 Sparky Road, Ōtara, from Business – Light Industry to Residential – Terrace Housing and Apartment Building Zone. PPC 90 documentation refers to the provision of 200 residential units with additional reference to potential for up to 500 residential units. The proposed private plan change also seeks to introduce the Highbrook Precinct applying to the rezoned land. The precinct includes provisions that relate to transport and noise. The remainder of the site retains its existing Business – Light Industry Zone and is not included in the Highbrook Precinct.
- 1.2 Auckland Transport is a Council-Controlled Organisation (CCO) of Auckland Council and a Road Controlling Authority with the legislated purpose to contribute to an "effective, efficient and safe Auckland land transport system in the public interest". In fulfilling this role, Auckland Transport is responsible for:
- a. The planning and funding of public transport;
 - b. Promoting alternative modes of transport (i.e. alternatives to the private motor vehicle);
 - c. Operating the roading network; and
 - d. Developing and enhancing the local road, public transport, walking and cycling networks.
- 1.3 Auckland Transport could not gain an advantage in trade competition through this submission.

2. Strategic context

- 2.1 The key overarching considerations and matters of interest for Auckland Transport are described below.

Auckland 2050 Plan

- 2.2 The Auckland Plan 2050 (**Auckland Plan**) is a 30-year plan for the Auckland region outlining the long-term strategy for Auckland's growth and development, including social, economic, environmental, and cultural goals. The Auckland Plan is a statutory spatial plan required under section 79 of the Local Government (Auckland Council) Act 2009. The Auckland Plan aims to provide genuine travel choices. Auckland's entire street network must be safe and accessible for people of all ages and abilities. Increasing the quality and greater use of public transport, walking, and cycling will help achieve these goals. It is important that as Auckland's population grows better use is made of existing transport networks.
- 2.3 The transport outcomes identified in the Auckland Plan to enable this growth include providing better connections between people, places, goods, and services, increasing travel choices for a healthy, vibrant, and equitable Auckland, and maximising safety and environmental protection. To achieve these outcomes, focus areas outlined in the Auckland Plan include making better use of the existing transport system, targeting new transport investment to the most significant challenges, making walking, cycling, and public transport preferred travel choices, delivering better land-use and transport integration, making the transport network free from death and serious injury and to develop a sustainable and resilient transport system. It states that a sustainable, resilient, and efficient network to move people, goods, and services within and across Auckland is needed. The high-level direction contained in the Auckland Plan informs the strategic transport priorities to support growth and manage the effects associated with this plan change.

Managing Auckland-wide growth and rezoning

- 2.4 Growth across the region, including incremental growth enabled through the Auckland Unitary Plan Operative in Part (AUPOP) as well as large-scale greenfield growth, places pressure on the available and limited transport resources that are required to support the movement of additional people, goods, and services. The funding and planning processes for the Regional Land Transport Plan (RLTP) and Regional Public Transport Plan (RPTP) take into consideration the Auckland Plan and the AUPOP to signal the timing and location of new or intensified urban areas. The location of Private Plan Change 90 (PPC 90) is not identified as a priority growth area and there is no identified funding within the RLTP to increase public transport services nor to implement any projects identified within the Auckland Transport Future Connect mapping tool.

Sequencing growth and aligning with the provision of transport infrastructure and services

- 2.5 Auckland Transport seeks to ensure that any change in land use is aligned with a robust consideration of transport network requirements with an implementation plan that will ensure such network demands will be met.
- 2.6 The need to coordinate urban development with infrastructure planning and funding decisions is highlighted in the objectives of the National Policy Statement on Urban

Development 2020 ('NPS-UD'). Those objectives are quoted below (with emphasis in bold):

Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

(a) the area is in or near a centre zone or other area with many employment opportunities

(b) the area is well-serviced by existing or planned public transport

(c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.'

'Objective 6: Local authority decisions on urban development that affect urban environments are:

(a) **integrated with infrastructure planning and funding decisions;** and

(b) strategic over the medium term and long term; and

(c) responsive, particularly in relation to proposals that would supply significant development capacity.'

The Regional Policy Statement ('RPS') objectives and policies in the AUP(OP) place similar clear emphasis on the efficient provision of infrastructure and on the integration of land use and development with infrastructure, including transport infrastructure. Refer, for instance, to Objectives B2.2.1(1)(c) and (5) and B3.3.1(1)(b), and Policies B2.2.2(7)(c) and B3.3.2(5)(a). For example, Policy B3.3.2(5)(a) is to: 'Improve the integration of land use and transport by... ensuring transport infrastructure is planned, funded and staged to integrate with urban growth').

National Policy Statement on Urban Development 2020 (Updated May 2022)

2.7 The National Planning Policy Statement on Urban Development (NPS-UD) has a key focus in objective (1) which seeks to ensure that New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural well-being, and their health and safety, now and into the future.

2.8 Policies (1)(c), (1)(e), and (1)(f) of the NPS UD have relevance to the Plan Change area, given the need to ensure New Zealand has well-functioning urban environments. This policy provides direction that planning decisions contribute to well-functioning urban environments which are urban environments that, as a minimum:

(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport;

(e) support reductions in greenhouse gas emissions; and

(f) are resilient to the likely current and future effects of climate change.

Auckland Transport is of the view that the Plan Change does not demonstrate these aspects of policy 1 are achieved and that, therefore, the Plan Change does not represent a well-functioning urban environment.

Assessment and identification of potential adverse transport effects and mitigation

- 2.9 Auckland Transport notes that the Plan Change location is not currently well served by public transport for residential activities, with an hourly weekday service and no weekend service. This questions whether a proposal to rezone an area of low-density employment zoned land (Light Industrial Zone) that is part of a previously comprehensively planned business area to a high-density Terrace Housing and Apartment Buildings (THAB) is appropriate. Auckland Transport can confirm that there are no plans or funding to increase the level of public transport services in this location.
- 2.10 Auckland Transport needs to consider whether the Plan Change includes provisions to require the applicant to mitigate the adverse transport effects associated with the development and to provide the transport infrastructure and services needed to service the development.
- 2.11 Adverse transport effects that arise when development occurs without required transport infrastructure and services being provided and cannot be addressed without an appropriate implementation plan and funding to support the planning, design, consenting and construction of the transport infrastructure and services necessary to support the development. There is a need to assess and clearly define the responsibilities relating to the required infrastructure to mitigate the transport effects generated. This includes considering the role of applicants/developers and taking into account the financially constrained environment that Auckland Council and Auckland Transport are operating within.
- 2.12 The applicant's framework to give effect to the provision of transport infrastructure mitigation requirements includes the provision of a transportation plan that is to provide details of a shuttle service at a future date. Auckland Transport is highly sceptical that a shuttle service for a 200 residential unit development is viable to the extent that it could close the gap in public transport servicing available to future residents of this site. Auckland Transport requests that sufficient detail be provided by the developer to confirm that such a shuttle service is viable, deliverable, and able to be legally secured by the applicant with an appropriate on-going provision mechanism to achieve the equivalent of a 'frequent' bus service that is consistent with the proposed zone intent and to mitigate the Plan Change's transport effects.
- 2.13 PPC 90 is located adjacent to a part of the transport network that is of strategic importance to the freight network. The introduction of a high-density residential use at this site will introduce a high number of people into a site 'wedged' between State Highway 1 and Highbrook Drive. These are both 'high use' motorway and roads (as defined in the AUPOP) carrying more than 5000 vehicles per day. State Highway 1 passing the PPC 90 site is noted to carry 120,255¹ annual average daily traffic movements and 7% are heavy commercial vehicles (HCVs).
- 2.14 Highbrook Drive carries 39,349 vehicles, average daily traffic (ADT) and 16.5% are HCVs². For this part of the transport network, it is therefore of particular importance to maintain the safe, efficient, and effective operation with respect of the movement of freight and goods.

¹ Waka Kotahi NZ Transport Agency State Highway traffic monitoring – annual average daily traffic (AADT) website based on 5 years of traffic counts.

² Auckland Transport Traffic Count Data (May 2021)

- 2.15 As further addressed within Attachment 1, Auckland Transport is concerned that changing the zoning from Light Industry to THAB will introduce vulnerable users on this section of Highbrook Drive than otherwise anticipated if it was to be retained as industrial (or another more appropriate low intensity land use). This is a relatively high speed (60km/h) high volume road with high HCV movements, given the area's location and business park/Light Industry land uses. Given the role of Highbrook Drive, any proposal needs to ensure there will be no impact on the efficiency and productivity of the Highbrook business park and associated freight network. Consideration should also be given to the street amenity required to align with the THAB Zone.
- 2.16 The applicant's ITA by Stantec models two scenarios including:
- i) A Permitted Baseline scenario (18,000sqm of industrial activity on the western side and 90,000sqm on the eastern side of Highbrook Drive); and
 - ii) Development Scenario (200 houses on the western side and 90,000 sqm of industrial activity on the eastern side).
- 2.17 Auckland Transport is concerned that there is no evidence provided in support of the Permitted Baseline scenario quantum of floorspace for either side of Highbrook Drive. Auckland Transport requests intersection performance details based on current day performance, to compare to the 200 residential unit (and 500 residential unit) development potential.
- 2.18 The applicant's Economic Overview report states:
- "... inappropriate parcel shape can deter many uses with residual sites often having access limitations or constraining building footprints... In effect the site is a very narrow and isolated piece of land. However, the proposed site's long and narrow feature (circa 400m long and 35m wide (for the majority of its length)) restricts its potential to accommodate largescale industrial activities³."*
- 2.19 Should the permitted baseline change in response to the request for further evidence, Auckland Transport would request an update to the modelling within the applicant's Integrated Transport Assessment to consider the potential need for additional transport network effects mitigation and subsequent consequential amendments to precinct provisions.

