Assessment of Environmental Effects

Private Plan Change Request

Application and Section 32 Analysis

15, 17 and 17A Clarks Lane and 10-16 Sinton Road, Whenuapai

Prepared for

Cabra Developments Limited

November 2024

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Abbreviations

Act	Resource Management Act 1991
Applicant	Cabra Developments Limited
ARPS	Auckland Regional Policy Statement
Cabra	Cabra Developments Limited
CHA	Coastal Hazard Assessment
CMA	Coastal Marine Area
DSI	Detailed Site Investigation
EIA	Ecological Impact Assessment
ESA	Erosion Screening Assessment
FDS	Auckland council Future Development Strategy
FUZ	Future Urban zone
LVA	Assessment of Landscape and Visual Effects
MDRS	Medium Density residential Standards
MHS or MHSZ	Residential – Mixed Housing Suburban zone
MHU or MHUZ	Residential – Mixed Housing Urban zone
NES-F	National Environmental Standard for Freshwater
NPS-FM	National Policy Statement for Freshwater Management
NPS-UD	National Policy Statement for Urban Development
NZCPS	New Zealand Coastal Policy Statement
NZTA	NZ Transport Agency Waka Kotahi
OS-IR	Open Space – Informal Recreation zone
PCA	Plan Change Area
PPC	Private Plan Change
RAP	Remedial Action Plan
RMA	Resource Management Act 1991
RMA-EHS	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021
SEA	Significant Ecological Area
SMAF	Stormwater Management Area – Flow 1 control
SMP	Stormwater Management Plan
UDA	Urban Design Assessment
Unitary Plan or AUP	Auckland Unitary Plan (Operative in Part) 2016
VKT	Vehicles Kilometres Travelled Reduction
WSP	Whenuapai Structure Plan 2016

1 Executive Summary

This is a request for a private plan change (**PPC**) on behalf of Cabra Developments Limited (**the Applicant** or **Cabra**) to the Auckland Unitary Plan – Operative in Part (**Unitary Plan** or **AUP**) under Part 2 of the First Schedule to the Resource Management Act 1991 (**RMA**). The PPC seeks to re-zone the land, introduce a new precinct and to apply the Stormwater Management Area – Flow 1 (**SMAF**) control at 15, 17 and 17A Clarks Lane and 10, 12, 14 and 16 Sinton Road, Whenuapai (**the Plan Change Area** or **PCA**) to facilitate residential and open space activities and development.

The AUP explains that *"The Future Urban Zone is applied to greenfield land that has been identified as suitable for urbanisation. The Future Urban Zone is a transitional zone. Land may be used for a range of general rural activities but cannot be used for urban activities until the site is rezoned for urban purposes" (H18.1).* This application indeed seeks to rezone the land from Future Urban zone (**FUZ**) to a mix of Residential – Mixed Housing Suburban (**MHS**), Residential – Mixed Housing Urban (**MHU**), and Open Space – Informal Recreation (**OS-IR**) zones under the AUP to facilitate urbanisation. Such an outcome is consistent with the Whenuapai Structure Plan 2016 (**WSP**) and Future Development Strategy (**FDS**), and accordingly, this PPC request primarily relates to the appropriateness of the proposed zoning and precinct provisions, with the fundamental issue of whether urbanisation is appropriate in this location having already been determined.

The purpose of this report is to provide sufficient information to enable a full understanding of the proposal and any effects that the proposal may have on the environment. The s 32 evaluation is enclosed at Section 9 of this report relative to the requirements of the RMA.

Finally, as outlined in Section 8 and at **Appendix 18**, this report serves to summarise and present the consultation undertaken to date on the proposed Plan Change.

By way of introduction, the PPC is consistent with and will deliver on the vision of the WSP as a:

'liveable, compact and accessible place with a mix of high quality residential and employment opportunities. It makes the most of its extensive coastline, and respects the cultural and heritage values integral to its distinctive character.'

