

J&R Paul  
45 Waimarie Road  
Whenuapai  
Auckland  
19/10/2017

Auckland Council  
Level 24, 135 Albert Street  
**PRIVATE BAG 92300**  
**AUCKLAND 1142**

**Submission on Auckland Unitary Plan PC5 Whenuapai Plan Change 21-9-17.**

This submission outlines the concerns of Richard and Jane Paul, residents of Whenuapai Village, relating to the Auckland Unitary Plan PC5 Whenuapai Plan Change 21-9-17.

The Whenuapai storm water management plan states that the light industry zoning can have up to 100% impermeable surfaces. The Mixed Housing Urban and Terrace Housing and Apartments can have 60 - 70% impermeable surfaces respectively. This water is to be piped straight into the Waiarohia and Wallace inlets.

We do not support this method of dealing with large volumes of storm water as it will potentially exacerbate the existing degraded water quality of the Upper Harbour and its tributaries. This amount of water may potentially have devastating and long-term impacts on the sensitive coastal and wetland areas of this region.

The use of land in this plan does not enhance the quality of the water in the Upper Harbour and therefore we do not support it.

The run-off is a particular problem with the relatively steep land gradient between the harbour and east side of the airfield.

Harbour and protected waterways, including in a fish breeding zone, will have even more pollution due to insufficient filtering/treatment of the greatly increased volume of storm water run-off.

Yours Sincerely,  
Jane & Richard Paul



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

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



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto: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 of Submitter or Agent (if applicable)

Mr/Ms/Ms/Ms (Full Name)

TDR Family Trust, CAR Family Trust, and KW Ridley Trust Company Ltd

Organisation Name (if submission is on behalf of Organisation)

Address for service of the Submitter

Magee Planning, 1085 New North Road, Mount Albert, Auckland 1025

Telephone:

0273660090

Email:

craig@mageeplanning.co.nz

Contact Person: (Name and designation if applicable)

Craig Magee

## Scope of submission

This is a submission on:

Plan Change/Variation Number

PC 5: Whenuapai Plan Change

Plan Change/Variation Name

Whenuapai Plan Change

The specific provisions that my submission relates to are:

Please identify the specific parts of the Proposed Plan Change/Variation

Plan provision(s)

All

Or

Property Address

Or

Map

Or

Other (specify)

## Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

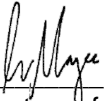
Without derogating from the generality of the submission relating to all proposed provisions, the key justification for applying the Light Industry zone appears to relate to the land being subject to the Aircraft Noise overlays. However, much of the land proposed to be Light Industry is outside these Overlay areas, and might be more appropriately zoned Mixed Use, in order to provide more flexibility and better protect adjacent Single House zone. The submitter's site at 151 Brigham Creek Road is an example of this. (continue on a separate sheet if necessary)

I seek the following decision by Council:

- |  |                                     |       |
|--|-------------------------------------|-------|
| Accept the Plan Change/Variation   | <input type="checkbox"/>            | #40.1 |
| Accept the Plan Change/Variation with amendments as outlined below             | <input type="checkbox"/>            |       |
| Decline the Plan Change/Variation  | <input checked="" type="checkbox"/> |       |
| If the Plan Change/Variation is not declined, then amend it as outlined below. | <input checked="" type="checkbox"/> |       |

The Council should properly consider whether it would be more appropriate to apply Mixed Use zoning to sites not affected by the Aircraft Noise overlays. This includes 151 Brigham Creek Road, which is predominantly outside the 55dBA Aircraft Noise overlay. It would also provide a more appropriate interface to the land proposed to be rezoned as Single House. #40.2

- |   |                                     |
|---|-------------------------------------|
| I wish to be heard in support of my submission  | <input checked="" type="checkbox"/> |
| If others make a similar submission, I will consider presenting a joint case with them at a hearing | <input checked="" type="checkbox"/> |

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

19 October 2017  
\_\_\_\_\_  
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.

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 this submission that:

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

## Submission on Proposed Plan Change 5: Whenuapai Plan Change to the Auckland Unitary Plan – Operative in Part

*Clause 6 of First Schedule, Resource Management Act 1991*

**To:** Auckland Council  
**Attention:** Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

**Submitter:** New Zealand Defence Force  
**Contact Person:** Rebecca Davies, Senior Environmental Officer (Planner)

**Address for Service:** New Zealand Defence Force  
C/- Tonkin + Taylor  
PO Box 5271  
Wellesley Street  
Auckland 1141  
Attention: Alia Cederman

**Phone:** +64 21 445 482  
**Email:** [rebecca.davies@nzdf.mil.nz](mailto:rebecca.davies@nzdf.mil.nz)

### Background

This is a submission on Proposed Plan Change 5: Whenuapai Plan Change to the Auckland Unitary Plan – Operative in Part (“PPC5”).

The New Zealand Defence Force (“NZDF”) operates the Whenuapai Airbase, located immediately to the north of the PPC5 area. Whenuapai Airbase is a significant Defence facility, of strategic importance nationally and internationally. Ensuring that this facility can operate to meet Defence obligations under the Defence Act 1990 is critical. These obligations include the defence of New Zealand, the provision of assistance to the civil power either in New Zealand or elsewhere in times of emergency, and the provision of public service when required. The Whenuapai Airbase is essential in achieving these obligations.



Whenuapai Airbase is some 311 hectares in size and occupies a significant portion of the Whenuapai area, bound to the south by Brigham Creek Road, and to the north, east and west by the Waitemata Harbour. The Whenuapai Airbase has been established on the site since 1937.

Currently, Whenuapai Airbase can accommodate all types of fixed wing military aircraft up to a C17 size. The Whenuapai Airbase has two runways which currently service:

- No. 6 Squadron – Naval Support Flight;
- No. 5 Squadron (Orion Marine Search and Rescue aircraft);
- No. 40 Squadron (Hercules and Boeing 757); and
- RNZAF Parachute Training Support Unit.

On the western side of the runways, Whenuapai Airbase also accommodates a number of land functions for personnel, servicing aircraft operations, weapons preparation areas and support ancillary to aircraft operations and/or defence use.

NZDF seeks to protect Whenuapai Airbase from the adverse effects of reverse sensitivity. Objective B3.2.1(6) of the Regional Policy Statement (RPS) of the Auckland Unitary Plan – Operative in Part (“AUP-OIP”) aims to protect significant infrastructure, including defence facilities, from reverse sensitivity effects. NZDF notes that the ‘hierarchy’ of planning documents which sit under the AUP-OIP RPS, which would include the proposed Whenuapai 3 Precinct, must give effect to the RPS.

NZDF has previously provided feedback on the Draft Whenuapai Structure Plan and the Draft Proposed Plan Change Whenuapai 3 Precinct. NZDF is pleased to see several of its concerns have been addressed, including engine testing noise and lighting. However, some matters have not been addressed in a way that allows NZDF to be confident that the proposed development will not result in significant adverse effects on the Airbase and potentially undermine its operation as a strategically important Defence facility. This includes potential effects relating to an increase in risk of bird strike, potential for development to infringe the Obstacle Limitation Surface (OLS) and the potential for wider reverse sensitivity effects on Whenuapai Airbase including glare and noise.

### **Submission and decisions sought**

NZDF’s submission, and support of or opposition to each matter addressed, is detailed on the attached sheet.

The decisions sought from Auckland Council on each of the matters raised in this submission are detailed on the attached sheet.

### **Hearing**

NZDF **wishes to be heard** in support of this submission.

If others make a similar submission, **we will consider** presenting a joint case with them at the hearing.

New Zealand Defence Force (NZDF) **could not** gain an advantage in trade competition through this submission.

A handwritten signature in black ink, appearing to read 'M. Carter', written above a horizontal line.

Date 19/10/17

Person authorised to sign  
on behalf of New Zealand Defence Force

Point	Provision	Support/oppose	Reasons	Relief sought
1	Entire plan change	Oppose in part	<p>PPC5 does not address the issue of potential bird strike effects on the Whenuapai Airbase.</p> <p>Bird strike risk is a critical concern for NZDF and NZDF has responsibilities under the Civil Aviation Act 1990 for managing this risk. Urban development, including (but not limited to) the provision of public open spaces and water features such as wetlands and stormwater ponds, has the potential to attract birdlife and increase risks associated with bird strike. Risks arise from various aspects which may change the habits of birds, including (but not limited) to the following:</p> <ul style="list-style-type: none"> <li>• Exposed earth during construction attracting birds;</li> <li>• Displacement of birds resulting from loss of existing green space, causing greater numbers of birds to settle on the airfield or in an area that results in birds transiting airfield thresholds or airspace;</li> <li>• New green space, ecological and/or wetland areas, and open water elements (e.g. stormwater retention ponds, amenity ponds) and plantings attracting birds;</li> <li>• Flat-roofed structures which support colonies and attract birds to roost; and</li> <li>• Urban rubbish attracting greater numbers of species such as gulls;</li> <li>• Construction operations associated with development including earthworks (especially in winter), accumulation of rubbish, and creation of standing water and flat roof surfaces, all increase the prevalence of birds.</li> </ul> <p>While NZDF recognises the need to provide stormwater treatment, development within the PPC5 area must take account of the potential for bird strike and identify and require ways to avoid and/or at least mitigate this.</p> <p>Depending on how it is undertaken, the provision of public open spaces could increase bird strike risk or provide the opportunity to mitigate risk caused by development in the area.</p> <p>NZDF is concerned the proposed construction and changing land use in proximity to the Airbase will result in changes to concentrations of birds in the area. There is potential for birds to settle on, or transit across, the</p>	<p>Amend the proposed plan change to include objectives, policies and methods addressing potential bird strike effects on the Whenuapai Airbase. This includes, but is not limited to, the following amendments -</p> <p>Amend the text of I616.2 Objective (8) as follows (or words to similar effect):</p> <p><i>Through subdivision, use and development, implement a stormwater management approach that:</i></p> <p><i>(a) is integrated across developments;</i></p> <p><i>(b) avoids new flood risk;</i></p> <p><i>(c) mitigates existing flood risk;</i></p> <p><i>(d) protects the ecological values of the receiving environment;</i></p> <p><i>(e) seeks to mimic and protect natural processes; and</i></p> <p><i>(f) integrates with, but does not compromise the operation of, the public open space network; and</i></p> <p><i><u>(g) avoids or mitigates potential effects of bird strike on the Whenuapai Airbase.</u></i></p> <p>Amend the text of I616.2 Objective (11) as follows (or</p>