3. Specific parts of the Plan Change that this submission relates to:

- 3.1 The specific parts of the Plan Change that this submission relates to are set out in **Attachment 1**. In keeping with Auckland Transport's purpose, the matters raised relate to transport, and include deficiencies in the precinct plan provisions relating to transport matters.
- 3.2 Auckland Transport **opposes** PPC 90, based on the matters/concerns raised in this submission (including the main body and **Attachment 1**), including that the adverse effects of the Plan Change on the transport network have not been adequately identified and avoided, remediated or mitigated.

³ Highbrook Proposed Plan Change Economic Overview, prepared by Property Economics, dated November 2021, Page 16, section 6

3.3 Auckland Transport is available and willing to work through the matters raised in this submission with the applicant.

4. The decisions sought by Auckland Transport are:

4.1 Auckland Transport's primary position at this time is that the Council should decline PPC 90. **Attachment 1** provides further detail of the decisions sought from Auckland Council including alternative relief in the event that Auckland Transport's primary relief (that PPC 90 be declined) is not accepted.

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4.2 In all cases where amendments to the Plan Change are proposed, Auckland Transport would consider alternative wording or amendments which address the reason for Auckland Transport's submission. Auckland Transport also seeks any further, other, or consequential relief required to respond to the reasons for this submission and/or give effect to the decisions requested.

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4.3 Auckland Transport is available and willing to work through the matters raised in this submission with the applicant.

5. Appearance at the hearing:

5.1 Auckland Transport wishes to be heard in support of this submission.

5.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.

Name: Auckland Transport

Signature:



Sarah Wilson,
Manager, Land Use Policy and Planning South

Date: 23 March 2023

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Attachment 1

The following table provides the reasons supporting Auckland Transport's primary relief (that PPC 90 should be declined). It also identifies where, in the event this relief is not granted, amendments sought to PPC 90 Highbrook Precinct Provisions.

Bold text [**within square brackets**] identifies the text that is being considered for insertion under the Council-led plan change Proposed Plan Change 80 as part of the National Policy Statement - Urban Development work programme.

Topic	Relevant Precinct Provisions	Support / Oppose	Reason for submission	Decision / relief sought
<p>Inconsistency with AUPOP Regional Policy Statement (RPS) and National Policy Statement on Urban Development 2020 (Updated May 2022) (NPS-UD)</p>	<p>Entire Plan Change</p>	<p>Oppose</p>	<p>There are several RPS objectives and policies and related NPS-UD provisions which the Plan Change is not considered as being consistent with.</p> <p>With relevance to Section B2:</p> <p>B2.2.1. Objective (1) seeks a quality compact urban form (and well-functioning urban environment⁴) that enables all of (a-g). This plan change is not considered consistent with (b), (c) or (d).</p> <p>Objective B2.3.1 (1) and B2.2.2. Policy (5) seek to enable higher residential intensification (a) in and around centres; (b) along identified corridors; and (c) close to public transport, social facilities (including open space) and employment opportunities. This plan change does not align with both (a) and (b) and with respect of (c) the available public transport is limited and infrequent, not being part of the Rapid Transit Network (RTN) or Frequent Transit Network (FTN) associated with THAB development located in and around centres, noting that there are no plans or funding to increase the public transport services available along Highbrook Drive.</p> <p>B2.3.2. Policy (1) Manage the form and design of subdivision, use and development so that it [contributes to a well-functioning urban environment] meets all of (a)-(f). The Plan Change is viewed as inconsistent with (b) as it is not considered to contribute to the safety of the site or street and neighbourhood, Consideration needs to be</p>	<p>Decline the Plan Change.</p>

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⁴ Text added by PC 80 to give effect to the NPS-UD

			<p>given to the amenity and safety for residents to choose active modes (walking and cycling) for their movement needs, in a very high traffic street environment, designed for a 60km speed, that is important in ensuring an effective and efficient transport network in particular for freight movement (16.5% of vehicle movements are HCVs).</p> <p>The Plan Change does not appropriately address B2.4.1. Objectives (1) and (3) and B2.4.2 Policy (2) and therefore PPC 90 should not be viewed as a primary focus area for residential intensification as the site does not support a quality compact form with very limited provision for public transport, not adjacent to a centre nor a higher density corridor which would support a RTN or FTN network. An infrequent hourly bus service exists with no service at weekends (with no plans nor funds to expand this service). Furthermore, the Plan Change site is located more than 2km away from large social facilities, education facilities, tertiary education facilities and healthcare facilities.</p> <p>Policy 1(c) of the National Policy Statement on Urban Development 2020 (Updated May 2022) ('NPS UD') directs planning decisions to contribute to a well-functioning urban environment. Auckland Transport considers that the Plan Change does not align with or that insufficient evidence has been provided to demonstrate alignment with Policy 1(c), (e) or (f).</p>	
Rezoning from Light Industrial Zone to Terrace Housing and Apartment Buildings (THAB) Zone	Entire Change	Plan Oppose	<p>The purpose of the THAB Zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walkable neighbourhoods and increase the vitality of centres.⁵</p> <p>The Plan Change is not aligned with the transport related Objectives and Policies of the THAB Zone including Objective H6.2 (1) and Policy H6.3 4(b) which seeks</p>	Decline the Plan Change.

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⁵ AUPOP, Chapter H6 Residential – Terrace Housing and Apartment Buildings Zone, H6.1. Zone Description

		<p>efficient use of land adjacent to centres and near the public transport network which this plan change does not achieve.</p> <p>Proposed Plan Change 78 (PC 78) (as notified) proposes an additional objective (8) which currently reads: “Enable safer pedestrian movement within the immediate locality of higher density developments to ensure ease of pedestrian movement to rapid transport stops.”</p> <p>The Plan Change would not align with that potential new (PC 78) objective. The Plan Change site is adjacent to part of the transport network that is strategically important for freight movement with very high vehicle movements and percentage of HCVs. The environment is extremely noisy and busy and is likely to become more so as the industrial area further develops. This is not a part of the network that will easily enable safer pedestrian movement. Furthermore, there are no rapid transport (nor FTN) stops within walking distance nor funding to increase the frequency of the limited existing public transport system in the area.</p> <p>The Plan Change is located over 2km away from its nearest centre (Otara Town Centre). With limited public transport options around the Plan Change site, alternative options for travel to centres should be enabled, however, the proposal to rezone the site to THAB does not promote walkable neighbourhoods nor increase the vitality of centres in the proposed location.</p> <p>The ITA itself states:</p> <p>“The Highbrook area and its supporting roading network is currently arranged to provide higher levels of service and access by private vehicles due to the historical development of industrial land-use activity and proximity of and accessibility by SH1 and the supporting arterial roads. There is currently limited active transportation within the Highbrook area due to the largely industrial land use, and the area is currently serviced by only two bus</p>	
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			<p>routes accessed via bus stops approximately 2 km away from the Plan Change site.⁶</p> <p>The ITA also states that:</p> <p>“In general, the existing public transport services are relatively limited in the area, given the walking distance to the nearest bus stop and the frequency of the bus services. Whilst there are shared paths on both sides of Highbrook Drive, the site is located more than 2km from any complementary activities such as the Highbrook Business Park, the Manukau Institute of Technology (MIT), and the nearest supermarket and shopping centres in Otāhuhu or Otara Town Centres – requiring a walk-time of approximately 30 minutes.”</p> <p>In this regard, walking in the vicinity of the Plan Change area is likely to be primarily for recreation along the Tāmaki River rather than for commuting or business⁷.</p>	
Modelling Approach Baseline Scenario	ITA section 7.1.2 and 7.2	Oppose	<p>The applicant’s traffic assessment has been carried out without providing current day modelling of intersection performance and queue length analysis but provides a “Baseline scenario” comprising of 18,000sqm within the Plan Change site and 90,000sqm within the land opposite of the Plan Change site of Light Industrial floorspace use. It is then compared to a “Development Scenario” still utilising the 90,000sqm industrial floorspace and adding 200 residential units to prepare trip generation rates for each to apply to the network assessment.</p> <p>The Plan Change documentation provides no feasibility assessment for the quantum of Light Industrial floorspace being referenced as a ‘Baseline Scenario’. Whilst the ITA refers to a 2019 Transport Assessment, this has not been supplied and it is not clear what key decisions that document informed.</p>	<p>Decline the Plan Change.</p> <p>In the event that the Plan Change is to be approved the following options for relief are requested:</p> <ul style="list-style-type: none"> - Updates to the modelling within the ITA to remove reference to 90,000sqm and 18,000sqm of industrial floorspace as a Baseline Scenario; or - Additional modelling for a 500 residential unit development; - Provision of a development feasibility appraisal to support the assumed ‘permitted baseline’ for the 90,000sqm and 18,000sqm of industrial floorspace within the ‘Baseline Scenario’.