2 Key Information

Address	15, 17 and 17A Clarks Lane and 10, 12, 14 and 16 Sinton Road, Whenuapai
Legal Description	15 Clarks Lane: Lot 2 DP 92753 17 Clarks Lane: Sect 2 SO 532984 17A Clarks Lane: Sect 1 SO 532984 10 Sinton Road: Lot 25 ALLOT 2 SO 958 12 Sinton Road: Lot 7 DP 57408 14 Sinton Road: Lot 8 DP 57408 16 Sinton Road: Lot 9 DP 57408 (refer **Appendix 1**)
Site Area	16.65 hectares combined area
Owner	Refer Section 1.1 above
Occupier	One residential dwelling per site
Plan Change Proponent	Cabra Developments Limited
Operative District Plan	Auckland Unitary Plan (Operative in Part)
Zoning	Future Urban zone Coastal – General Coastal Marine zone (coastal edge only)
Precinct	None
Overlays	Natural Resources ▪ Natural Resources: Significant Ecological Area Overlay (SEA_T_4733, Terrestrial) – 16 Sinton Road only ▪ Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Kumeu Waitemata Aquifer Natural Heritage None Historic Heritage and Special Character None

	Mana Whenua None Built Environment None Infrastructure None
Controls	▪ Coastal Inundation 1% AEP Plus 1m Control – 1m sea level rise ▪ Macroinvertebrate Community Index – Rural, Native
Designations	▪ Airspace Restriction Designations - ID 4311, Defence purposes – protection of approach and departure paths (Whenuapai Air Base), Minister of Defence
Road Classification	Local roads
Other Information	Contaminated (HAIL) sites Overland flow paths and flood plains