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Point	Provision	Support/oppose	Reasons	Relief sought
			<p>Airbase if they are displaced, creating safety hazards for aircraft through bird strike.</p> <p>NZDF is concerned the effects of bird strike hazard has not been sufficiently addressed in the proposed Precinct provisions; specifically, the effects that construction, changing land use, and planted and pond areas will have on the safe operation of aircraft using the Whenuapai Airbase.</p>	<p>words to similar effect):</p> <p><i>Subdivision, use and development enable the provision of a high quality and safe public open space network that integrates stormwater management, ecological, amenity, and recreation values <u>avoids or mitigates potential effects of bird strike on the Whenuapai Airbase.</u></i></p> <p>Insert new policy as follows (or words to similar effect):</p> <p><i><u>Avoid or mitigate the risk of bird strike resulting from construction activity, change in habitat, and new buildings and structures affecting operations at Whenuapai Airbase by ensuring:</u></i></p> <ul style="list-style-type: none"> <li>• <i><u>Buildings, stormwater treatment measures and landscape features are designed to avoid attracting feeding, nesting and roosting birds; and</u></i></li> <li>• <i><u>Earthworks and waste are managed to minimise attraction of birds.</u></i></li> </ul> <p>Amend Standard I616.6.4 by</p>

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Point	Provision	Support/oppose	Reasons	Relief sought
				<p>inserting an additional subclause (or words to similar effect):  <u>(7) Species mix and type must be in accordance with the recommendations of the Civil Aviation Authority's Advisory Circular AC139-16 to avoid attracting feeding, nesting and roosting birds</u></p> <p>Amend Assessment Criteria 1616.8.2(1) to include:  <u>X. The extent to which the proposal minimises risks of bird strike (by way of a bird management plan if appropriate)</u>                      (or words to similar effect)</p>
2	Proposed zoning map	Oppose in part	<p>NZDF is concerned that under the proposed zoning in some areas the maximum height limit could infringe the Obstacle Limitation Surface (OLS). For example, an area of proposed Residential – Terrace Housing and Apartment (THAB) Zone has been identified in a location where the maximum height limit of 16 m infringes the OLS. A plan showing the distance between ground level and the OLS in this location can be found at <b>Attachment 1</b>.</p> <p>Temporary or permanent structures within the flight paths of aircraft operating out of Whenuapai Airbase present a significant safety risk for NZDF. To ensure a satisfactory level of safety for aircraft manoeuvring at low altitudes, the Minister of Defence has required that Designation 4311 be included in the AUP-OIP to set an Obstacle Limitation Surface (OLS) around the aerodrome.</p> <p>Aircraft safety is of critical importance to NZDF. Civil Aviation Authority rules and regulations apply. Due to the proximity of ground level to the OLS in some parts of the Precinct, it is important for developers and</p>	<p>Apply appropriate zoning within the Precinct such that the maximum height limit does not infringe the OLS.</p> <p>OR adopt the resolution of the Minister of Defence's High Court appeal Minister of Defence v Auckland Council CIV 2016-404-2314.</p>

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Point	Provision	Support/oppose	Reasons	Relief sought	
			landowners to be aware of this constraint to proposed buildings and structures. NZDF's prior written approval is required for any penetration of the OLS in accordance with Condition 2 of Designation 4311. It is misleading to apply THAB zoning in this location where the maximum height limit of the zone does not align with the restrictions imposed by the designation. NZDF is concerned about the potential for development to occur without prior notification to NZDF and there have been several instances to date of this occurring. Moreover, there have been many instances where NZDF has not been notified prior to the operation of cranes or erection of structures within the OLS.		
3	Proposed zoning map	Support in part	NZDF is supportive of zoning that locates activities sensitive to noise further away from the Airbase.	Retain proposed Light Industry zoning adjacent to Whenuapai Airbase.	41.8
4	I616.10.3 Whenuapai 3 Precinct Plan 3	Oppose	During the preparation of PPC5, NZDF provided a report on aircraft engine noise prepared by Malcolm Hunt Associates. This was peer reviewed by Acousafe and was included in the materials notified in support of PPC5. It appears that there has been a mapping error in that the contours shown in PPC5 Whenuapai 3 Precinct Plan 3 have slightly shifted and do not match the contours shown in Figure 13 of the Malcolm Hunt Associates report.	Amend the Whenuapai Engine Testing Noise Boundaries shown on Whenuapai 3 Precinct Plan 3 to align with those shown on Figure 13 of the Malcolm Hunt Associates report.	41.9
5	I616.1 Precinct description	Support	NZDF supports the wording of paragraph two of the Precinct Description which states that proximity of Whenuapai Airbase is to be taken into account.	Retain reference to Whenuapai Airbase in the Precinct Description.	41.10
6	I616.2 Objective (1) Subdivision, use and development in the Whenuapai 3 Precinct is undertaken in a comprehensive and integrated way to provide for a compatible mix of residential living and employment opportunities while recognising the strategic	Oppose in part	NZDF supports the objective recognising the strategic importance of Whenuapai Airbase. However, the proposed wording could be more effective. The Whenuapai 1 and 2 Precincts (Objective 5.59 Objective 4 and 5.60 Objective 5) contain a clear separate objective: <i>"Subdivision and development occurs in a manner that recognises the presence, ongoing operation and strategic importance of the RNZAF Base Whenuapai."</i>  NZDF seeks a separate objective which recognises the presence and	Include a separate objective which recognises the presence and ongoing operation of the Airbase, along with its strategic importance. Amend the text of I616.2 Objective (1) (or amendment to similar effect): <i>Subdivision, use and</i>	41.11



Point	Provision	Support/oppose	Reasons	Relief sought
	importance of Whenuapai Airbase.		ongoing operation of the Airbase, along with its strategic importance.	<p><i>development in the Whenuapai 3 Precinct is undertaken in a comprehensive and integrated way to provide for a compatible mix of residential living and employment opportunities while recognising the strategic importance of Whenuapai Airbase.</i></p> <p><i>(2) Subdivision, use and development in the Whenuapai 3 Precinct occurs in a manner that recognises the presence, ongoing operation, and strategic importance of Whenuapai Airbase.</i></p>
7	<p>I616.2 Objective (4)</p> <p>The adverse effects, including cumulative effects, of subdivision and development on existing and future infrastructure are managed to meet the foreseeable needs of the Whenuapai 3 Precinct area.</p>	Oppose in part	Objective 4 recognises the foreseeable needs of the Whenuapai 3 Precinct area, but the nature of infrastructure is that it links to areas outside the Precinct. This includes stormwater and roading infrastructure, which needs to be designed to appropriately link to areas outside of the Precinct and avoid or mitigate adverse effects on areas outside the Precinct. This objective would therefore be strengthened if it recognised these linkages.	<p>Amend the text of I616.2 Objective (4):</p> <p><i>The adverse effects, including cumulative effects, of subdivision and development on existing and future infrastructure are managed to meet the foreseeable needs of the Whenuapai 3 Precinct area and surrounding areas.</i></p> <p>Or words to similar effect.</p>
8	<p>I616.2 Objective (12)</p> <p>The lighting effects of subdivision, use and</p>	Oppose in part	NZDF supports this objective recognising potential reverse sensitivity and safety effects on the Airbase associated with lighting. However, potential reverse sensitivity and safety effects are not limited to lighting but include	Amend I616.2 Objective 12 as follows:

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Point	Provision	Support/oppose	Reasons	Relief sought
	development on the operation and activities of Whenuapai Airbase are avoided, remedied or mitigated.		<p>noise, glare and bird strike risk.</p> <p>NZDF is concerned that potential reverse sensitivity effects due to noise are not limited to receivers within the Aircraft Noise Overlay or the proposed Engine Testing Noise Boundaries.</p> <p>NZDF seeks a more general objective relating to reverse sensitivity and safety effects on Whenuapai Airbase. This would then support Policies 22 and 23.</p> <p>Reference has been made to other reverse sensitivity objectives in the AUP OIP to ensure consistency of plan drafting (e.g., E26.2.1(6) and D42.2(1)).</p>	<p><i>Reverse Sensitivity Effects on Whenuapai Airbase</i></p> <p><i>The <del>lighting</del> effects, including reverse sensitivity and safety effects, of subdivision, use and development on the operation and activities of Whenuapai Airbase are avoided as far as practicable or otherwise remedied or mitigated.</i></p> <p>Alternatively, retain Objective 12 and introduce an additional objective addressing wider effects, including reverse sensitivity and safety effects, on Whenuapai Airbase.</p> <p><i>Whenuapai Airbase is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity and safety effects.</i></p> <p>Or words to similar effect.</p>
9	I616.2 Objective (13) The adverse effects of aircraft engine testing noise on activities sensitive to noise are avoided, remedied or mitigated at the receiving environment.	Support in part	NZDF supports Objective 13 recognising aircraft engine testing noise and ensuring this is avoided, remedied or mitigated at the receiving environment. While the AUP-OIP addresses aircraft operational noise through the Aircraft Noise Overlay, this does not manage aircraft engine testing noise and therefore it is appropriate to include an objective related to this.	Retain Objective 13
10	I616.3. Policy (5) Avoid, remedy or mitigate the adverse effects, including cumulative effects, of	Oppose in part	Like Objective 4, Policy 5 recognises the needs of the Whenuapai 3 Precinct area, but the nature of infrastructure is that it links to areas outside the Precinct. This includes stormwater and roading infrastructure, which needs	Amend I616.3. Policy (5):  <i>Avoid, remedy or mitigate the</i>