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⁶ Page 8 of the ITA

⁷ Page 7 of ITA

		<p>Auckland Transport is of the view that unless these details are provided, the 90,000sqm floorspace referenced should be disregarded from the modelling and that given the Plan Change documentation concludes that the Plan Change site is unsuitable for Light Industrial, that the 18,000sqm also be disregarded with updated modelling and analysis provided.</p> <p>The applicant's Urban Design Assessment⁸ states that "The site character in terms of coastal location, topographic and other constraints mean the site is not best suited to large footprint buildings and is better planned for with smaller footprint buildings that may respond more sympathetically to the natural constraints of the land, estuarine margin and access characteristics".</p> <p>Given the above noted constraints, alternatively, evidence that 18,000sqm of floorspace for Light Industrial use is physically achievable at the Plan Change site is requested. If the 90,000sqm is intended to remain, evidence of the feasibility of that quantum is also requested.</p> <p>A trip generation rate of 0.65 has been used for the residential proposal and noted within the ITA as based on the Transport for New South Wales (TfNSW) Guide that provides peak hour traffic generation rates for small medium density residential units. Auckland Transport is concerned that the location of the Plan Change is not a well-connected site by modes other than private motor vehicle. As such the use of the TfNSW medium density trip generation rate may not be appropriate in this circumstance.</p> <p>The ITA notes that the Highbrook Concept Plan envisages up to 500 dwellings. Auckland Transport requests scenario modelling of the potential 500 residential units to enable potential additional adverse effects from that quantum of development on the transport network to be understood. Furthermore, further mitigation identified as</p>	<p>If 18,000sqm is not demonstrated as feasible, the reduced and feasible floorspace and reduced baseline should be rerun through the applicant's ITA modelling and a further review of potential additional transport network effects and mitigation carried out.</p> <p>A reduction to the number of residential units concluded as a 'permitted activity' within the applicant's precinct provisions should also be made if this conclusion is reached.</p> <p>Any subsequent adverse effects on the transport network from updated modelling scenarios to be provided with mitigation and for that mitigation to be identified with updated precinct provisions (and possible precinct plan) with suitable staging and triggers (or potential caps).</p>
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⁸ Urban Design Assessment, paragraph 2.5

			necessary (or to give an upper cap to the level of development) to be secured by within precinct provisions and plans linked to the delivery of development capacity.	
Safety	Entire Change	Plan Oppose	<p>Auckland Transport, being a transport system designer, has a focus to ensure a level of safety in the transport system. Given to the high traffic volumes and percentage of HCV movements in the location of the Plan Change, it is unclear how the Plan Change is creating safer communities and contributing towards a safe street and transport network.</p> <p>The immediate surroundings of the Plan Change must be taken into account when determining whether a rezoning to residential is appropriate given it is located between two level 1A freight routes⁹, an arterial road, and a roundabout interchange. Future Connect identifies State Highway 1 (SH1) and Highbrook Drive as Strategic Network links¹⁰.</p> <p>The Plan Change is inconsistent with RPS Policies B2.3.2 (b) and (d) as the Plan Change is not viewed as contributing to the safety of the site, street and neighbourhood, and is not able to achieve a high level of amenity and safety for pedestrians and cyclists. Furthermore the high noise, high traffic environment has not been shown to be mitigated for the pedestrian or cyclist.</p> <p>Section 4 of the ITA identifies a high number of historic crashes along Highbrook Drive and at the roundabout at the SH1 Highbrook interchange. The ITA discounted these crashes by noting that whilst there are a high number of crashes at the Highbrook Drive interchange roundabout intersection, the crash patterns are broadly consistent with what could be expected from a busy arterial road that connects to a significant, highly trafficked motorway such as SH1¹¹.</p>	<p>Decline the Plan Change.</p> <p>In the event that the Plan Change is to be approved, request that a new standard I4.6.X requiring a new collector road (to Auckland Transport Design Standards, that provides a safe alternative for pedestrians and cyclists) to be constructed to connect the existing access (located opposite the Plan Change site but in the same ownership) to the Gridco Road / Hellabys Road intersection prior to occupation of the first dwelling.</p> <p>The Precinct Plan 1 is to then be updated accordingly to show the general location of this new collector road.</p> <p>It is noted that the provision of this collector road may reduce impacts on the wider network and if this is agreed by the applicant, further modelling would be accepted that includes the provision of this link prior to first occupation of the first dwelling.</p>

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⁹ Future Connect

¹⁰ Future Connect Summary

¹¹ Page 10 of the ITA

			<p>Auckland Transport disagrees and notes that roundabout interchanges have inherently increased safety risks for cyclists as interchanges can result in cyclists being required to cross high speed on and off ramps¹². Additionally, it is likely that children and other users from the Plan Change area would have to navigate the roundabout interchange to access a nearby school to the west, primary schools located to the south and other amenities.</p> <p>Given the role of Highbrook Drive, any proposal needs to ensure there will be no impact on the efficiency and productivity of the Highbrook business park and associated freight network. Auckland Transport is concerned that introducing a high-density residential development in this location will raise expectations for alterations to the transport network, such as lowering the speed limit from its current 60km/hr (which has recently been lowered from 80km/h) or alter the road layout, in order to mitigate any potential adverse safety effects of large volumes of heavy commercial vehicles operating near such a proposed residential use. This would adversely affect the operation of the freight network.</p>	
Active modes	ITA section 6.3	Oppose	<p>The purpose of the THAB Zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space, and public transport. This will promote walkable neighbourhoods and increase the vitality of centres.</p> <p>Auckland Transport has concerns with the introduction of a residential activity to this part of the transport network as it will not promote walkable neighbourhoods nor will it achieve intended active mode share without significant public transport investment to increase the frequency of public transport, to which Auckland Transport has no plans nor funding to do so.</p>	<p>Decline the Plan Change.</p> <p>In the event that the Plan Change is to be approved, Auckland Transport requests that a new standard I4.6.X requiring a new collector road (to Auckland Transport Design Standards, that provides a safe alternative for pedestrians and cyclists) to be constructed to connect the existing access (located opposite the Plan Change site but in the same ownership) to the Gridco Road / Hellabys Road intersection prior to occupation of the first dwelling.</p>

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¹² Waka Kotahi

		<p>The applicant's ITA notes the Plan Change area is not currently well connected from an active mode perspective, and Section 6.3 acknowledges that active transport facilities in the surrounding area are not of the highest quality. The ITA also mentions that the applicant proposes a shuttle service that will in their opinion further encourage active transport uptake¹³.</p> <p>Auckland Transport considers that the need for a shuttle service to promote active modes highlights the inherent safety and amenity issues of the immediate environment for a residential zone. A THAB Zone site should be easily and safely connected by active modes to help promote walkable neighbourhoods, however, as the applicant's ITA identifies, it is not and is unlikely to be so, hence the shuttle bus proposal. In this particular location, changing the zoning from Light Industry to THAB has the potential to introduce vulnerable users on this section of Highbrook Drive than otherwise anticipated, particularly children and elderly who are unable to drive. The Plan Change does not provide for safe journeys for active modes.</p> <p>Auckland Transport considers that there may be an opportunity for the applicant to provide an alternative safer route to Bairds Mainfreight Primary School, Otara Town Centre and Manukau Institute of Technology and help to mitigate some of the safety concerns of the Plan Change through providing safe alternative connections away from the freight network. There is a four-arm signalised intersection that has been provided on Highbrook Drive (including dedicated, safe crossing location for pedestrians and cyclists across all approaches) however it does not go far into the Light Industrial Zoned land opposite the Plan Change site. In the event PPC 90 was supported, Auckland Transport would seek for the applicant to provide a collector road through its site from this intersection to partially mitigate the concerns held with respect of safe active mode connections.</p>	<p>The Precinct Plan 1 is to then be updated accordingly to show general location of this new collector road.</p>
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¹³ ITA page 13

			<p>The above mitigation will not, however, address the lack of active mode connection to the west of the Plan Change area which is a concern for a residential development.</p> <p>In the event the Plan Change is supported, active mode connections to the existing active mode recreation link around the site should be secured as part of any mitigation.</p>	
Public Transport	ITA section 6.2	Oppose	<p>Access to public transport plays a key role in connecting communities with key amenities and needs. The ITA acknowledges that the existing transport network has poor public transport linkages to the Plan Change site.</p> <p>The purpose of the THAB Zone is for it to be predominantly located around centres and the public transport network to support the highest levels of intensification. The Plan Change is inconsistent with this.</p> <p>The existing public transport service that the Plan Change will rely on is not a high frequency public transport service and there are no plans nor available funding to deliver a high frequency public transport service in this location. In this regard, the location is not regarded as suitable for high-density development. The existing public transport demand in this area will not help the Plan Change achieve the public transport mode share outcomes it anticipates, nor will it provide an efficient service to the residents of this proposed precinct.</p> <p>The existing public transport service along Highbrook Drive only provides for an hourly bus service between the hours of 06:00 and 18:30. The service does not operate on weekends. Due to the industrial nature and low employment density of the area, any additional public transport service provision would not likely be viewed as an effective allocation of resources and there are no plans to extend this service provision (nor funding).</p> <p>The Plan Change does not present good land use integration with the existing transport network. For the reasons given above mode share for private vehicle use</p>	Decline the Plan Change.