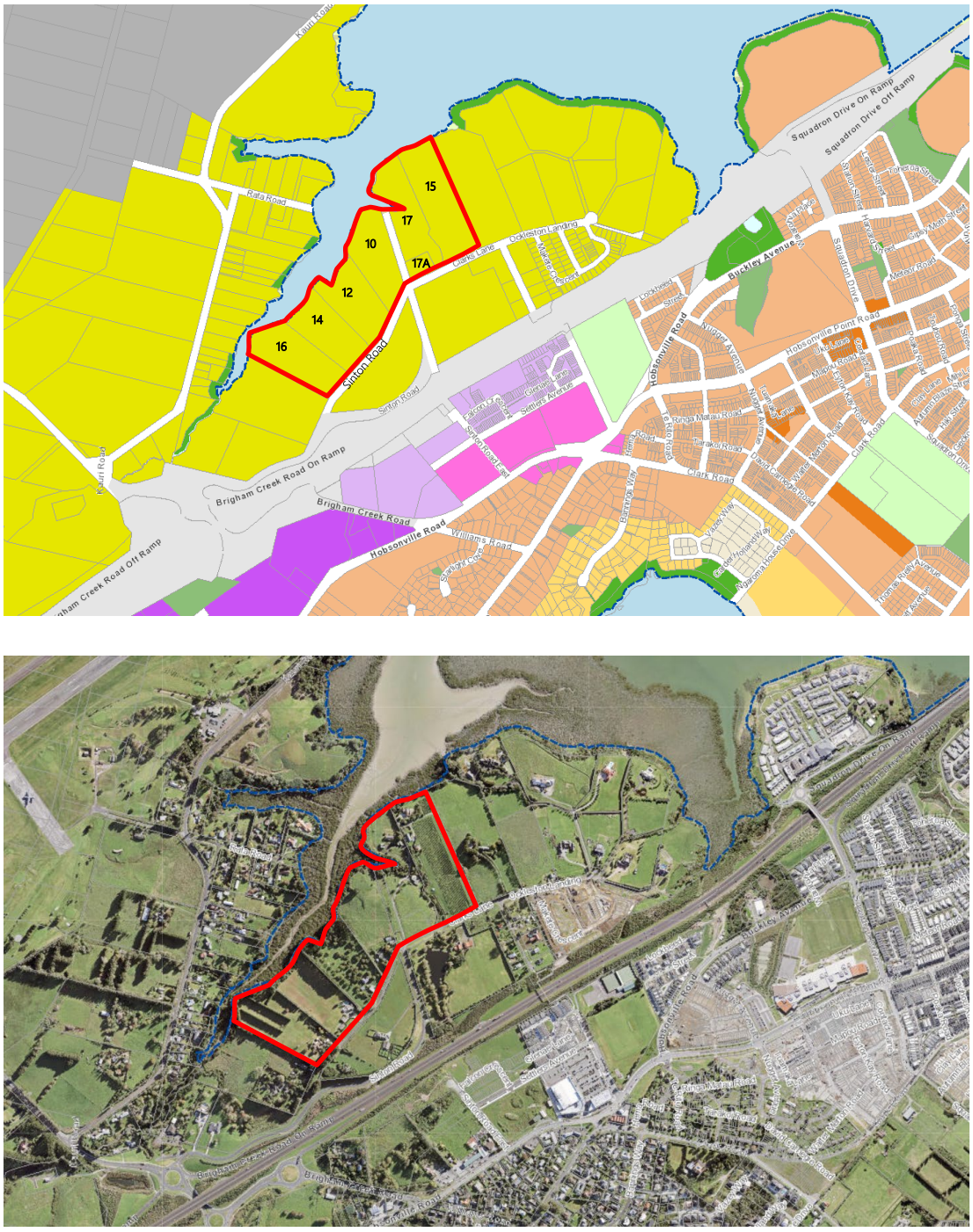
3 Background

The PCA comprises seven properties as shown in Figure 1 below. Four of these are owned by the proponent of this PPC application, Cabra Developments Limited (**Cabra**), two are owned by other individuals, and one is owned by Auckland Council. The ownership arrangements of the PCA are set out in further detail below and a copy of the Record of Title for each property is attached at **Appendix 1**.

Property	Ownership	Comment
10 Sinton Road Lot 25 ALLOT 2 SO 958	Cabra Developments Limited	PPC proponent
12 Sinton Road Lot 7 DP 57408	GRP Properties Limited	Dwelling rented to tenant
14 Sinton Road Lot 8 DP 57408	Cabra Developments Limited	PPC proponent
16 Sinton Road Lot 9 DP 57408	Cabra Developments Limited	PPC proponent
15 Clarks Lane Lot 2 DP 92753	Cabra Developments Limited	PPC proponent
17 Clarks Lane Sect 2 SO 532984	Hon Du (1/2 share) Huifeng Lu (1/2 share)	Dwelling rented to tenant
17A Clarks Lane Sect 1 SO 532984	Auckland Council	Earmarked for open space under the WSP

The location of each property and the extent of the PCA is shown at Figure 1, and the mapped extent of the PCA is attached at **Appendix 2**.

Figure 1 – Extent of Plan Change Area (red)



Cabra is a land development company established in 1987 specialising in greenfield subdivision and residential development within the western and northern parts of the Auckland region. Cabra is committed to contributing to the response to critical housing demand through providing for additional serviced lots for residential development to the private market, thus facilitating housing supply and enabling growth within Auckland. Cabra has successfully

undertaken plan changes and/or the subdivision of several large land parcels in the region, primarily in north west Auckland (including in Huapai, Riverhead, Orewa, Greenhithe, Pukekohe, Papakura, Snells Beach and Whangaparaoa) and has a proven track record in the delivery of quality residential outcomes. Cabra has numerous landholdings in Whenuapai and Westgate.

The PCA is located within the WSP and was previously within the extent of Plan Change 5 Whenuapai, which was notified by Auckland Council in 2016 and was later withdrawn owing to uncertainty in respect of the funding and financing of arterial transport infrastructure, amongst other reasons. More recently, Cabra obtained referral to the Covid-19 Recovery (Fast-track Consenting) Act 2020 for residential development at 15 Clarks Lane and 10 and 16 Sinton Road, but elected not to pursue resource consent applications under that process in late 2023. Subsequently, Cabra acquired the adjoining property at 14 Sinton Road.