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Point	Provision	Support/oppose	Reasons	Relief sought
	subdivision and development on the existing and future infrastructure required to support the Whenuapai 3 Precinct.		to be designed to appropriately link to areas outside of the Precinct and avoid or mitigate adverse effects on areas outside the Precinct. This policy would therefore be strengthened if it recognised these linkages.	<i>adverse effects, including cumulative effects, of subdivision and development on the existing and future infrastructure required to support the Whenuapai 3 Precinct and surrounding areas.</i>  Or words to similar effect.
11	1616.3. Policy (12) Require subdivision and development within the Whenuapai 3 Precinct to: (a) apply an integrated stormwater management approach; (b) manage stormwater diversions and discharges to enhance the quality of freshwater systems and coastal waters; and (c) be consistent with the requirements of the Whenuapai 3 Precinct Stormwater Management Plan (2017) and any relevant stormwater discharge consent.	Oppose in part	NZDF is supportive of provisions seeking to avoid/remedy/mitigate potential adverse effects of subdivision and development in relation to stormwater. This includes potential effects of stormwater and flooding on the Airbase.  As explained above, NZDF is concerned about subdivision, use and development increasing bird strike risk. Stormwater features such as wetlands and stormwater ponds, have the potential to attract birdlife and increase risks associated with bird strike. While NZDF recognises the need to provide stormwater treatment, development (including during the construction phase), within the PPC5 area must take account of the potential for bird strike and identify and require ways to avoid and/or at least mitigate this.	Retain provisions supporting avoiding/remedying/mitigating potential adverse effects of stormwater due to subdivision, use and development.  Amend Policy (12) so that stormwater management recognises and seeks to avoid and/or mitigate bird strike risk.
12	1616.3. Policy (22) Require subdivision, use and development within the Whenuapai 3 Precinct to avoid, remedy or mitigate any adverse effects, including reverse	Oppose in part	NZDF supports this policy requiring subdivision, use and development within the Whenuapai 3 Precinct to avoid, remedy or mitigate any adverse effects. It recognises that reverse sensitivity effects include safety risks relating to lighting, glare and reflection. However, it could potentially be interpreted that reverse sensitivity and safety risks are limited to those relating to lighting, glare and reflection. As described in this submission,	Amend 1616.3. Policy (22) to ensure it clearly covers the range of potential adverse effects and reverse sensitivity and safety effects on Whenuapai Airbase, including:

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Point	Provision	Support/oppose	Reasons	Relief sought
	sensitivity effects and safety risks relating to lighting, glare and reflection, on the operation and activities of Whenuapai Airbase.		that is not the case. Change heading above Policy (22) to "Effects on Whenuapai Airbase" to match the heading for the objective and the wording of the policy.	<ul style="list-style-type: none"> <li>Noise;</li> <li>Lighting and glare;</li> <li>Obstacle heights; and</li> <li>Bird strike risk.</li> </ul> Amend heading above Policy 22: <i>Reverse Sensitivity Effects on Whenuapai Airbase</i>
13	I616.3. Policy (23) Require the design of roads and associated lighting to be clearly differentiated from runway lights at Whenuapai Airbase to provide for the ongoing safe operation of the airbase.	Support	NZDF supports this policy which seeks to address potential reverse sensitivity effects associated with lighting of roads.	Retain I616.3. Policy (23)
14	I616.3. Policy (24) Avoid the establishment of new activities sensitive to noise within the 65 dB Ldn aircraft engine testing noise boundary shown on Whenuapai 3 Precinct Plan 3.	Support	NZDF supports this policy which seeks to address potential reverse sensitivity effects associated with aircraft engine testing noise.	Retain I616.3. Policy (24)
15	I616.3. Policy (25) Avoid establishing residential and other activities sensitive to noise within the area between the 57 dB Ldn and 65 dB Ldn aircraft engine testing noise boundaries as shown on Whenuapai 3 Precinct Plan 3, unless the noise effects can be adequately remedied or	Support	NZDF supports this policy which seeks to address potential reverse sensitivity effects associated with aircraft engine testing noise.	Retain I616.3. Policy (25)

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Point	Provision	Support/oppose	Reasons	Relief sought
	mitigated at the receiving site through the acoustic treatment, including mechanical ventilation, of buildings containing activities sensitive to noise.			
16	I616.6 standards	Oppose	<p>NZDF is concerned that once the proposed zoning for the Precinct is operative, many activities will be able to be carried out as permitted activities. In these instances there will be no opportunity to manage reverse sensitivity and safety issues, as the Precinct as currently drafted largely addresses reverse sensitivity and safety through objectives and policies. For this reason the standards are key. The standards address matters of concern to NZDF relating to lighting and aircraft engine noise, but do not address wider reverse sensitivity and safety issues relating to noise, bird strike, and the OLS.</p>	<p>NZDF seeks the incorporation of further standards to apply at the time of subdivision and development, to ensure that all of the key effects are appropriately managed, including:</p> <ul style="list-style-type: none"> <li>• Noise;</li> <li>• Lighting and glare;</li> <li>• Obstacle heights; and</li> <li>• Bird strike risk.</li> </ul> <p>Specific standards which are sought by NZDF in relation to each of these matters are discussed in more detail below.</p>
17	I616.6 standards	Oppose in part	<p>Although NZDF's prior written approval would be required for any penetration of the OLS in accordance with Condition 2 of Designation 4311, NZDF is concerned that there is potential for the requirements of the OLS to be overlooked, particularly when a structure could be compliant with maximum height standards but infringe the OLS (as is possible in the proposed THAB zone). Aircraft safety is of critical importance to NZDF. In addition, Civil Aviation Authority rules and regulations apply. Due to the proximity of ground level to the OLS in some parts of the Precinct, it is important for developers to be aware of this constraint to proposed buildings and structures. This includes obstacles penetrating the OLS that do not require building or resource consent, such as construction cranes and trees. Such obstacles present a potentially significant safety risk for the</p>	<p>Include standards to increase visibility of the OLS and to ensure that applicants within the Precinct provide detailed information through the application process about the relationship between their building and structure heights within the Precinct compared to the OLS limits, and about how the OLS limits will be complied with during construction.</p>

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Point	Provision	Support/oppose	Reasons	Relief sought
			operation of aircraft at Whenuapai Airbase. For example, there have been previous instances where a crane in use on a site at Hobsonville Point has forced the closure of the runway every time it was raised above the OLS. Whilst the designation should prevent this occurring, there have been many instances where NZDF has not been notified prior to the operation of cranes or erection of structures within the OLS. Incorporating provisions into the Precinct will increase visibility and awareness of the OLS.	Adopt the resolution of the Minister of Defence's High Court appeal Minister of Defence v Auckland Council CIV 2016-404-2314.
18	I616.6 standards	Oppose in part	As noted above, a critical concern of NZDF is reverse sensitivity effects on the Airbase. A key component of this is noise. NZDF notes that reverse sensitivity due to noise effects is an issue not limited to within the boundaries of the Aircraft Noise Overlay and the proposed Engine Testing Noise Boundaries. As a minimum, NZDF would like to see no complaints covenants applied to development within the PPC5 area. This is consistent with the provisions in the Whenuapai 1 and 2 Precincts.	Insert new standard applying to all activities (or words to similar effect): <i><u>To ensure that potential reverse sensitivity effects on the adjacent RNZAF Whenuapai Base are appropriately addressed and provided for within the precinct, a no-complaints covenant shall be included on each title issued within the precinct. This covenant shall be registered with the deposit of the subdivision plan, in a form acceptable to the Council under which the registered proprietor will covenant to waive all rights of complaint, submission, appeal or objection it may have under the Resource Management Act 1991 or otherwise in respect of any subdivision, use or development of the RNZAF Base Whenuapai.</u></i>
19	Standard I616.6.10. Development within the aircraft	Support	NZDF supports restrictions on development within the proposed 57 dB Ldn and 65 dB Ldn noise boundaries in order to address noise attenuation at	Retain Standard I616.6.10.

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Point	Provision	Support/oppose	Reasons	Relief sought
	<p>engine testing noise boundaries                      (1) Between the 57 dB Ldn and 65 dB Ldn noise boundaries as shown on Whenuapai 3 Precinct Plan 3, new activities sensitive to noise and alterations and additions to existing buildings accommodating activities sensitive to noise must provide sound attenuation and related ventilation and/or air conditioning measures:                      (a) to ensure the internal environment of habitable rooms does not exceed a maximum noise level of 40 dB Ldn; and                      (b) that are certified to the council's satisfaction as being able to meet Standard I616.6.10(2)(a) by a person suitably qualified and experienced in acoustics prior to its construction; and                      (c) so that the related ventilation and/or air conditioning system(s) satisfies the requirements of New Zealand Building Code Rule G4, or any equivalent standard which replaces it, with all external doors of the building and all windows of the</p>		<p>the receiver and avoid or mitigate potential reverse sensitivity effects on the Whenuapai Airbase.</p>	