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			<p>is expected to remain high and effectively promotes a development that will be vehicle dominated.</p> <p>This, therefore, creates adverse effects on the transport network as congestion and queuing in the immediate network is increased.</p>	
Bus stops	I4.6.4	Support in part	<p>Auckland Transport welcomes the applicant's proposed bus stop under I4.6.4 in order to improve accessibility to the limited nearby public transport network from the Plan Change site. There is a need, however, to provide a bus stop to serve travel in both directions along Highbrook Drive. Amendments are therefore sought to this provision to require the applicant to provide an additional bus stop on the opposite side of Highbrook Drive.</p>	<p>In the event that the Plan Change is to be approved, the precinct provisions be amended to secure a pair of bus stops with shelters situated near the signalised crossing points in a tail-to-tail style setup.</p> <p>These two bus stop locations shall be confirmed in consultation with Auckland Transport and in place prior to first occupation of the first dwelling.</p>
Shuttle Service	ITA section 6.2	Oppose in part	<p>Auckland Transport has concerns over the effectiveness of a private shuttle service at this location. There are concerns that the shuttle service will not be a cost-effective service to residents of a small development and will not be able to effectively fill the service gap between a high frequency public transport system (expected to service a THAB Zone effectively) to the extent that it could be considered to influence a mode shift away from the private motor vehicle.</p> <p>The proposed private shuttle service has been targeted towards only being used by residents of the precinct. However, the THAB Zone enables a range of activities other than residential that will require people outside of the precinct to access it as a place of employment. The ITA details that the expected on-site facilities are likely to include a café, dairy, and shared office workspace.</p> <p>The proposed private shuttle service is not an appropriate alternative to convenient access to a high frequency public transport service that is a requirement to support activities appropriate within a THAB Zone.</p>	<p>Decline the Plan Change.</p> <p>In the event that the Plan Change is to be approved, additional information is requested from the applicant to understand the shuttle service viability for the precinct for both future residents and future potential employees including (but not limited to):</p> <ul style="list-style-type: none"> - key destinations for the shuttle service; - the frequency of such a service during morning and afternoon peaks, interpeak, weekdays and weekends; - its anticipated costs to deliver such a service; - a commitment for the shuttle service to be provided in perpetuity or until such time as a high frequency public transport service is operational in the immediate locality of the Plan Change.

14.5

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		<p>RPS Policy B3.3.2 (5) seeks to improve the integration of land use and transport by: (b) encouraging land use development and patterns that reduce the rate of growth in demand for private vehicle trips, especially during peak periods; (d) requiring proposals for high trip generating activities which are not located in centres or on corridors or at public transport nodes to avoid, remedy or mitigate adverse effects on the transport network;</p> <p>Section 6.2 of the applicant's ITA states that to support public transport mode share, a private shuttle service will be provided to directly connect the residents with public transport hubs. It is unclear how the shuttle service will contribute to the precinct's public transport mode share targets nor provide a sufficient alternative to the current minimal public transport service. Consideration needs to be given to ensuring the on-going operation of such a service by the residents, noting that there does not appear to be any commitment from the applicant to providing this service in perpetuity, noting that Auckland Transport has no plans to increase the frequency of public transport services in this area.</p> <p>A shuttle bus is no substitute for FTN or RTN networks generally associated with THAB development. Given the location of the site it is unclear what the destinations of the shuttle bus will be, at what frequency it will operate particularly during off peak periods and on weekends.</p> <p>Auckland Transport does not support the above information being secured via a I4.6.2 Highbrook Precinct Transportation Plan. This matter is a key consideration to the acceptability of this site for a high-density residential development and these details should be provided as part of the Clan Change process to enable an informed decision as to the adequacy of the shuttle service to mitigate the effects of locating a high-density residential zone without proper public transport service support.</p> <p>In this regard the currently proposed private shuttle service is not considered appropriate mitigation to</p>	<p>Advice note:</p> <p><i>The applicant will also need to ensure the legality of providing a private bus shuttle under the Land Transport Management Act 2003.</i></p>
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			address the public transport demands of such a zone in this location.	
Freight Route	ITA section 6.3	Oppose in part	<p>The Plan Change area is located between two level 1A freight routes (SH1 and Highbrook Drive), which is the highest level of freight route importance within Auckland Transport's Future Connect network plan.</p> <p>The Government Policy Statement on Land Transport 2021 (GPS) outlines strategic priorities for land transport investment to best contribute to improving our communities' wellbeing and liveability, which includes: (iv) Improving freight connections – for economic development. The transport system needs to support the movement of freight by the most appropriate mode through improving interregional corridors and increasing resilience. It is vital for a thriving economy that freight routes are efficient, reliable, safe, mode-neutral, and resilient within cities, between regions, and to ports. Freight is critically important in facilitating economic growth within Auckland.</p> <p>Highbrook Drive has a key function for linking production points with key distribution points within Auckland. This freight route should operate in such a way so that the freight corridor will have reduced disruptions, as disruptions cause the highest economic and social costs in the freight industry¹⁴.</p> <p>Changing the zoning from Light Industry to THAB in this location can be seen as inconsistent with RPS Policy B3.3.2 (5) seeking to improve the integration of land use and transport by: (f) requiring activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure.</p> <p>Auckland Transport seeks to ensure that any AUPOP amendment to the type and level of development enabled on such a site does not generate any more trips than would otherwise be permitted through the current Light</p>	<p>Decline the Plan Change.</p> <p>In the event that the Plan Change is to be approved, Auckland Transport seeks that evidence to show trip generation rates are accurate as a baseline to ensure effects on the transport network are accurately identified and appropriate mitigation secured.</p>

14.7

¹⁴ Government Policy Statement on Land Transport 2021

			Industry Zone to ensure no inappropriate disruption to the efficient operation of this important part of the transport network for freight.	
New Road and Access Restrictions to Highbrook Drive arterial road			Whilst Highbrook Drive is an arterial road and existing access restrictions are within the AUPOP, Auckland Transport requests that a new provision restricting both access and new road access to this arterial road be inserted into the applicant's precinct provisions and precinct plan. This is in particular to ensure that no additional adverse effects on the functioning of the Gridco Road / Hellabys Road intersection is caused by development at this site and to ensure the level of service of that intersection is not adversely affected by additional access points. No new access or roads would be supported along the frontage of the Plan Change site particularly in proximity to the interchange given the significant importance of the network for freight movement.	In the event that the Plan Change is to be approved, request that additional precinct provisions and amendments to the precinct plan be made to confirm vehicle and road access restrictions apply on Highbrook Drive as required, as an arterial road within the AUP(OP) planning maps.
Gridco Road/Hellabys Road Intersection	ITA Section 7.4.1	Oppose	<p>The applicant's ITA indicates that the Gridco Road/Hellabys Road intersection is predicted to experience significant increases in delay¹⁵. The ITA assumes that this issue will be resolved by a separate consent process relating to any intensification of the adjacent industrial use.</p> <p>The ITA states that "in the peak hours, there is significant delay for vehicles exiting Gridco Road onto Hellabys Road, with minimal available gaps in Hellabys Road traffic, resulting in Gridco Road motorists likely having to wait for a courtesy gap to exit the intersection. This is affecting approximately 150 vehicles in a peak hour, of which, this site is also owned by Euroclass.</p> <p>Noting the concerns raised regarding the modelling undertaken in the ITA, the result of additional queue times at this unsignalised intersection will be attributable to this Plan Change. As such, it is a transport network effect directly related to the Plan Change and requires mitigation. There is no guarantee that the eastern side of</p>	<p>Decline the Plan Change.</p> <p>In the event that the Plan Change is to be approved, request that the Gridco Road/Hellabys Road intersection is upgraded/signalised by the applicant prior to first occupation of any residential unit.</p> <p>This should be captured as an infrastructure requirement in the precinct provisions.</p>