Rather, Cabra seeks to rezone its four landholdings as well as three intervening properties at 15, 17 and 17A Clarks Lane and 10-16 Sinton Road, being approximately 16.65ha of land in Whenuapai from FUZ to MHUZ, with MHSZ along the coastal edge. The property at 14A Clarks Lane is proposed to be rezoned from Future Urban zone to Open Space – Informal Recreation for the provision of an open space area. The SMAF-1 control is proposed across the entire PCA. Cabra envisages that collectively, the PPC will provide a contiguous quality, compact neighbourhood within walking distance to a range of open spaces, commercial services and activities at the Whenuapai Town Centre. The proposed zoning pattern will contribute housing supply, choice and variety in Whenuapai.

The proposed rezoning to facilitate urban activities is wholly envisaged by the FUZ; the zoning itself confirms the PCA has already been identified as suitable for urbanisation, as per the zone description of the FUZ at H18.1 of the AUP. Further, the WSP envisages low-medium density residential development within the PCA. For these reasons and those discussed within the preceding analysis, the PCA is suitable to accommodate the residential development in the density, layout and design proposed herein.

3.1 Approximate Chronology

The following provides an approximate chronology of the PPC process and development thereafter, for context.

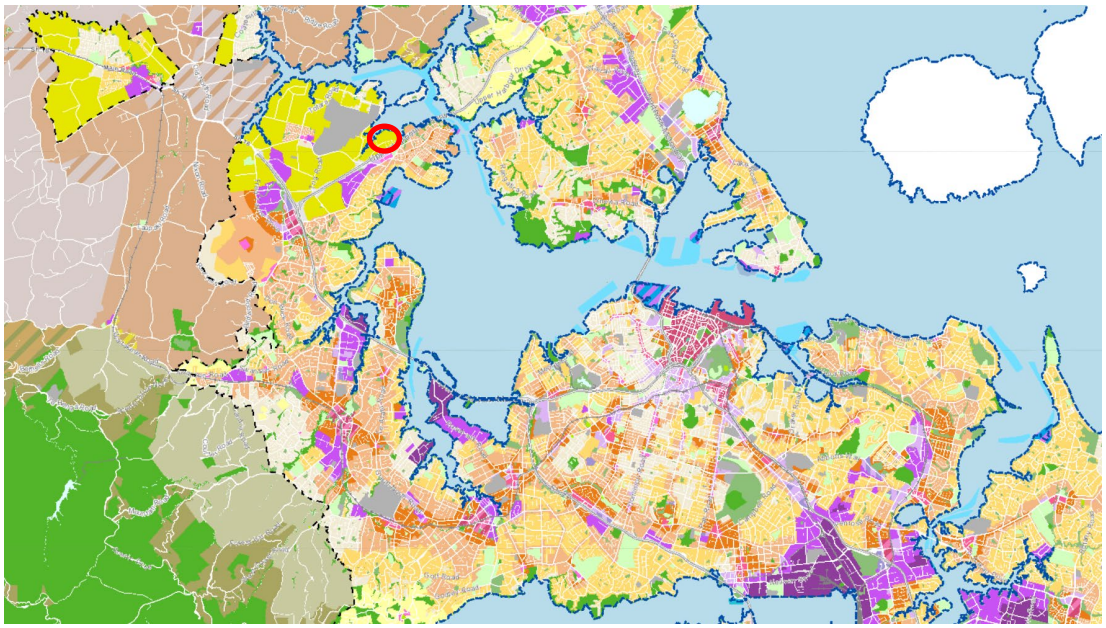
Chronology	Timeframe (estimate)
Lodgement of Plan Change application	November 2024
Acceptance for notification	March/April 2025
Notification period	April/May 2025
Anticipated hearing	August 2025
Decision	September 2025
Lodgement of Stage One resource consent (bulk earthworks)	November 2025
Lodgement of Stage Two resource consent (roading and infrastructure)	December 2025
Approval of Stage One resource consent (bulk earthworks)	February 2026
Approval of Stage Two resource consent (roading and infrastructure)	March 2026
Superlots and dwellings – subdivision and land use consents	Staggered lodgements from 2026 onwards
Bulk earthworks, roading and infrastructure	Commence October 2026 (approx. 18 months duration)
Issue of first section 224c	April 2027
Completion/occupation of first house	Mid-2028
Completion/occupation of last house	2033 (if all owners commence construction following completion of roading and infrastructure)