Point	Provision	Support/oppose	Reasons	Relief sought
	habitable rooms closed.			
20	Standards I616.6.11. Lighting (1) No person may illuminate or display the following outdoor lighting between 11:00pm and 6:30am: (a) searchlights; or (b) outside illumination of any structure or feature by floodlight.	Oppose in part	NZDF is supportive of this standard but seeks additional lighting relating matters be covered. NZDF is concerned that lighting standards should be sufficient to ensure that permitted activities do not adversely affect the operations of Whenuapai Airbase. A particular concern is lighting that is directed towards the sky. NZDF is concerned that lighting must avoid distracting pilots and mimicking runway lighting.	Amend I616.6.11. Lighting to ensure that permitted activities do not adversely affect the operations of Whenuapai Airbase, this includes a requirement for shielding outdoor lighting from above.
21	I616.6 standards	Oppose in part	While the proposed objectives and policies refer to potential glare effects, these are not addressed in the standards, which only address lighting. The potential effects of glare are not solely related to lighting, as some building materials can reflect sunlight and create glare, impairing the vision of pilots. This is a significant safety concern for NZDF.  Glare is addressed as a standard in the Business – City Centre Zone rules in the AUP – OIP, but not in the residential and industrial zones that are proposed to apply in Whenuapai 3 Precinct. Chapter E24 of the AUP – OIP applies across the city, but only covers glare from lighting, not reflective surfaces.	Include a standard to address potential adverse effects of glare on the safe operation of Whenuapai Airbase. This could be the same or similar (amended as relevant) to the standard used in the Business – City Centre Zone – which is:  <i>Purpose: ensure non-reflective materials are used on buildings to avoid, remedy and mitigate the adverse effects of glare on pedestrians and motorists.</i>  <i>(1) Buildings must be designed and built so that the reflectivity of all external surfaces does not exceed 20 per cent of white light. This means that glass and other materials with reflectivity values that exceed 20 per cent may only be used provided they</i>

41.28

41.29

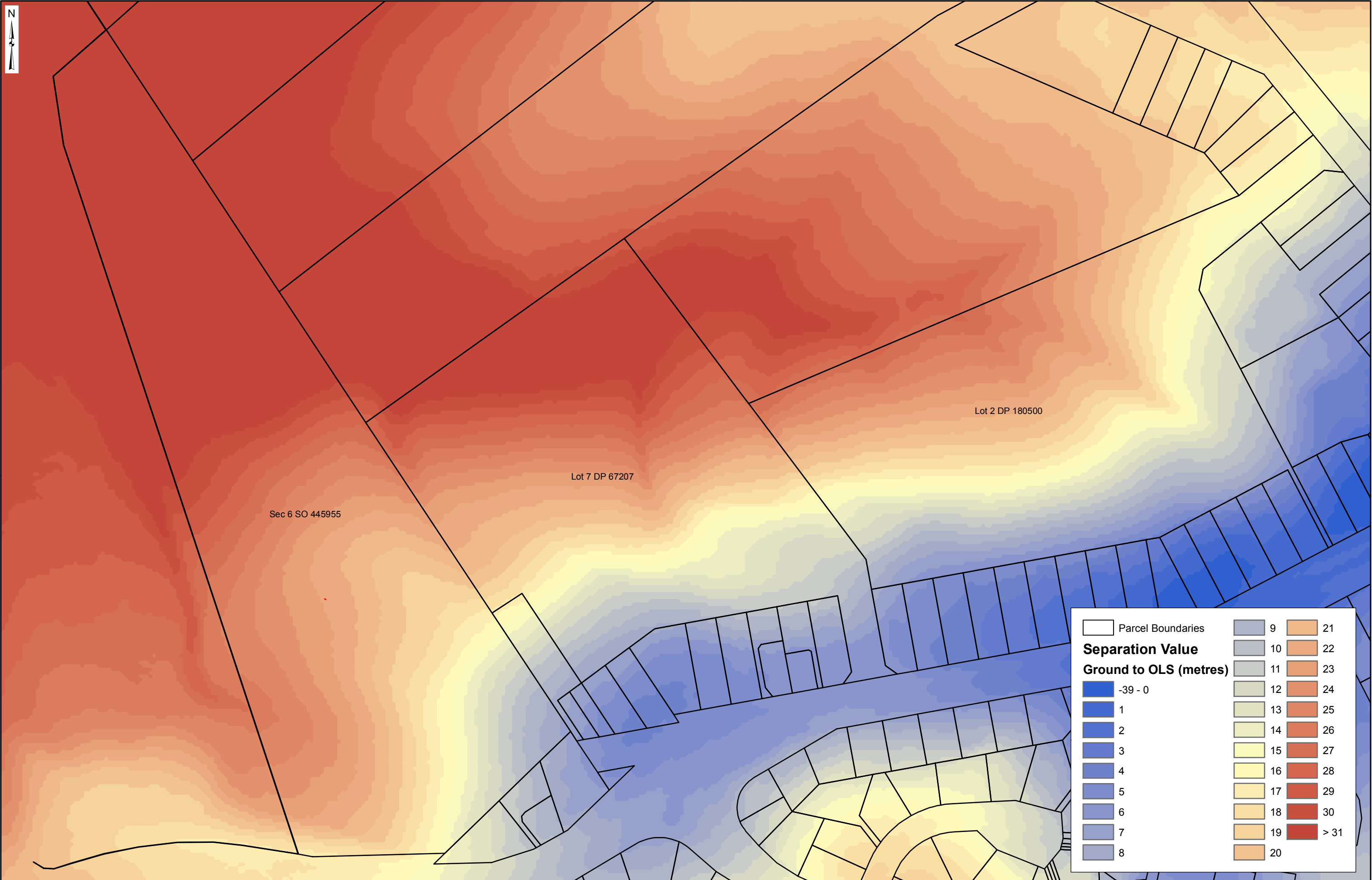
Point	Provision	Support/oppose	Reasons	Relief sought
				<p><i>are covered or screened in such a way that the external surfaces will still meet this standard.</i></p>
22	<p>1616.8 Assessment – restricted discretionary activities                      1616.8.1 Matters of discretion and                      1616.8.2. Assessment criteria                      (5) Lighting associated with development, structures, infrastructure and construction:                      (a) The effects of lighting on the safe and efficient operation of Whenuapai Airbase, to the extent that the lighting:                      (i) avoids simulating approach and departure path runway lighting;                      (ii) ensures that clear visibility of approach and departure path runway lighting is maintained;                      and                      (iii) avoids glare or light spill that could affect aircraft operations.</p>	Oppose in part	<p>NZDF is supportive of this assessment criterion relating to lighting. However, while the proposed objectives and policies refer to potential glare effects, these are not addressed in the assessment criteria. The potential effects of glare are not solely related to lighting, as some building materials can reflect sunlight and create glare, impairing the vision of pilots.</p>	<p>Include assessment criteria to require consideration of potential glare effects on the Whenuapai Airbase. This could include the following amendment, or similar:</p> <p><i>1616.8.1                      (5) <u>Lighting and glare</u> associated with development, structures, infrastructure and construction.</i></p> <p><i>1616.8.2                      (5) <u>Lighting and glare</u> associated with development, structures, infrastructure and construction:                      (a) <u>The effects of lighting and reflective surfaces on the safe and efficient operation of Whenuapai Airbase, to the extent that the lighting:</u>                      (i) avoids simulating approach and departure path runway lighting;                      (ii) ensures that clear visibility of approach and departure path runway lighting is maintained;</i></p>

41.29

41.30

Point	Provision	Support/oppose	Reasons	Relief sought
				<i>and (iii) avoids glare or light spill that could affect aircraft operations.</i>
23	I616.8 Assessment – restricted discretionary activities	Oppose in part	The proposed assessment criteria address matters of concern to NZDF relating to lighting, but do not address reverse sensitivity and safety issues relating to bird strike and the OLS. NZDF seeks additional matters of discretion and assessment criteria to ensure that resource consent applications appropriately consider and address the effects of any works, structures or objects on the ongoing safe operation of the Whenuapai Airbase.	Include additional matters of discretion and assessment criteria to ensure that resource consent applications appropriately consider and address the effects of any works, structures or objects on the ongoing safe operation of the Whenuapai Airbase.

41.31



Parcel Boundaries	9	21
<b>Separation Value</b>	10	22
<b>Ground to OLS (metres)</b>	11	23
-39 - 0	12	24
1	13	25
2	14	26
3	15	27
4	16	28
5	17	29
6	18	30
7	19	31
8	20	> 31

## Contact details

Full name of submitter: Auckland Transport

Organisation name: Auckland Transport

Agent's full name:

Email address: [liam.winter@at.govt.nz](mailto:liam.winter@at.govt.nz)

Contact phone number: 094487015

Postal address:  
Private Bag 92250  
Auckland Central  
Auckland 1010

## Submission details

### This is a submission to:

Plan modification number: Plan change 5

Plan modification name: Whenuapai Plan Change

### My submission relates to

Rule or rules:  
Objectives and Policies - I616.2, I616.3 Standards - I616.6 Matters of discretion/assessment criteria - I616.8 Precinct  
Plan 2 Zoning

Property address:

Map or maps:

Other provisions:

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

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

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

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

| 42.1



Details of amendments: See attachment.

Submission date: 19 October 2017

Supporting documents  
Whenuapai PPC5 - AT submission.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? 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.

19 October 2017

Attention: Diana Luong, Planning Technician  
Auckland-wide Planning Unit  
Auckland Council, Private Bag 92300  
Auckland 1142

Dear Ms Luong,

**Submission on Proposed Plan Change 5 – Whenuapai**

Attached is Auckland Transport's submission on Proposed Plan Change 5 to the Auckland Unitary Plan Operative in Part (AUPOIP). The submission relates to the proposed rezoning of 360 hectares of Future Urban zoned land in the Whenuapai area, and the accompanying addition of the new Precinct (I616 – Whenuapai 3 Precinct) to Chapter I of the AUPOIP.

If you have any queries in relation to this submission, please contact Liam Winter (Senior Transport Planner) on 09 448 7015.

Yours sincerely



Christina Robertson  
**Head of Policy and Planning (acting)**

Enc: Auckland Transport's submission on Proposed Plan Change 5 – Whenuapai

## SUBMISSION ON PROPOSED PLAN CHANGE 5 – WHENUAPAI

**To:** Auckland Council  
North-West Planning, Plans and Places  
Private Bag 92300  
Auckland 1142

For: John Duguid – General Manager, Plans and Places

**From:** Auckland Transport  
Strategy and Development Division  
Private Bag 92250  
Auckland 1142

This is Auckland Transport's submission on Proposed Plan Change 5 (PPC5) to the Auckland Unitary Plan Operative in Part (AUPOIP). The submission relates to the proposed rezoning of 360 hectares of Future Urban zoned land in the Whenuapai area, and the accompanying addition of the new Whenuapai 3 Precinct to Chapter I of the AUPOIP.