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¹⁵ ITA page 23

			Highbrook Drive (also owned by the applicant) will be developed and therefore provides no certainty to Auckland Transport that this intersection will be delivered through a later planning process and that the identified adverse transport network effects will be mitigated.	
Noise	ITA Section 7.4.1	Support in part	<p>Auckland Transport is generally supportive of noise provisions being incorporated into the applicant's proposed precinct provisions. Consideration needs to be given to ensuring the applicability of these provisions through supportive technical assessment especially given the site's location within a high noise area as mapped in the AUPOP.</p> <p>The RPS in relation to Urban growth and form, and in particular policy B2.4.2 (7) relating to residential intensification, seeks to manage adverse reverse sensitivity effects from urban intensification on land with existing incompatible activities. RPS policy B3.3.2 seeks to manage the effects related to transport infrastructure and (6) requires activities sensitive to adverse effects from the operation of transport infrastructure to be located or designed to avoid, remedy or mitigate those potential adverse effects.</p> <p>The applicant proposes to incorporate the Panel's version of the noise attenuation standards from the approved Plan Change 51 decision into the Highbrook Precinct¹⁶. It is unclear, however, how applicable these are to a brownfield plan change site located on an apex site between a State Highway (120,255 ADDT with 7% HCV) and a key freight route (39,349 with 16.5% HCVs).</p> <p>Clarification is needed through the provision of appropriate technical acoustic assessments to understand and identify that a) the effects have been properly assessed, and b) if the provisions are adequate to address the traffic noise effects.</p>	<p>In the event that the Plan Change is to be approved, request the provision of a technical acoustic assessment prepared by a suitably qualified expert to support the Plan Change's position that the noise mitigation proposed will achieve 40dB internal noise environment.</p> <p>Such a technical acoustic assessment should identify any potential amendments to the Plan Change 51 noise provisions given the traffic volumes and number of HCV movements along this part of the network and any challenges to achieving the stated 40dB internal noise levels.</p> <p>Any additional mitigation necessary to avoid adverse effects should be addressed through precinct plan provisions.</p>

14.10

¹⁶ Planning Report page 55

			<p>The precinct provisions as a response to the traffic noise effects should be based on an assessment of the level of traffic effects and related assumptions (e.g., road surface, traffic volumes (including % HCVs), topography, etc). As noted elsewhere in this submission, there are high levels of traffic and % of HCVs operating in this locality.</p> <p>There is a need to ensure that the noise effects have been properly assessed as they relate to the proposed THAB zoning in proximity to State Highway 1 and Highbrook Drive and if the 40dB internal noise levels are achievable within this particular noise environment. The results of a noise assessment may also identify other mitigation requirements that will need to be addressed with precinct provisions.</p>	
Reference to water transport	Section 6.5 of the ITA	Oppose	<p>PPC 90 refers to the site's waterfront location hosting potential future opportunities for water transport such as a ferry service. Auckland Transport has no current or future plans to support this assumption.</p> <p>No detail has been provided to make it clear if this is a service to be publicly or privately serviced. While this is not detailed as part of the precinct provisions and seemingly not factored into mode share rates for clarity, this reference is opposed.</p>	For information only.
			<p>Auckland Transport notes that no stormwater provisions have been proposed in the precinct provisions.</p> <p>Auckland Transport raises concerns regarding stormwater effects associated with the Plan Change, including with respect of replacement of an existing stormwater treatment pond, which presently provides for treatment of runoff from a section of Highbrook Drive. The applicant proposes to provide for treatment of Highbrook Drive stormwater within new treatment devices as part of future development.</p>	<p>Decline the Plan Change.</p> <p>In the event that the Plan Change is to be approved:</p> <ul style="list-style-type: none"> the applicant is to provide further information to demonstrate that the Plan Change area has sufficient space set aside to construct a replacement high-quality communal treatment device (ideally a constructed wetland) in accordance with GD01 which meets the same treatment outcomes as the existing device, particularly for the Highbrook

Lack of stormwater provisions	Entire Plan Change	Oppose in part	<p>Auckland Transport is more supportive of a 'two-pond' solution¹⁷, however, it is not clear that sufficient space has been allowed for 'two pond' treatment devices to treat both the existing road catchment and the new development. The indicative sizing shown appears to be smaller than the existing treatment pond.</p> <p>Auckland Transport requests that provision is made in the Plan Change for sufficient space to be set aside within the site to construct a high-quality communal treatment device – ideally a constructed wetland in accordance with GD01, which meets the same treatment outcomes as the existing device, particularly for the Highbrook Drive catchment.</p> <p>It is unclear on what stormwater management approach is being considered. The schematic plan does not show any preliminary drainage or integrated stormwater management.</p> <p>Auckland Transport also requests precinct provisions relating to whole of life costs and effectiveness of treatment over time associated with publicly vested stormwater assets (as a matter for discretion and policy).</p> <p>Stormwater treatment areas should also be understood and illustrated when evidencing the 18,000sqm developable industrial floor area, to utilise it as a baseline for establishing trip generation rates as a 'permitted baseline'.</p> <p>Auckland Transport also notes that the existing wetland is currently going through a legalisation process to vest the area as road.</p>	<p>Drive catchment as well as accommodate the stormwater treatment requirements of development enabled by the Plan Change</p> <ul style="list-style-type: none"> • further information is provided on what stormwater management approach is being taken • that the precinct plan and provisions are amended to include objectives, policies, and rules relating to stormwater including to address whole of life costs and effectiveness of treatment over time associated with publicly vested stormwater assets (as a matter for discretion and policy).
Number of dwellings	I4.3 Policy (3)	Oppose	The proposed precinct policies anticipate that resource consent would be required for more than 200 dwellings (or dwelling unit equivalents) and will be assessed via a revised ITA.	<p>In the event that the Plan Change is to be approved, delete policy I4.3(3)</p> <p>“Require an Integrated Transport Assessment Report to support a resource consent application for development</p>

14.12

¹⁷ Refer to Applicants Storm Water Management Plan

			Auckland Transport considers that if this quantum is anticipated, additional modelling should be provided at the Plan Change stage to ensure any mitigation of adverse effects on the transport network can be appropriately mitigated and secured within the precinct provisions with appropriate triggers and staging.	exceeding 200 dwellings (or dwelling unit equivalents) to ensure that the quantum of development generates appropriate travel demand, and implements the required infrastructure upgrading to ensure that any adverse effects on the safety, capacity and efficiency of the operation of the local transport network is avoided, remedied or mitigated”.
Timing of Transport improvements	Standards I4.6.2 I4.6.3 I4.6.4	Support in part	<p>It is unclear when the Transportation Plan, upgrading of shared path and bus stop will need to be implemented. It is recommended prior to occupation of the first dwelling.</p> <p>The transportation plan also fails to include the additional transport network mitigation that Auckland Transport views as attributable to the Plan Change.</p> <p>With updated modelling results, the Transportation Plan would need to be reviewed and updated and to ensure that it includes all necessary infrastructure upgrades and has appropriate staging and triggers. This may inform updated activity status for quantum of development.</p>	In the event that the Plan Change is to be approved, seek for additional mitigation identified in this submission (and any further mitigation as a result of modelling requested) to be included in an updated Transportation Plan. Also, to ensure clearer trigger wording for delivery of the infrastructure required as mitigation including any consequential amendments to precinct provisions or mechanisms.
Noise Objective and Policy	I4.2 Objective (2) And I4.3 Policy (1)	Support	Support retaining this objective given the adverse health effects arising from road traffic noise associated with the operation of SH1 and Highbrook Drive.	In the event that the Plan Change is to be approved, retain the objective and policy provisions as drafted, subject to any amendments necessary as a result of the requested acoustic assessments to justify the precinct provisions drafting proposed.
Transport Objective	I4.2 Objective (3)	Support in part	Support retaining this objective given the adverse effects arising from transport. However, the wording should be amended to support beyond the local network.	<p>In the event that the Plan Change is to be approved, amend I4.2 Objective 3 to read:</p> <p>Subdivision, use and development within the Highbrook Precinct ensures that adverse effects on the safety, capacity and efficiency of the operation of the local <u>surrounding</u> transport network is avoided, remedied or mitigated.</p>

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<p>New Safety Objective and Policy</p>	<p>14.2 Objectives</p>	<p>Support</p>	<p>Section 4 of the ITA identifies a high number of historic crashes along Highbrook Drive and at the roundabout at the SH1 Highbrook interchange. The location of the site near the Highbrook Road interchange needs to be addressed in line with the ITA commentary, particularly to assist in promoting mode shift away from private vehicles and enable safe active modes.</p>	<p>In the event that the Plan Change is to be approved, Auckland Transport requests the addition of a new objective and policy addressing the safety issues for active mode users to and from the precinct with wording such as:</p> <p><u>Objective (4) - Pedestrians and cyclists from the Highbrook Precinct who would otherwise be vulnerable along State Highway 1 and Highbrook Drive are provided with safe connections to key nodes such as education, employment, and shopping.</u></p> <p><u>Policy (x) –</u></p> <p><u>Require active transport mode connections that are sensitive to a heavy vehicle dominant transport environment to be provided with safe alternative routes to also support reduction in dependency on private motor vehicles as a means of transport. Alternative active mode connection routes are to be of the highest quality and design.</u></p>
<p>Internal road layouts</p>	<p>New Provision</p>		<p>For any assets (roads or stormwater) intended to be vested with Auckland Transport, a hazard risk assessment (AUPOP: E.36.9) should be undertaken due to the Plan Change area being on land which may be subject to potential hazards including: coastal erosion; coastal storm inundation 1 per cent annual exceedance probability (AEP); coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise; the 1 per cent annual exceedance probability (AEP) floodplain. Any assets that the applicant intends to vest must be clearly separated from any hazard areas.</p> <p>To ensure resilience to climate change, Auckland Transport requests that the applicant clarifies if it intends to operate private internal roads and if this is the case, that precinct provisions be updated to confirm this.</p>	<p>In the event that the Plan Change is to be approved, Auckland Transport requests amendments to the precinct provision and plan (objectives, policies and rules) to make clear that any internal road network that is intended to be vested must be located outside of any hazard areas (E36.9) and separated from such areas by building platforms and the requirement for a hazard risk assessment (in accordance with E36.9 of the AUPOP) be required for any subdivision, use or development at the Plan Change site to inform the location of any assets intended to be vested with Auckland Transport so as to be resilient to the effects of climate change.</p>