4 Site and Surrounds

4.1 Surrounding Environment

The PCA consists of approximately 16.65ha of Future Urban zoned land on a peninsula located at the eastern extent of Whenuapai, 22km to the north west of Auckland's city centre and 3.3km to the east of the Westgate Metropolitan Centre, as shown at Figure 2.

Figure 2 – Location of Plan Change Area (red)



The area holds significant value for mana whenua, as evidenced by the Cultural Impact Assessment (**CIA**) received from Te Kawerau ā Maki enclosed at **Appendix 19**. Further, the adjacent coastal environment is the subject of two statutory acknowledgements, Ngai Tai ki Tamaki and Te Kawerau ā Maki. The Applicant has undertaken extensive consultation with iwi, as set out in Section 8 of this report and at **Appendix 18**.

The Archaeological Assessment at **Appendix 8** acknowledges the Waiarohia Inlet would have been accessible by waka in pre-European contact times as *"Whenuapai is on the cross roads for several portages between Kaipara and Waitemata Harbour and close to one of the portages between Waitemata and Manukau harbours, Ngongitepata and Te Whau (Hooker 1997)."*[1] As such, the *"recorded archaeological sites are along the harbour or creek edges indicating that*

[1] Archaeological Assessment; Archaeology Solutions; Date May 2024.

exploitation of kai moana was an important food source." Identified archaeological features are described in further detail at Section 4.2. Namely, three shell midden sites are located along the coastal edge within the PCA, with others located around the coastal perimeter of the peninsula.

The Archaeological Assessment states the PCA and surrounds were likely covered in Kauri forest given its west Auckland location, and following milling, were mapped as being occupied by 'undulating fern lands' in the late 19th century. At this time, clay found at Hobsonville Peninsula and the surrounding area was used for brick and pipe works, supplying resources to wider Auckland. The scheduled workers' cottages along Clarks Lane are associated with the former brick works.

Since the mid-20th century, the PCA appears to have been used for pastoral grazing, with some small-scale horticultural activities evident and some natural streams straightened for drainage purposes. More recently, Whenuapai's rural environment has been in somewhat of a holding pattern, earmarked for urbanisation owing to its proximity to development near West Harbour, 350-500m to the south. The Auckland Plan, AUP and WSP formalised the intention to expand urbanisation, as reflected by the Future Urban zoning. Whenuapai is currently in a transitionary period, with urbanisation occurring in the area through a combination of resource consents and plan changes over time.

The PCA is located equidistant from the Whenuapai Town Centre to the west and Hobsonville Point to the east (being a 2.6km drive in each direction), and Hobsonville Town Centre is a 10-15 minute walk utilising the Clarks Lane Footbridge, an overpass across the Upper Harbour Highway (State Highway 18). SH18 can be accessed within 1km via the on-ramp and off-ramp at the Brigham Creek Road roundabout. SH16 is located 3.3km to the west, accessible from the PCA via the on-ramp at Hobsonville Road (travelling south only) or via Brigham Creek Road to the north west (providing access in both directions).

The RNZAF Airbase is located 0.5km to the north west, across the intervening Waiarohia Inlet adjoining the northern perimeter of the PCA and a row of low density residential properties along Kauri and Rata Roads. The PCA is located within the Airspace Restriction Designation (ID 4311, protection of approach and departure paths (Whenuapai Air Base), Minister of Defence).