### **Auckland Transport's submission is:**

To support the Proposed Plan Change, subject to the resolution of Auckland Transport's concerns which are outlined in this submission.

### **The reason for Auckland Transport's submission is:**

Auckland Transport supports PPC5 generally as a planning response to the need for residential and business development capacity across the region. The live-zoning of the Whenuapai Stage 1 area in the 2018-22 period is consistent with both Auckland Council's Future Urban Land Supply Strategy<sup>1</sup>, and the Whenuapai Structure Plan<sup>2</sup>. Auckland Transport supports the staged approach to urbanisation envisaged in these documents, and identification of the transport infrastructure and services required to support the Whenuapai Stage 1 area.

Auckland Transport supports the inclusion of provisions in plan changes such as PPC5 which ensure that the necessary transport infrastructure will be in place to service the development envisaged by the plan change. This proposition is consistent with the National Policy Statement on Urban Development Capacity which defines development capacity as including "the provision of adequate development infrastructure"<sup>3</sup>.

Auckland Transport works in a constrained fiscal environment, and shares responsibility with developers for the provision of transport infrastructure in growth areas. Apportioning responsibility for local improvements by developers in an equitable way is a complex exercise in the Whenuapai context given the fragmented nature of land ownership, and the varied extent of benefits for each transport upgrade.

The proposed Whenuapai 3 Precinct contains a number of provisions designed to both provide for and apportion responsibility for the provision of local transport infrastructure in the PPC5 area. These include:

<sup>1</sup> Available online: [Future Urban Land Supply Strategy](#)

<sup>2</sup> Available online: [Whenuapai Structure Plan, September 2016](#)

<sup>3</sup> Available online: [National Policy Statement on Urban Development Capacity](#)

- An objective and policy framework which clearly requires certainty of infrastructure provision prior to subdivision and development, including mitigation of the cumulative effects of urbanisation;
- Standards giving effect to the objective and policy framework to provide certainty that infrastructure is delivered to support subdivision and development; and
- A Precinct Plan showing indicative arterial and collector roads, and provision for the alignments depicted through the policy framework, standards and assessment criteria.

Auckland Transport generally supports these provisions, but seeks amendments as set out below.

## 1. Objectives and Policies – I616.2-I616.3

- |      |  |      |
|------|--|------|
| 1.1. | Auckland Transport supports the objective and policy framework as a whole in that it clearly requires certainty of infrastructure provision prior to subdivision and development, including mitigation of the cumulative effects of urbanisation. In the context of the section 104D tests for non-complying activities, the objectives and policies are a clear safeguard mandating integrated transport and land use outcomes. They also provide a strong basis for the standards and assessment criteria contained in the Precinct. | 42.2 |
| 1.2. | Auckland Transport supports objectives 3 and 6 as currently proposed. The following minor amendments are sought to objectives 4 and 5 or to similar effect:  | 42.3 |
|      | <ul style="list-style-type: none"> <li>○ <i>(4) The adverse effects, including cumulative effects, of subdivision and development on <del>existing and future</del> infrastructure are managed to meet the foreseeable needs of the Whenuapai 3 Precinct area, <u>including through the provision of new and upgraded infrastructure.</u></i></li> </ul>   | 42.4 |
|      | <ul style="list-style-type: none"> <li>○ <i>(5) Subdivision and development does not occur in a way that compromises the ability to provide efficient and effective infrastructure networks <del>for within the wider</del> Whenuapai 3 Precinct area <u>and with the wider network.</u></i></li> </ul>  | 42.5 |
| 1.3. | Auckland Transport supports policies 1, 6, 7 and 8 as currently proposed. The following minor amendments to policies 4, 5 and 6 are sought or to similar effect:   | 42.6 |
|      | <ul style="list-style-type: none"> <li>○ <i>(4) Require subdivision and development to be <u>staged, managed and designed to align with the coordinated with the provision and upgrading of the transport infrastructure, including regional and local transport infrastructure. network within the precinct, and with the wider transport network.</u></i></li> </ul>   | 42.7 |
|      | <ul style="list-style-type: none"> <li>○ <i>(5) Require subdivision and development to <u>avoid, remedy or mitigate the adverse effects, including cumulative effects, of subdivision and development on the existing and future infrastructure required to support the Whenuapai 3 Precinct, including through the provision of new and upgraded infrastructure. required to support the Whenuapai 3 Precinct.</u></i></li> </ul>   | 42.8 |

## 2. Standards – I616.6

### Standard I616.6.2

- 2.1. Standard I616.6.2 as notified requires that all subdivision and development must meet a proportional share of a list of local infrastructure works (listed in table I616.6.2.1), or achieve the desired outcome via an alternative measure(s). The traffic modelling work undertaken to date has established a clear need for the listed projects to support the urbanisation envisaged by PPC5.
- 2.2. Auckland Transport understands that the primary driver for the notified standard was to ensure that responsibility for providing local transport infrastructure was apportioned between the beneficiaries of that infrastructure in a manner which reflects the cumulative nature of transport effects. In particular, the notified standard seeks an alternative to the existing approach of infrastructure thresholds. Where there is no public funding, the threshold approach is problematic where it requires a marginal development (i.e. the development triggering a

threshold) to meet the full costs of a given upgrade where the need for that upgrade arises cumulatively from all development below and up to the threshold.

- 2.3. Notwithstanding the above, Auckland Transport has identified a number of issues with the standard as currently proposed:
- Table I616.6.2.1 includes projects (such as new collector roads) which are the sole responsibility of the relevant developers given that they do not have wider benefits beyond providing access to sites/developments. Standard I616.6.8 requires that developers provide the parts of the indicative road network (as per Precinct Plan 2) which fall on their sites. Accordingly, such projects should not be subject to a proportional share mechanism and should be deleted from the table as they are covered by standard I616.6.8.
  - The remaining projects in the table are considered by Auckland Transport to be well suited to a proportional share mechanism in that they are collector roads with benefits extending beyond individual site access and for development area benefit, but not the significant wider strategic network benefits generally required to merit full public funding (such as those expected from a new arterial road).
- 2.4. Accordingly, Auckland Transport seeks amendments to standard I616.6.2 to ensure that it is workable and equitable. In particular:
- That table I616.6.2.1 is amended to reflect the appropriate scope/projects to which a proportional share mechanism should apply. To that end, Auckland Transport seeks removal of references to projects which will fall within the sole responsibility of the relevant developers. | 42.9
  - That the wording of standard I616.6.2 can be refined to address the matters noted above. | 42.10

#### Standard I616.6.8

- 2.5. Auckland Transport supports standard I616.6.8, which requires developers to form their sections of the indicative road network to an urban standard, and to ensure that connections to neighbouring sites are not precluded. As noted in 2.3 above, the standard effectively captures the local transport requirements. | 42.11
- 2.6. Auckland Transport seeks an addition to I616.6.8(2) to require that developments along a proposed new arterial alignment provide a full arterial road reserve width, even if the developer only intends to form a collector road standard in the interim. In cases where development is proceeding ahead of the arterial standard requirement, this approach ensures that the development can proceed whilst providing for the road ultimately required to meet the future capacity and multi-modal requirements of the transport network. | 42.12

#### Standard I616.6.3

- 2.7. Auckland Transport is concerned about the duplication of standard I616.6.3(3) in its application to roads. New roads are subject to stringent consenting requirements pertaining to stormwater management under the AUPOIP and so do not need to be addressed by this provision as well. Accordingly, Auckland Transport considers that roads do not need to be captured by this standard and so seek that this be rectified. | 42.13

### **3. Matters of discretion and assessment criteria – I616.8**

- 3.1. Auckland Transport supports the proposed matters of discretion listed under I616.8.1(1) (subdivision and development) given that they set out a range of pertinent transport matters which must be considered. For similar reasons, Auckland Transport generally supports assessment criteria I616.8.2(1). | 42.14
- 3.2. Auckland Transport seeks amendment of assessment criterion I616.8.2.1(i) to remove reference to “public” funding mechanisms. The intent of the criterion is to ascertain whether the infrastructure is delivered, irrespective of whether it is publicly or privately funded. Accordingly, the criterion should simply read “appropriate funding mechanism”. | 42.15

#### 4. Precinct Plan 2

- 4.1. Auckland Transport supports the inclusion of Precinct Plan 2, particularly the use of indicative arterial and collector roads on the plan to denote the required road network at this level to be provided through subdivision and development. The road network shown would ensure a well-connected urban form, and is supported by extensive traffic modelling analysis. | 42.16
- 4.2. Auckland Transport supports the following changes to Precinct Plan 2:
- Inclusion of indicative locations for future Rapid Transit stations; and | 42.17
  - Any consequential amendments to the plan required to give effect to other changes sought for the Precinct. | 42.18

#### 5. Zoning

- 5.1. Auckland Transport generally supports the zoning proposed for the PPC5 area given the need for residential and business development capacity across the region. | 42.19
- 5.2. Compared with the earlier Draft Plan Change, the notified PPC5 contains some residential areas which have been 'downzoned' from mixed housing urban to single house. Auckland Transport understands that this change was a planning response to noise and reverse sensitivity issues associated with the New Zealand Defence Force Air Base site.
- 5.3. Some of the proposed area of single house zoning is located within close proximity of a potential future rapid transit station site. Auckland Transport identifies that the Plan Change needs to appropriately address the competing policy objectives of managing noise/reverse sensitivity effects and intensifying around transport nodes.
- 5.4. The location for stations as noted in 4.4 above will be confirmed through the Supporting Growth designation process.