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			Alternatively, if the intention is to vest these assets, Auckland Transport requests that any proposed new roads or other assets be separated from hazard areas by buildings platforms for example and that a hazard risk assessment be undertaken to support the Plan Change, or for the reference to 200 residential units being a permitted activity under the proposed precinct rules be removed to enable that assessment to occur at a later time and inform acceptability of infrastructure location.	
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23 March 2023

File ref: AUP PPC 90

Planning Technician
Auckland Council
Private Bag 92300
Auckland 1142

unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO PROPOSED PLAN CHANGE 90
(PRIVATE): 8 SPARKY ROAD, OTARA**

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

- This is a submission on the following proposed change to the Auckland Unitary Plan (Operative in Part) (the proposal):**
- Proposed Private Plan Change 90 (PC90), from Highbrook Living Limited, to rezone approximately 4.4 hectares of a 35-hectare site, north-western side of Highbrook Drive at 8 Sparky Road. Specifically, the request seeks to change the Auckland Unitary Plan (AUP) as follows:
 - rezone the land from Business – Light Industry zone to Residential – Terrace Housing and Apartment Building zone.
 - introduce a new precinct (Highbrook Precinct) to specifically manage transportation effects of residential development on the Highbrook Drive and SH1/Highbrook Drive roundabout, and noise.
- Heritage New Zealand could not gain an advantage in trade competition through this submission.**
- Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation, and conservation of New Zealand’s historical and cultural heritage. Heritage New Zealand is New Zealand’s lead agency for heritage protection.
- The specific provisions of the proposal that Heritage New Zealand’s submission relates to are:**
- HNZPT’s submission relates to there being no assessment of effects on historic heritage and relevant archaeological assessment for the proposed plan change area.
- Heritage New Zealand’s submission is:**
- Historic heritage is a matter of national importance under Section 6(f) of the Resource Management Act 1991 (the RMA). The definition of historic heritage under Part 2 of the RMA includes archaeology. Therefore, effects on archaeology, in addition to effects on Mana Whenua must be



taken into account by Council when assessing PC90. There is no assessment of the effects of PC90 under 6(f) RMA.

9. The area within which the plan change area lies has a historic settlement pattern emanating outward from Otara and which is in close proximity to Te Wai o Taiki River and Pakuranga, suggesting a denser ancestral footprint. HNZPT notes that the applicant has engaged with all ten mana whenua groups who have an associated registered interest in this area; and is commitment to on-going consultation (s.32, Section 7 AEE, para 7.65, page 68).
10. Two cultural values assessments (CVA) that have been prepared by Te Akitai Waiohua Waka Taua Cultural Values Assessment and Ngāti Tamaoho Cultural Values Assessment. HNZPT notes Ngai Tai Ki Tamaki was also preparing a CVA, but that this has not been provided.
11. The CVA prepared by Ngāti Tamaoho identifies cultural impacts as a result of the PC90, specifically regarding the effects on cultural sites, areas, and resources (AEE, para 7.66, page 68) along with setting out a set of recommendations. HNZPT is supportive of those recommendations being applied however wishes to note that the implementation of such recommendations does not negate the obligations the applicant has under the Heritage New Zealand Pouhere Taonga Act (HNZPTA) and section 6(f) of the RMA.
12. While Section 7 Assessment of Effects on the Environment in the s.32 evaluation and planning report addresses effects on Mana Whenua, the AEE is however deficient in that it does not address effects on historic heritage values, particularly via an assessment of archaeological site potential archaeology. Especially when Ngāti Tamaoho specifically highlight the potential for the plan change outcomes to cause cultural impacts to the area's cultural (sites, areas, and resources); and advising that "the surrounding areas of fertile soil were cultivated as extensive marakai" (S.32, Section 7, para 7.66, page 68).
13. No archaeological assessment has been undertaken as part of the preparation of PC90. While there is no recorded archaeology or historic heritage places within either the plan change site or in the immediate vicinity of 8 Sparky Road, this is likely due more so to a lack of survey and review, than a paucity of sites. Despite development of parts of the subject land or the Otahuhu power plant between 1968-2019 and roading for the Highbrook Drive in 2006, the potential may still exist for archaeological sites and subsurface archaeological remains particularly around the coastal margins in areas proposed to be landscaped and revegetated. The southern Tāmaki River area has significant Māori and European historical footprints as suggested by early plans. Despite field and desk top surveys, ongoing archaeological work in and around the Highbrook business industrial park area has identified previously unrecorded archaeological sites during works.
14. There are multiple recorded Māori and European archaeological sites within the wider area surrounding Sparky Road.¹ More recorded sites continue in high frequency following the coastline:
 - approximately 1 km northeast of the plan change area is a Māori archaeological site (pits) (R11/816).
 - the small stretch of land west of Sparky Road was also an important portage for accessing the Manukau and Waitematā harbours (R11/2147).

¹ The types of Māori sites include, defensive pā, agriculture, storage pits, terraces, middens, and food processing areas. European archaeological sites include homesteads, wharves, and farming.



- the closest European recorded sites are approximately 1 to 1.7 km away from Sparky Road (the Baird homestead and wharf (R11/862) and the Goodfellows Homestead).
15. Therefore, it is probable that unrecorded archaeological sites exist in and around Sparky Road. Archaeological field survey is necessary in the first instance to determine this potential and address appropriate mitigation, including the avoidance and where appropriate the recognition and interpretation of sites in publicly accessible areas. | 15.2
16. Without an archaeological assessment the effects of the proposed development of the area have yet to be determined. Accordingly, an integrated heritage impact assessment of the entire plan change area, including archaeological extents is required to inform appropriate long-term management and protection of historic heritage values within the plan change area. | 15.1
17. **The reasons for Heritage New Zealand’s position are as follows:**
18. HNZPT does not object to the purpose of PC90 to rezone the area for residential development; acknowledging that the urbanisation of the Sparky Road area aligns with the Auckland Regional Policy Statement (RPS). HNZPT, in noting that the outcome of the rezoning, from Business – Light Industrial to Residential – Terrace Housing and Apartment Building zone, will continue to enable the urbanisation of the area, concurs with the statements in the AEE that the rezoning to residential has a higher potential for the realisation of the development of the area (s.32, Section 7 AEE, para 7.6, page 44).
19. HNZPT’s submission relates to there not being an assessment of historic heritage to determine the effects on the area’s heritage values:
- Without a full understanding of the historic heritage landscape of the plan change area there is a strong potential for damage or destruction of archaeology.
 - Reliance on the Accidental Discovery Protocol (ADP) in the AUP is neither sufficient nor appropriate when no qualified archaeological assessment of the potential for archaeology has been undertaken and low potential confirmed.
 - HNZPT notes, however, if, once the archaeological assessment is undertaken and it determines that there would be a low probability of surviving archaeological potential to be affected by these works and associated landscaping, reliance on the accidental discovery protocol rules would appropriately apply.
20. **Heritage New Zealand seeks the following decision from the local authority:**
21. That a full heritage impact assessment, identifying the historic heritage landscape of the entire plan change area, is undertaken to determine the wider heritage significance and therefore ensure appropriate protection is incorporated into the plan change provisions before a decision on the plan change area is made. | 15.1
22. With the caveats set out in paragraph 19, HNZPT would support a decision to accept the proposed plan change PP90 (Private) with amendments as required to protect historic heritage and archaeology following the completion by a qualified archaeologist of an archaeological assessment of the full extent of the plan change area. | 15.3



23. Heritage New Zealand wishes to be heard in support of our submission.

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

Yours sincerely

BHParslow

pp for Sherry Reynolds
Director Northern Region

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FORM 5

Submission on a notified proposal for Private Plan Change 90 – 8 Sparky Road, Otara under Clause 6 of Schedule 1 Resource Management Act 1991

23 March 2023

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

Email: unitaryplan@aucklandcouncil.govt.nz

Name of submitter: The New Zealand Transport Agency

This is a submission on Private Plan Change 90 – 8 Sparky Road, Otara (**Plan Change**) to the Auckland Unitary Plan (Operative in Part).

The New Zealand Transport Agency (**Waka Kotahi**) could not gain an advantage in trade competition through this submission.

Waka Kotahi role and responsibilities

Waka Kotahi is a Crown Entity established by Section 93 of the Land Transport Management Act 2003 (**LTMA**). Waka Kotahi's objective is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest. Waka Kotahi's roles and responsibilities include:

- Managing the State Highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the system;
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding;
- Managing regulatory requirements for transport on land and incidents involving transport on land; and
- Issuing guidelines for and monitoring the development of regional land transport plans.

The Plan Change relates to land that is close to and potentially affects State Highway 1. Waka Kotahi interest in this proposed Plan Change stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand;

- A planner of the land transport network to integrate one effective and resilient network for customers;
- Provider of access to and use of the land transport system to shape smart efficient, safe and responsible transport choices; and
- The manager of the State Highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.