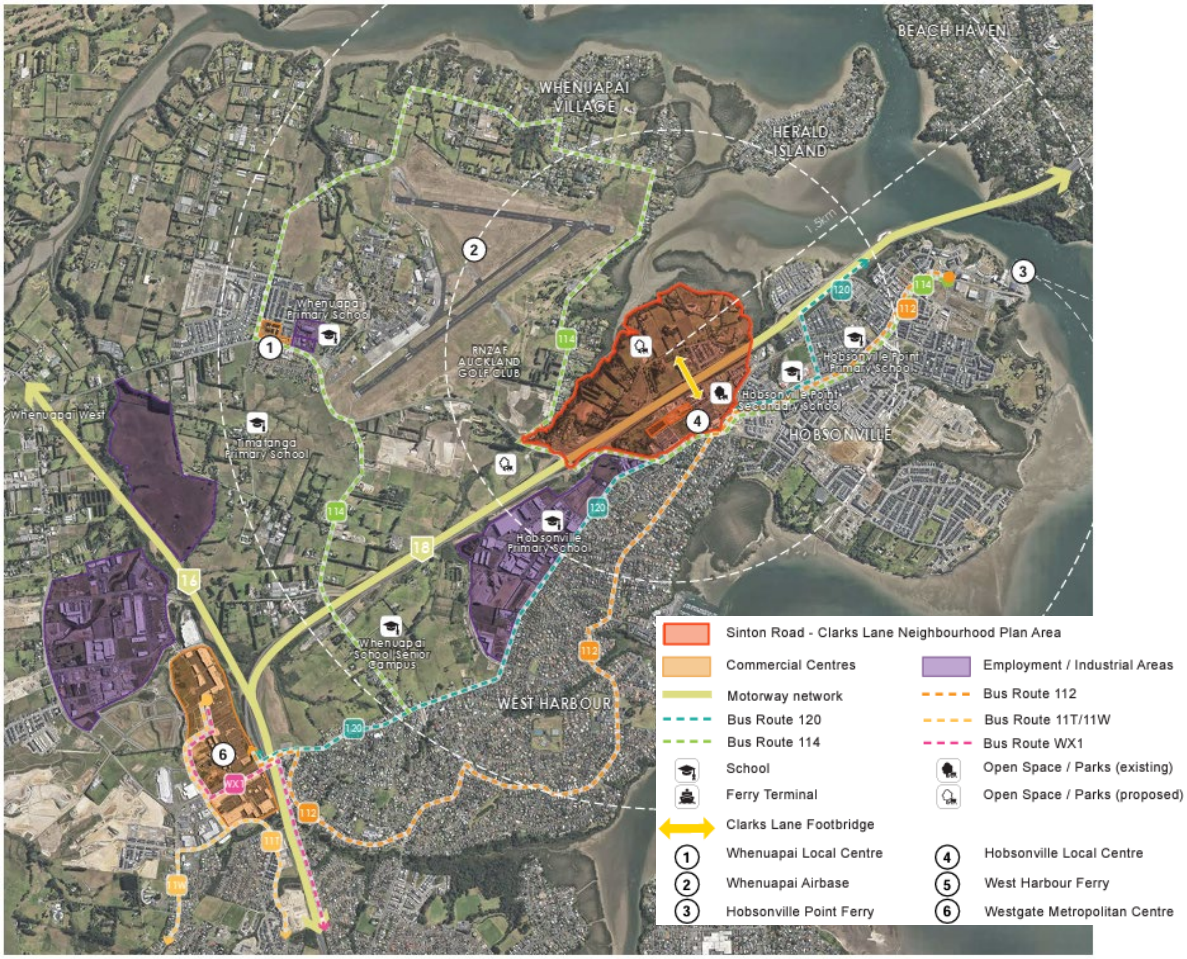
The Waiarohia Inlet is a key natural feature along the northern side of the peninsula, providing interface with the coastal environment and biodiversity. The Inlet is fed by Waiarohia Stream to the west, opening into the upper reaches of Auckland Harbour. The Inlet is narrow, ranging from 18m to 180m as it widens along the length of the PCA, and is largely dominated by mangroves.