#### **Auckland Transport seeks the following decision from Auckland Council:**

That the Council approves PPC5, subject to the amendments sought by Auckland Transport in this submission, or any other consequential amendments to address the matters raised in this submission.

#### **The submitter does wish to appear and be heard in support of its submission.**




---

Signed for and on behalf of Auckland Transport

Christina Robertson  
Head of Policy and Planning (acting)

19 October 2017  
Address for service of submitter:  
Auckland Transport  
20 Viaduct Harbour Avenue  
Auckland Central  
Auckland 1010



Telephone: (09) 448 7015  
Email: [liam.winter@at.govt.nz](mailto:liam.winter@at.govt.nz)  
For: Liam Winter  
Senior Transport Planner  
Strategy and Development

## Contact details

Full name of submitter: Trig Road Investments Limited

Organisation name:

Agent's full name: Toby Mandeno

Email address: [toby@bslnz.com](mailto:toby@bslnz.com)

Contact phone number: 0272371177

Postal address:  
PO BOX 11139  
Ellerslie  
Auckland 1542

## Submission details

### This is a submission to:

Plan modification number: Plan change 5

Plan modification name: Whenuapai Plan Change

### My submission relates to

Rule or rules:  
PC 5 - and zoning (being left out of Stage 1) when was formerly Stage 1E.

Property address: 90 Trig Road, Whenuapai

Map or maps:

Other provisions:  
PC 5 - and zoning (being left out of Stage 1) when was formerly Stage 1E.

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:  
Please refer to attached documents

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

43.1

Details of amendments: Refer to attached documents

Submission date: 19 October 2017

Supporting documents

Submission-Whenuapai Plan Change - FINAL.pdf

J007XX Trig Road 181017.pdf

Appendix A and B.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.

No

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

## SUBMISSION FORM

The following submission is made on the proposed Auckland Council Plan Change 5 – Whenuapai Plan Change prepared under the Resource Management Act 1991.

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

**Submitter:** Lichun Gao

**Postal Address:** 17 O'Neills Avenue, Takapuna, Auckland 0622

**Phone:** 021 560 366

**Email:** [63444444@qq.com](mailto:63444444@qq.com)

**Submitter:** Trig Road Investment Limited

**Postal Address:** 43 St Stephens Avenue, Parnell, Auckland 1052

**Phone:** 021 0202 5666

**Email:** [johnny1986.lin@gmail.com](mailto:johnny1986.lin@gmail.com)

I am not a trade competitor for the purposes of the submission but the proposed plan has a direct impact on my ability to develop my property. If changes sought in the plan are adopted they may impact on others but I am not in direct trade competition with them.

**Name of Agent:** Toby Mandeno – Birch Surveyors Limited


**Address:** PO Box 475, Pukekohe 2340

**Phone:** 027 237 1177

**Email:** Toby@bslnz.com

**I wish to be heard in support of this submission.**

**If others make similar submissions, I would consider presenting a joint case with them at the hearing.**


 19 October 2017  
 \_\_\_\_\_  
**Signature** **Date**

## 1.0 INTRODUCTION

Thank you for the opportunity to submit on Whenuapai Plan Change 5.

The specific parts of the Plan Change to which this submission relates to is:

- The reasons behind – and exclusion of – the properties on the western side of Trig Road bounded by Spedding Road to the north, and the State Highway 18 on-ramp to the south.

## 2.0 BACKGROUND

- 2.1 Our clients are the landowners of 84 and 90 Trig Road, Whenuapai, outlined in the Locality Map attached as Appendix A to this submission.
- 2.2 The land on the western side of Trig Road, south of Spedding Road was largely included in Stage 1 of the Whenuapai Structure Plan, noted as Stage 1E, shown in Figure 1, below. The inclusion within Stage 1E gave our clients a reasonable expectation that their land would be included within the Plan Change. However, in Council's s.32 report these sites were removed due to the uncertainty around the timing associated with the Northside Drive bridge and eastern extension being built.

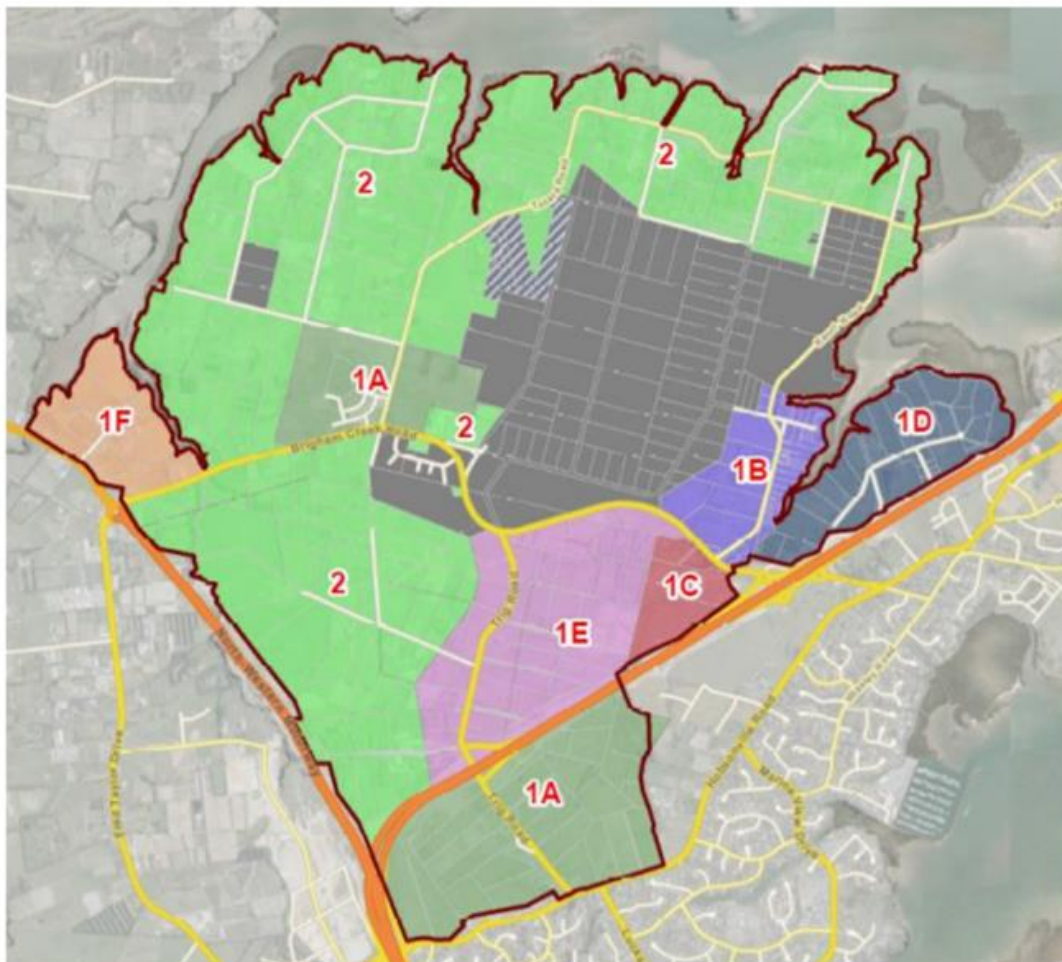


Figure 1: Whenuapai Structure Plan Staging (Source: Whenuapai Structure Plan Section 32 Report)

2.3 The alignment of Northside Drive appears to be fixed, with the road built on the north-western side, and the location of the bridge over State Highway (SH) 16 dictated by the installation of pillars that are already in place to support the future grade separation, as shown in Figure 2 and 3, below.



**Figure 2: Aerial Photo showing Northside Drive established on the north-western side of SH 16 (Source: Google Maps)**



**Figure 3: Pillars located on State Highway 16 to support the future Northside Drive extension**



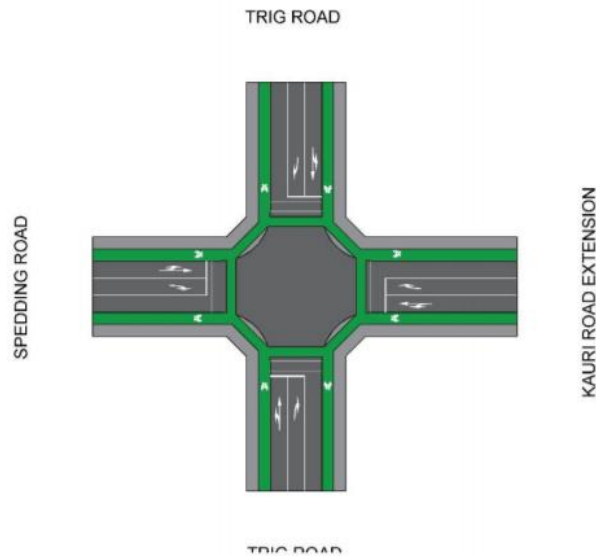
- 2.4 The timing of the Northside Drive extension would have no impact on the future development of the properties located within 84-90 Trig Road. The Integrated Traffic Assessment Report (ITA) prepared by Flow Transportation Specialists Limited, dated July 2016 covers the Whenuapai Structure Plan area, not just the Plan Change area. Our clients' two (2) sites are located within the "Orange 4" modelling zone. The modelling undertaken within the ITA shows that part development of Orange 4 can and was enabled by the existing roading network without any upgrades or capacity issues as part of Stage 2a of the ITA.