Government Policy Statement on Land Transport.

Waka Kotahi also has a role in giving effect to the Government Policy Statement on Land Transport (GPS). The GPS is required under the LTMA and outlines the Government's strategy to guide land transport investment over the next 10 years. The four strategic priorities of the GPS 2021 are safety, better travel options, climate change and improving freight connections. A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, it has a long-term impact on transport. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management. Likewise, changes in transport can affect land use.

Waka Kotahi gives effect to the GPS through a number of strategic plans including:

- Arataki – our ten-year view of the step changes and actions needed to deliver on the government's current priorities and long-term outcomes for the land transport system;
- Toitu Te Taiao – Our sustainability action plan. This notes two big challenges around reducing greenhouse gases and improving public health;
- Keeping Cities Moving – our national mode shift plan based around shaping urban form, making shared and active modes more attractive and influencing travel demand and transport choices.

Decision sought

Waka Kotahi is neutral with regard to the proposed land use but seeks amendments and / or further information to provide greater certainty around the effects of the proposed development. If the information requested is not provided and/or the effects generated by the proposal cannot be satisfactorily managed, Waka Kotahi requests that the plan change be declined.

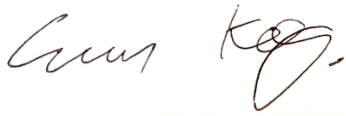
Waka Kotahi staff are available to discuss the content of this submission and look forward to working with the applicant and submitters to address the points raised.

Decisions that Waka Kotahi seeks on the Plan Change are set out in its submissions contained in **Table 1**. Waka Kotahi also seeks any consequential changes to the Plan Change required to give effect to the relief described in **Table 1**.

Hearings

Waka Kotahi wishes to be heard in support of its submission. If others make a similar submission, Waka Kotahi will consider presenting a joint case with them at a hearing.

Signature of person authorised to sign on behalf of Submitter:

A handwritten signature in black ink, appearing to read 'Evan Keating', is written on a light yellow rectangular background.

Evan Keating

Principal Planner, Waka Kotahi

Address for Service of person making submission:

NZ Transport Agency

Contact Person: Rosalind Cowen

Email: Rosalind.cowen@nzta.govt.nz

Table 1: NZ Transport Agency Submission on Auckland Unitary Plan (OIP) Plan Change 90 (Private) 8 Sparky Road, Otara

Sub #	Provision Number	Reason for Submission	Relief Sought
1	Whole of plan change	<p>ITA assumptions</p> <p>Further information is required to understand the effects of the proposed plan change, including on the assumptions used in the Integrated Transport Assessment (ITA). These include but are not limited to:</p> <ul style="list-style-type: none"> • The assumption of 18,000m2 of industrial uses under the “baseline” assumption. This assumption is important as the other documents submitted with the plan change confirm that the site is unsuited to industrial use which makes a permitted baseline scenario unrealistic; • In order to address the point above, the ITA should be based on either a realistic baseline for traffic effects that the site could realistically generate or a baseline of no feasible development; • Further information should also be supplied to demonstrate how the 90,000m2 floorspace on the adjacent site was arrived at; • While the site has excellent connectivity by private vehicles, it has poor active mode and very poor public transport connectivity. These factors mean that a standard trip rate for medium density residential development may not be appropriate in this location; and • Waka Kotahi and Auckland Transport have recently approved a joint business case for improvements to the Highbrook Interchange. Work on this project is evolving and information from it may be relevant to the ITA. 	<p>Update the ITA based on a realistic baseline and provide evidence to substantiate the assumptions used in the ITA. The precinct provisions may need to be amended to include mitigation measures to be installed prior to development of the site as a result of this assessment.</p>
2	Whole of plan change	<p>Safety and accessibility of active modes</p> <p>While the updated ITA and the proposed Highbrook Precinct demonstrates to an extent the type of safety and infrastructure improvements required to enable development within the Plan Change area, due to the site’s unusual location in an industrial area, further assessment is required to address safety concerns.</p>	<p>Provide further information on safety effects generated by the proposed land use, particularly for pedestrians and potential wrong way drivers at the Highbrook Interchange. The precinct provisions may need to be amended to include mitigation measures to be installed prior to development of the site.</p>

16.2

16.3

		<p>The proposed safety improvements are unlikely to achieve sufficient risk reduction to make alternative modes of transport an attractive option and will still pose significant risks to pedestrians (especially school children), navigating to the western side of State Highway 1. These safety concerns will also feed into the ITA assumptions around active mode take up. There is also a relationship between the trips assumed in the ITA and safety effects as existing crashes in the area are largely related to congestion and additional traffic generation could exacerbate this.</p> <p>There is mention that separated cycle paths would be required given the speed environment and high traffic volumes, but no further information is provided on how this could be achieved.</p> <p>It is noted that a fully signalised crossing at the Highbrook Drive roundabout is not likely to be viable due to the delay caused on the already congested network, however other options such as raised tables do not appear to have been considered. A paved coloured area alone will not reduce the risk enough given the speed and high-volume environment and further assessment on pedestrian safety to the primary school should be undertaken.</p> <p>The ITA has not assessed the risk of wrong way driving from new residents and their visitors on the nearby Highbrook Interchange with SH1 which has the potential for such issues due to the layout of the southbound on ramp. Such users would be at higher risk of such crashes compared to the regular users of the area, many of whom are professional drivers.</p>	
<p>3</p>	<p>I4.2(2), I4.3(1), I4.4.1.1 (A1), I4.6.5</p>	<p>Noise Waka Kotahi seeks to ensure that new noise sensitive activities that choose to locate to established noise generating activities such as state highways are designed to ensure the health of the future residents and to avoid future reverse sensitivity issues. Waka Kotahi notes the proposed provisions for this issue and seeks further information to understand how the proposed controls were arrived at for this site.</p>	<p>Provide further information as to the characteristics of the noise environment of the site and what controls will be required to ensure an adequate level of acoustic amenity for future residents of it. Depending on this information either retain or revise the relevant noise provisions.</p>

16.4

Submission re **Private Plan Change 90 (PC90), 8 Sparky Rd, Otara**

Submitter:

Beth Evans
47 Anderson Ave,
Point England
Auckland 1072
bethevanswow@gmail.com

09 527 1787

17.1

I seek the following decision by Council: **Decline the proposed plan change PC 90**

I wish to be heard in support of my submission.

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

I **OPPOSE** PC90 on the following grounds:

1) "The highest density of development is expected to occur in close proximity to the rapid and frequent service network and within and around centres."

- It would be a misuse (abuse?) of THAB zoning to allow this plan change because -
 - the site currently has no buildings on it therefore would not be further intensifying an already suburban area;
 - the location is poorly situated in a number of ways for the proposed THAB zoning - distance to a public transport hub; distance to supermarkets; frequency and diversity of destinations of closest public transport - to name a few.

2) Auckland Unitary Plan – The THAB zoning is very rare along the entire Tamaki Estuary coastal edge. My understanding is that this was a deliberate choice for intensity to be lowest at the water's edge and growing in intensity towards transport hubs and town/retail centres – and **not** having towering apartment blocks looming over the river/coastal edge.

Thus, preserving open space and the natural character of the estuary for all to enjoy while the biggest intensification in New Zealand's history via the Tamaki Regeneration Company (TRC) occurs.

This whole area is undergoing **massive** change, with tears. Don't ask too much.

3) The THAB zoning maximises everything a developer wants: 70% impervious surface area; 50% building coverage of net site area; max building height etc = GOLD

Of course they want THAB zoning, it is about **MONEY**.

And it should not be bestowed when it will not meet the needs of the existing, new and future residents and what's left of the natural environment. Let's remember, the developers will be long gone by the time a problem arises...

4) Traffic projections - to me a 'baseline' is just that - the base we are starting from. i.e. the vehicle movements at the time of the PC 90 application.

Hence, I think that the information provided in the PC90 as 'baseline' is inappropriate as it takes theoretical development of the site under light industrial zoning to produce a 'baseline' of vehicle movements to compare to a theoretical THAB zoning vehicle movements.

Is the actual 'baseline' (i.e. current traffic) close to zero?? And the anticipated traffic under current zoning - given the unsuitability of the site for light industrial activity - is maybe also close to zero?

For the community members trying to understand this plan change and in particular the likely affect on traffic, I request you make plain the difference between the status quo and likely PC90 outcomes.

| 17.2

5) Coastal stability/resilience/shorebird habitat/biodiversity/esplanade reserve – from what I can understand the esplanade reserve is not part of this plan change? Despite being talked about within it, and assumption it will happen via subdivision process etc. Nevertheless, given that a lot of the Tamaki Estuary shoreline has been wrapped in rock to prevent erosion (and hence unfortunately halting coastal retreat) – the ureure (Glasswort) on the shoreline in front of the site as well as the other coastal vegetation is precious.