The southern boundary of the PCA is bound by Clarks Lane and Sinton Road. The eastern and western boundaries of the PCA adjoin other private semi-rural landholdings within the peninsula.

Further east, the Summerset Monterey Park Retirement Village sits on a peninsula on the northern side of SH18. The masterplanned Hobsonville Point and Scott's Point neighbourhoods are located to the east, with the West Harbour residential area and Hobsonville Marina to the south of SH18.

The surrounding environment, including the location of nearby centres, amenities, services and public transport options are illustrated in Figure 3 and described in detail within the Neighbourhood Plan at **Appendix 4**. Bus services are located within walking distance along Hobsonville Road, providing access to Hobsonville Point (including the ferry terminal to Auckland City) and Westgate (which now provides an express bus service to Auckland City, the WX1).

Figure 3 – Site and surrounding environment



(Source: Neighbourhood Plan)

Extent of PPC shown in red (Source: Auckland Council Geomaps)

The immediately surrounding environment within the peninsula is comprised of large semi-rural properties that are each occupied by a single residential dwelling, typically 3ha+ in area. These properties were historically used for pastoral or horticultural purposes. However, for the last 10-15 years such land uses have been limited, utilised instead as large residential properties, many tenanted, awaiting urbanisation owing to the area's proximity to existing and emerging urban growth.

There are some exceptions to this:

- The eastern end of the peninsula is occupied by around nine rural lifestyle blocks each occupied by a large family home and ancillary buildings with amenities such as swimming pools and tennis courts. A vegetated esplanade reserve circumnavigates the eastern end of the peninsula, having been required at the time of subdivision.

- Seven residential properties line Clarks Lane where it runs north/south, collectively referred as the worker's cottages, most of which are overlaid by the Historic Heritage Overlay Extent of Place to varying extents (shown in purple hatching below) for their historical, social, physical attributes and aesthetic qualities and values.

- Ockleston Landing is a medium density housing development at the eastern end of Clarks Lane established under the former Special Housing Area provisions (albeit in the Future Urban zone), comprised mostly of two-storey standalone dwellings with narrow side yards and limited outdoor living area/landscape coverage, with some rows of terraced dwellings access via a jointly owned access lot overlooking a communal playground and grass area. The internal road network is of an urban form and width,

with a pedestrian footpath along the site's frontage to Ockleston Landing, which connects to the eastern end of Clarks Lane. Notably, the public footpath on Ockleston Landing stops at the western end of the frontage, requiring residents to walk on the road to reach the Clarks Lane Footbridge at the southern end of Clarks Lane.

Overall, there is a mix of semi-rural and urban residential character and amenity within the peninsula, and wider surrounding environment. The PCA is well-located proximate to a range of centres, amenities, services and public transport options within a short drive or walk.

4.2 Site Description

The PCA comprises an area of approximately 16.65ha of the 68ha peninsula, on the northern side Clarks Lane and Sinton Road. Each property is generally occupied by a residential dwelling and ancillary garage and shed structures associated with the former rural activities, as shown in Figure 3 above.

The land generally falls away from the road, sloping towards the coastal environment with a steep embankment adjoining the mangroves within the Waiarohia Inlet, falling around 12m over a distance of approximately 230m.

Natural features

Native and exotic shelterbelts, amenity planting and coastal vegetation are present to varying degrees relative to former uses across the PCA, the location of which is illustrated at Figure 5. A detailed description of the arboricultural qualities across the PCA is provided within the

Arboricultural Assessment at **Appendix 16**, which confirms no trees within the PCA warrant scheduling under the AUP.