### 3.0 SUBMISSION

- 3.1 Subject to the acceptance of the relief specified below, we generally support the proposed zoning of the Whenuapai Plan change area. | 43.2
- 3.2 We seek the inclusion of the land at 84-90 Trig Road to be zoned Light Industrial, consistent with the plan change proposal for the properties immediately to the north and east of these sites. See map attached as Appendix B.
- 3.3 It is our position that Council has made an error of judgment within their s.32 report, by removing all of Orange 4 from Stage 1 with the only reason provided behind this decision not reflective of the traffic modelling completed within the TIA. Our position with respect to this matter is supported by Leo Hills, Traffic Engineer and Director of Commute Ltd who has provided supporting documentation to reflect this, attached as Appendix C.
- 3.4 We note that the exclusion of this area of Trig Road is based on the uncertainty around the timing of the future upgrade of Northside Drive. However, our position is that the early development of properties at 84-90 Trig Road will not compromise any future upgrade of this area.
- 3.5 The inclusion of these properties in Plan Change 5 will further facilitate and enable the upgrade of Trig Road, including the signalised intersection at Trig and Spedding Roads. We note that Council's own s.32 analysis has acknowledged these benefits, with such positive effects behind the inclusion of the land to the west of Trig Road and north of Spedding Road within the Plan Change. Please refer to the extract below;

*"The land on the west side of Trig Road and north of Spedding Road was included in the plan change area to enable development along both sides of the road, and to facilitate the required upgrade of Trig Road. Only properties to the west of Trig Road that connect to Trig Road were included."*

- 3.6 A key advantage of enabling developments on both sides of Trig Road is the ability for private development to assist in funding the required upgrade. The Stage 1 Technical Inputs document (which was recently released) has provided a proposed design for the Trig Road/Spedding Road intersection, as is shown in Figure 4, below:



**Figure 4: Proposed Intersection Design (Source Flow – Stage 1 Technical Input Report, 2017)**

- 3.7 It becomes clear that additional land will be needed to support the construction of the above intersection. Completing this upgrade in isolation from the adjoining property does not – in my opinion – constitute a good planning outcome. The procurement and construction process is likely to suffer in terms of both cost and time.
- 3.8 This addendum to the ITA prepared by Flow Ltd, has identified different modelling scenarios from the ITA itself. Scenario 1e represents what has been considered for PC 5. Interestingly, the report (on page 21) identifies investment required as being the “*Urbanisation of Trig Road between Brigham Creek Road and SH18 Interchange*”. The trigger states that this is to achieve “*Any development fronting an existing road will need to upgrade it to urban standard and enable separated cycle facilities*”. By leaving our clients property out of Plan Change 5, this desired outcome cannot be achieved.
- 3.9 Early development will logically take place around the existing road network. To ensure suitable uptake of commercial and business land, priority must be given to live zoning land which adjoins the existing roading network. Failing to live zone our client’s sites which adjoin a key arterial road – is not in my opinion – a good planning outcome. Nor do I believe that this position can be justified on the basis provided within the s.32 Report.
- 3.10 We have reviewed all of the technical documentation provided with the Plan Change and believe that there is no reason why the proposed plan change could not accommodate the properties at 84-90 Trig Road. It is in our professional opinion that all of the sites subject to this submission can be serviced by the existing and future stormwater and sewer networks in conjunction with the remaining properties already contained within Plan Change 5.



## 4.0 RELIEF SOUGHT


4.1 We request that the following properties are included within the Whenuapai Plan Change geographical area, zoned Light Industrial, for the reasons outlined in Section 3, above;

- 84 Trig Road, Whenuapai
- 86 Trig Road, Whenuapai
- 88 Trig Road, Whenuapai
- 90 Trig Road, Whenuapai

43.3

4.2 We note that whilst we do not act on behalf of the property owners of 86 and 88 Trig Road, they are aware of our submission, and are supportive of the relief sought.

Yours sincerely



Toby Mandeno

19 October 2017

MPlan, BSc, m.NZPI

Enclosed:

Appendix A: Locality Map

Appendix B: Submission Zone Map – Relief being Sought

Appendix C: Traffic Engineer Memo

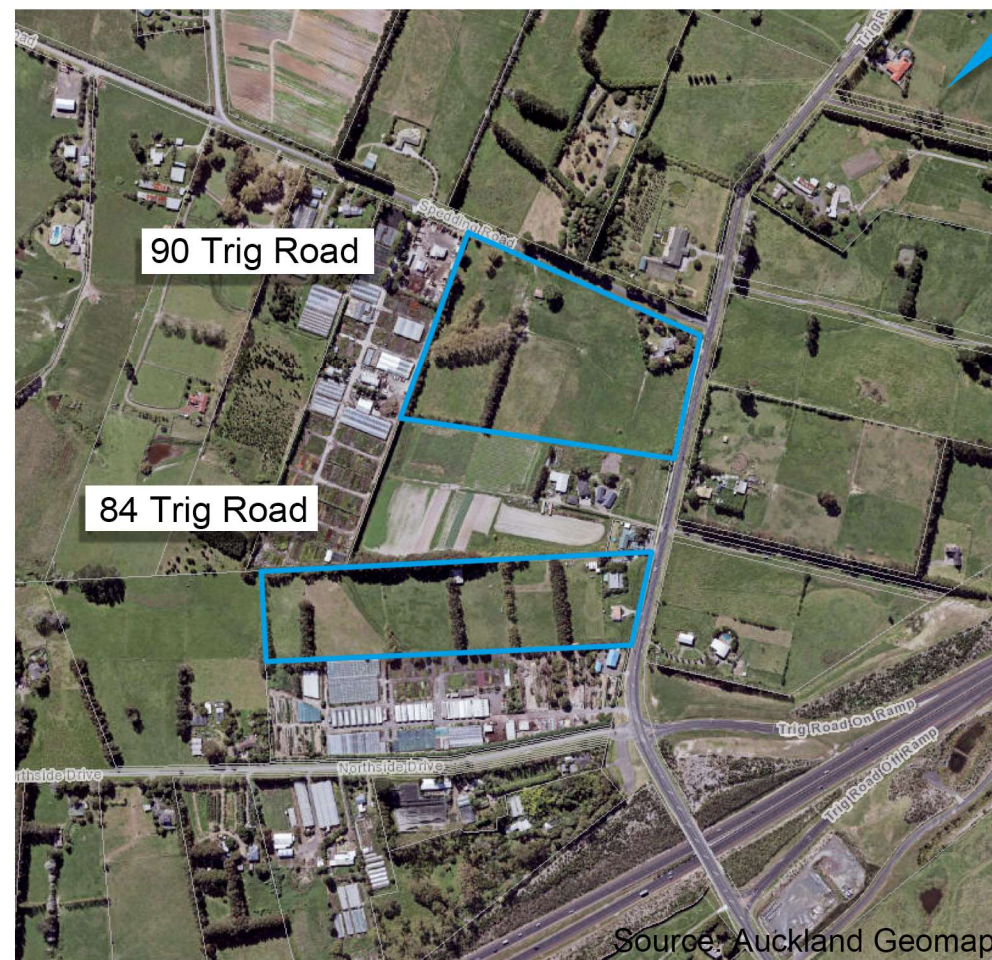
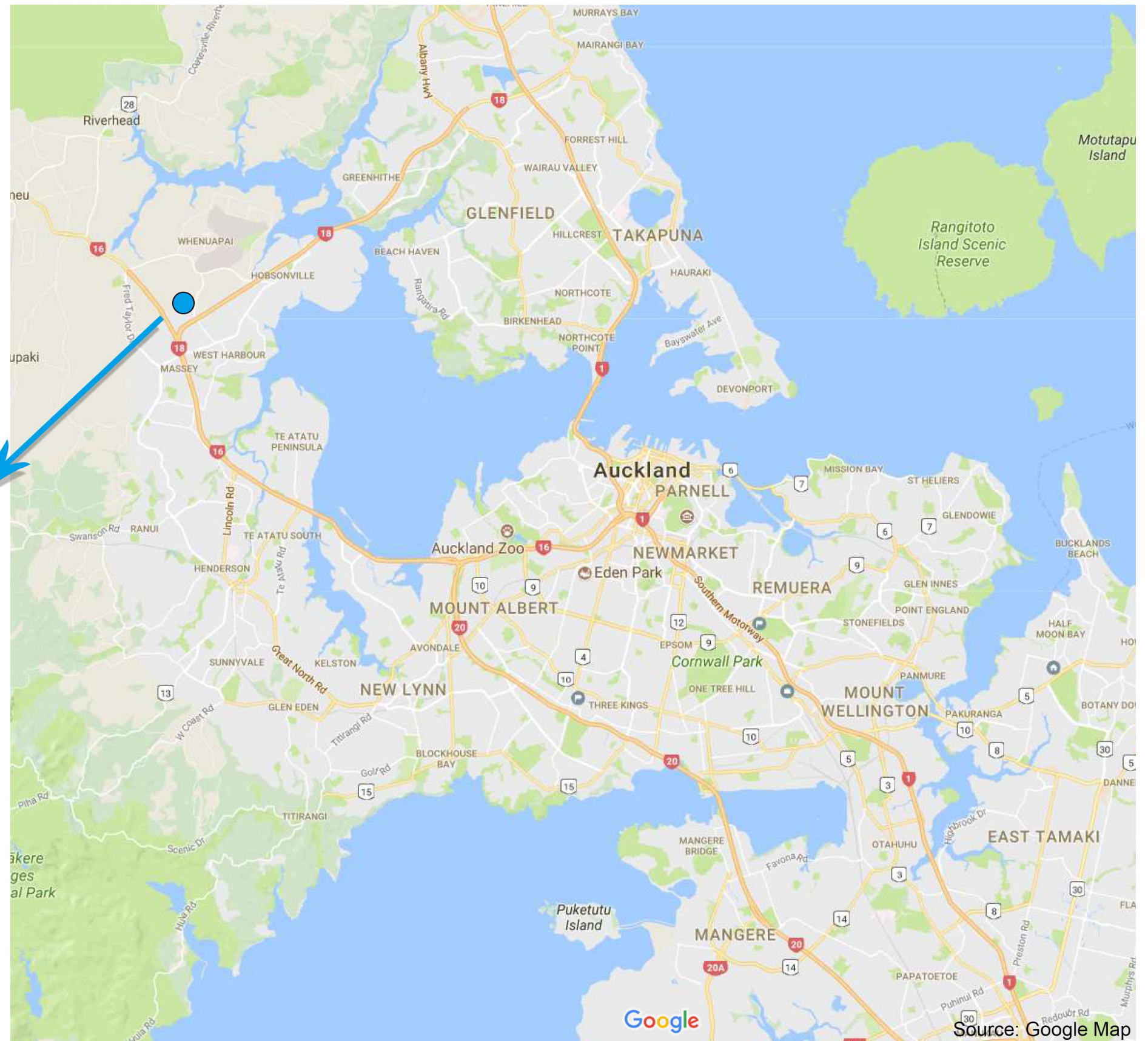