Yours sincerely,

Beth Evans

Auckland Council

Level 24, 135 Albert Street

Private Bag 92300

Auckland 1142

Attn.: Planning Technician

unitaryplan@aucklandcouncil.govt.nz

TO: Auckland Council

SUBMISSION ON: Plan Change 90 (Private): 8 Sparky Road, Ōtara

FROM: Watercare Services Limited

ADDRESS FOR SERVICE: Mark.Iszard@water.co.nz

DATE: 23 March 2023

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

1. INTRODUCTION

1.1. Watercare's purpose and mission

Watercare Services Limited ("**Watercare**") is New Zealand's largest provider of water and wastewater services. Watercare is a council-controlled organisation under the Local Government Act 2002 and is wholly owned by the Auckland Council ("**Council**").

Watercare provides integrated water and wastewater services to approximately 1.6 million people in Auckland. Watercare collects, treats, and distributes drinking water from 11 dams, 26 bores and springs, and four river sources. A total of 330 million litres of water is treated each day at 15 water treatment plants and distributed via 89 reservoirs and 90 pump stations to 450,000 households, hospitals, schools, commercial and industrial properties.

Watercare’s water distribution network includes more than 9,000 km of pipes. The wastewater network collects, treats and disposes of wastewater at 18 treatment plants and includes 7,900 km of sewers.

Watercare is required to manage its operations efficiently with a view to keeping overall costs of water supply and wastewater services to its customers (collectively) at minimum levels, consistent with the effective conduct of its undertakings and the maintenance of the long-term integrity of its assets. Watercare must also give effect to relevant aspects of the Council’s Long Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan (Operative in Part) and the Auckland Future Urban Land Supply Strategy.¹

2. SUBMISSION

2.1. General

This is a submission on a change proposed by Highbrook Living Limited (“**Applicant**”) to the Auckland Unitary Plan (Operative in Part) that was publicly notified on 23 February 2023 (“**Plan Change**”).

The Applicant proposes to rezone 4.4 hectares of land at 8 Sparky Road, Otara from Business – Light Industry to Residential – Terrace Housing and Apartment Building zones.

The purpose of this submission is to address the technical feasibility of the proposed water and wastewater servicing arrangement to ensure that the effects on Watercare’s existing and planned water and wastewater network are appropriately considered and managed in accordance with the Resource Management Act 1991.

In making its submission, Watercare has considered the relevant provisions of the Auckland Plan 2050, Te Tahua Taungahuru Te Mahere Taungahuru 2018 – 2028/The 10-year Budget Long-term Plan 2018 – 2028, the Auckland Future Urban Land Supply Strategy 2015 and 2017, the Water Supply and Wastewater Network Bylaw 2015, the Water and Wastewater Code of Practice for Land Development and Subdivision and the Watercare Asset Management Plan 2022 - 2042. It has also considered the relevant RMA documents including the Auckland Unitary Plan (Operative in Part) and the National Policy Statement on Urban Development 2020 which (among other matters) requires local authorities to ensure that at any one time there is sufficient housing and business development capacity which:

- (a) in the short term, is feasible, zoned and has adequate existing development infrastructure (including water and wastewater);
- (b) in the medium term, is feasible, zoned and either:
 - (i) serviced with development infrastructure, or

¹ Local Government (Auckland Council) Act 2009, s58.

- (ii) the funding for the development infrastructure required to service that development capacity must be identified in a Long Term Plan required under s93 of the Local Government Act 2002; and
- (c) in the long term, is feasible, identified in relevant plans and strategies by the local authority for future urban use or urban intensification, and the development infrastructure required to service it is identified in the relevant authority's infrastructure strategy required under the Local Government Act 2002.²

2.2. Specific parts of the Plan Change

The specific parts of the Plan Change that this submission relates to are:

- (a) the proposed water and wastewater servicing arrangement; and
- (b) the effects of the Plan Change on Watercare's existing and planned water and wastewater network.

2.2.1 Watercare has reviewed the Plan Change and considers that:

- (a) the proposed water and wastewater capacity and servicing requirements have been assessed as part of the Proposal.
- (b) Water supply can be serviced to PC90 from the existing Watercare network and technically feasible solutions have been presented in the Application.
- (c) Wastewater can be serviced, provided that the developer mitigates the risk of potential overflows on the downstream network.
- (d) The matters raised by Watercare in this submission must be addressed to ensure any adverse effects of the Proposal on Watercare's existing wastewater infrastructure network will be appropriately managed.

2.3. Water and Wastewater Servicing for the Plan Change Area

2.3.1. Water supply servicing for the Plan Change Area

There is currently no private reticulated water network and no connection point from the public network to the plan change area.

The Applicant has proposed to service the Plan Change Area through a reticulated water supply throughout the site including watermains with a minimum size of 100mm and associated rider mains, valves, fittings and hydrants. They have also proposed two connection points to provide a loop connection to the public water network.

There is capacity to service the Plan Change Area via an existing 250mm watermain to the east of the site. This watermain has high pressure (>80m) as it supplies the industrial area to

² National Policy Statement on Urban Development 2020, subpart 1, 3.2 to 3.4.

the north. Pressure management will need to be considered to bring pressure in line with Watercare Code of Practice and Fire Fighting standards. Watercare supports the proposed loop system, however the connection points will need to be considered and discussed with Watercare.

Funding of the local water supply infrastructure necessary to service the Plan Change area is at the cost of the Applicant. All water infrastructure will be required to comply with Watercare’s Code of Practice for Land Development and Subdivision. Watercare will continue to work with the Applicant to confirm the final design for the water supply network. The Applicant will need to work with Watercare in advance of lodging resource consents for subdivision. Final design of the proposed water supply network can be confirmed at resource consent stage.

2.3.2. Wastewater

The Plan Change Area is not currently serviced by a wastewater network.

The application states that the Plan Change Area will be serviced by a gravity system, discharging into a proposed local wastewater pump station within the Plan Change Area as part of the infrastructure for this development. This will then connect to a rising main and connect into the public Otara branch sewer, and ultimately discharge into the Otara Pump Station.

Watercare has identified constraints in the downstream network, limiting the capacity of the Otara Pump Station. Storage currently being built in the Otara Pump Station to mitigate the existing performance issues will not have sufficient capacity to offset the increase in flows from this development. To mitigate any increases in wet weather overflows downstream due to the increased flows from the development, wastewater flows will need to be managed within the Plan Change Area.

All local reticulation within the Plan Change area, is to be provided by the Applicant at their cost. All wastewater infrastructure, including local reticulation and pump station design, will be required to comply with Watercare’s Code of Practice for Land Development and Subdivision. Watercare will work with the developer on potential solutions to alleviate increased wastewater overflows to the Otara Pump Station.

2.3 DECISION SOUGHT

In relation to the proposal’s water supply solution, Watercare considers there are no reasons to decline the Plan Change.

18.1

On the basis that there are constraints on the wastewater network downstream of the development, Watercare have some concerns for wastewater servicing. The Applicant will need to work with Watercare in advance of lodging resource consents for subdivision, to ensure a feasible solution is reached for wastewater.

18.2

HEARING

Watercare does not wish to be heard in support of its submission

23 March 2023

Mark Iszard
Head of Major Developments
Watercare Services Limited

Address for Service:
Mark Iszard
Head of Major Developments
Watercare Services Limited
Private Bag 92 521
Wellesley Street
Auckland 1141
Phone: +64 21 913 296
Email: mark.iszard@water.co.nz

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Mr Winston Su

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

Address for service of Submitter

82 Hattaway Ave, Bucklands Beach, Auckland 2012

Telephone:

027 365 1592

Fax/Email:

winstonsu785@outlook.com

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

PC 90

Plan Change/Variation Name

8 Sparky Road, Ōtara

The specific provisions that my submission relates to are:

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

Plan provision(s)

Rezoning 4.4 hectares of 8 Sparky Road and applying Precinct designation to that area

Or

Property Address

Or

Map

Or

Other (specify)

All of the submissions.

Submission

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

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are: _____

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

Because it's bad for the birds, river and the globe environment. When there's a big storm coming up the houses will collapse, and so that's why the builders shouldn't build 200 houses near the Highbrook Dr Motorway. Residents will get annoyed and distracted by the vehicles running everyday

I wish to be heard in support of my submission

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

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

24/7!

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

15/3/2023
Date

Notes to person making submission:

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

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

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

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

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

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

(a) adversely affects the environment; and

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 90 - Nastassja Salt
Date: Sunday, 5 March 2023 8:31:15 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Nastassja Salt

Organisation name:

Agent's full name:

Email address: salt.nastassja@gmail.com

Contact phone number:

Postal address:
7 mcmanus place
OTAHUHU
AUCKLAND
OTAHUHU
AUCKLAND 1062

Submission details

This is a submission to:

Plan change number: Plan Change 90

Plan change name: PC 90 (Private): 8 Sparky Road, Ōtara

My submission relates to

Rule or rules:

Property address: 8 sparky road

Map or maps:

Other provisions:

I do not wish for houses to be built here. You will cause more traffic , bird life will decrease , it will literally ruin the wild life that stays in the area. There are so many different species of birds that lives in the area , and this new build will ruin it . Ruin their nesting grounds , breeding grounds and place to eat .

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I care about our wild life , and the last thing I wanna see , is having no birds in the area. Traffic is already horrendous , why add more to it ? And I love the sea view from my house . I don't wanna see blocks of houses from my window.

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

Submission date: 5 March 2023

| 20.1

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

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

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

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

Yes

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