# LOCALITY MAP OF SUBJECT SITES

Site Address: 84 & 90 Trig Road, Whenuapai

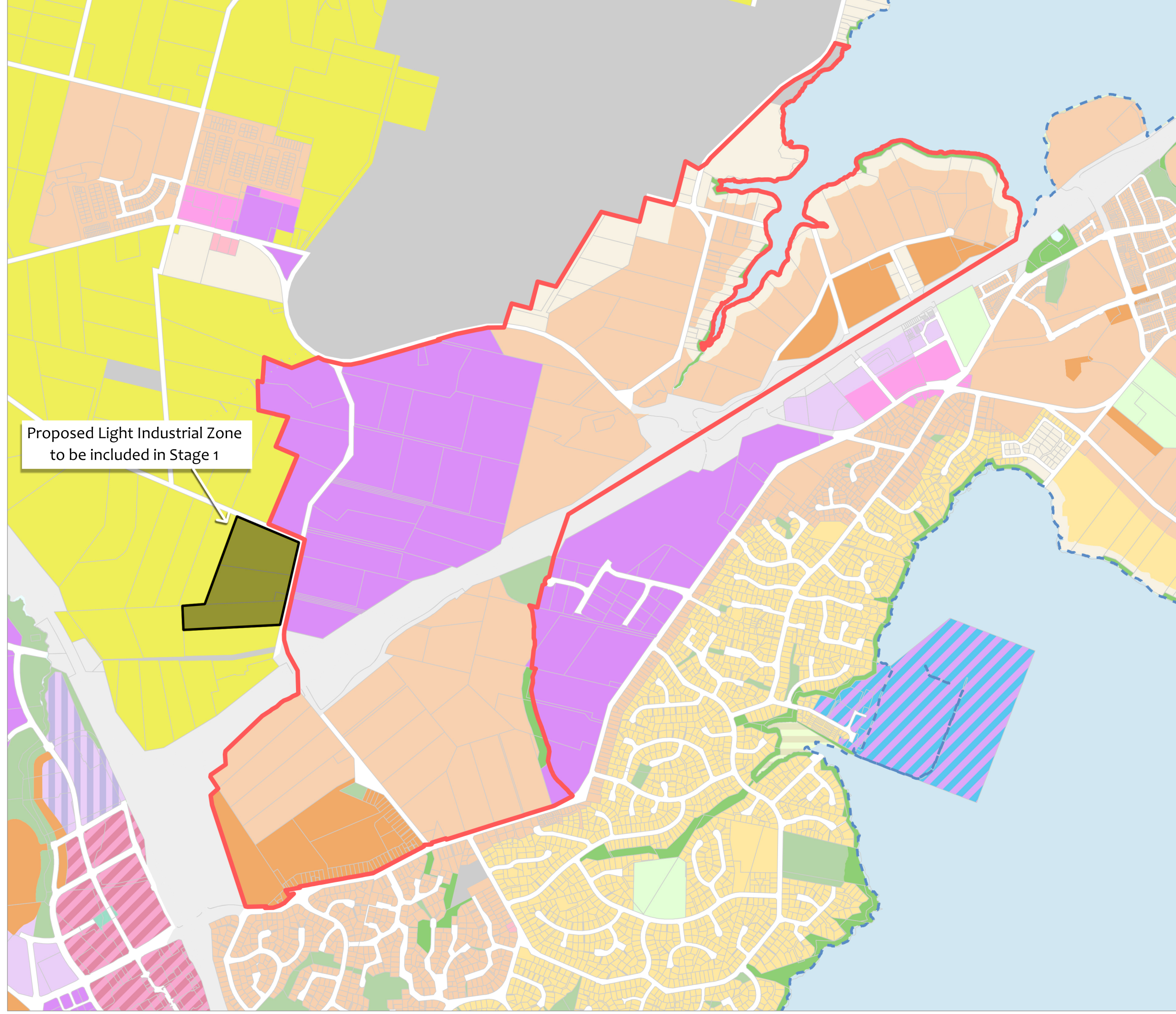
Site Area: 4.0469 Ha and 4.9574 Ha

Current Zoning: Future Urban Zone (Whenuapai Stage 2)



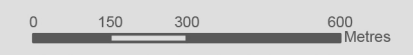


Proposed Zoning Map



Proposed Light Industrial Zone  
to be included in Stage 1

- Land Parcels
- ▬ Whenuapai Zone change boundary
- - - Indicative Coastline
- Zones**
- Residential - Large Lot Zone
- Residential - Rural and Coastal Settlement Zone
- Residential - Single House Zone
- Residential - Mixed Housing Suburban Zone
- Residential - Mixed Housing Urban Zone
- Residential - Terrace Housing and Apartment Buildings Zone
- Open Space - Conservation Zone
- Open Space - Informal Recreation Zone
- Open Space - Sport and Active Recreation Zone
- Open Space - Civic Spaces Zone
- Open Space - Community Zone
- Business - City Centre Zone
- Business - Metropolitan Centre Zone
- Business - Town Centre Zone
- Business - Local Centre Zone
- Business - Neighbourhood Centre Zone
- Business - Mixed Use Zone
- Business - General Business Zone
- Business - Business Park Zone
- Business - Heavy Industry Zone
- Business - Light Industry Zone
- Future Urban Zone
- Green Infrastructure Corridor (Operative in some Special Housing Areas)
- Rural - Rural Production Zone
- Rural - Mixed Rural Zone
- Rural - Rural Coastal Zone
- Rural - Rural Conservation Zone
- Rural - Countryside Living Zone
- Rural - Waitakere Foothills Zone
- Rural - Waitakere Ranges Zone
- Strategic Transport Corridor Zone
- Special Purpose Zone
- Coastal - General Coastal Marine Zone [rcp]
- Coastal - Marina Zone [rcp/dp]
- Coastal - Mooring Zone [rcp]
- Coastal - Minor Port Zone [rcp/dp]
- Coastal - Ferry Terminal Zone [rcp/dp]
- Coastal - Defence Zone [rcp]
- Coastal - Coastal Transition Zone
- Water [i]
- Hauraki Gulf Islands
- Road [i]



Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.



Mr T Mandeno  
Senior Planner  
Birch Surveyors

19 October 2017

**Copy via email: Toby@bslnz.com**

Dear Toby,

## **TRIG ROAD - WHENUAPAI PLAN CHANGE 5**

Further to your instruction, we are pleased to provide this transportation review of Plan Change 5 (PC5) (Whenuapai) in relation to 84 and 90 Trig Road.

### **1 S32 ASSESSMENT**

We have reviewed the s32 analysis provided in the PC5 documentation. From a review of the s32 analysis, the only mention of this area is:

*“The land on the west side of Trig Road and north of Spedding Road was included in the plan change area to enable development along both sides of the road, and to facilitate the required upgrade of Trig Road. Only properties to the west of Trig Road that connect to Trig Road were included. The land bounded by Spedding Road, State Highway 16, State Highway 18 and Trig Road is not part of this plan change due to the uncertainty around the timing of when the Northside Drive bridge and eastern extension will be built”*

From this it appears that the timing of the Northside Drive extension is uncertain, and Northside Drive is needed in the area to relieve capacity issues. From this assessment all this area has been excluded from PC5.

### **2 ITA REVIEW**

From a review of the ITA provided in the PC5 documentation, we have found the following in relation to the site:

- The modelling associated with the ITA that most closely matches the Plan Change (Scenario 2a) was based on the understanding that both sides of Trig Road will be developed. Of note the ITA states (section 7.7.3):

*“For the purposes of assessment, it has been assumed that the industrial development will occur along the length of Brigham Creek Road and Trig Road, with side roads providing rear access to the development areas”.*



- Scenario 2a is also the final model run before the Northside Drive extension was added to the model.
- The site is within “Orange 4” in the modelling. Scenario 2a assumes and enables the creation of 100 FTE jobs being developed in Orange 4. Importantly, the 100FTE’s are enabled without any Northside Drive extension.
- In contrast to Orange 4, Orange 5 (to the south of Northside Drive extension) was left out Scenario 2a of the ITA (it was included in the full development Scenario 3 which does have Northside Drive extension).
- The modelling shows that part development of Orange 4 can and was enabled by the existing roading network and associated improvements.
- It is therefore clear within the ITA that the construction of the Northside Drive is not required for at least some part of Orange 4 being developed.
- Finally, the ITA does not specifically limit the number of FTE employees in Orange 4 to 100 (rather it is simply an assumption in Orange 4). Indeed Figure 43 of the ITA, showing the Level of Service (LOS) plots for Scenario 2a, shows the intersections surrounding the sites / area are at LOS A or B indicating significant capacity remaining (the green dots are LOS C and the orange dots are LOS D). This figure is shown below together with the site(s) location. Therefore, based on the evidence provided, additional FTE’s appear to be able to be supported within Scenario 2a modelling without creating any additional capacity issues or being reliant upon the Northside Drive connection. To calculate the exact number that could be supported, additional traffic modelling would need to be undertaken.

Figure 43: Overall Intersection LOS Plots – Scenario 2a



We trust this answers your questions regarding the subject sites and PC5. If you have any further questions please do not hesitate in contacting me.

Yours sincerely

**Commute Transportation Consultants**

Leo Hills

**Director**

[leo@commute.kiwi](mailto:leo@commute.kiwi)