In addition to the coastal environment of the Waiarohia Inlet, the other key natural features within the PCA comprise a permanent stream and wetland located at the boundary of 15 and 17 Clarks Lane. A strip of coastal vegetation within 14 and 16 Sinton Road is located within a Significant Ecological Area (**SEA**) overlay. The Ecological Impact Assessment (**EIA**) at **Appendix 13** describes in detail the ecological features across the PCA, which can be summarised as follows and at Figure 4, and illustrated in Figure 5:[2]

"The terrestrial vegetation was limited to the north/north-western boundary of the PPC site, which consisted of exotic-native vegetation and exotic vegetation of low and low-moderate ecological value, respectively. The site also contained several exotic shelterbelts and amenity/garden plantings of low value. Outside of these areas the vegetation was pasture. The coastal marine area along the site boundaries is of moderate-high value due to potential presence of At Risk species. One natural inland wetland was identified on the site associated with a stream system and provides low ecological values. One permanent of moderate ecological value and two intermittent streams of low value were also identified. There are also two artificial drains present on the site."

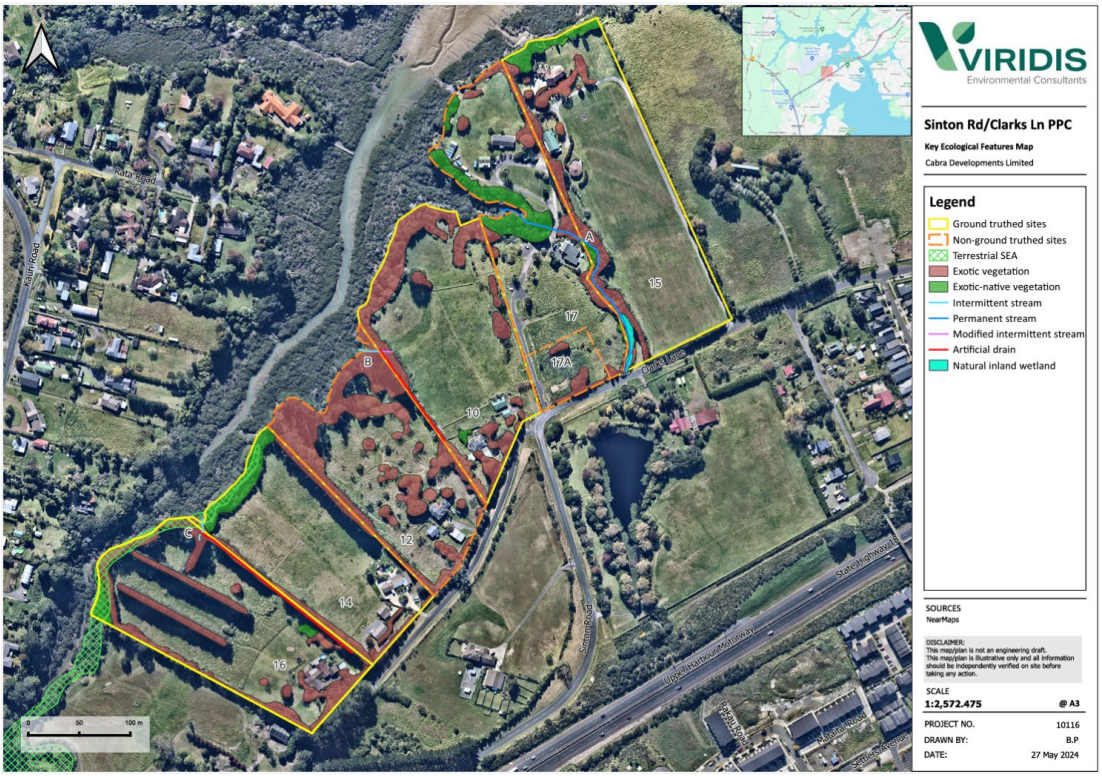
The ecological values of these features vary, however most features are identified as having low-moderate ecological value likely owing to the former rural land uses across the PCA. These are summarised within the following table, with further detail contained at the EIA (**Appendix 13**).

[2] Ecological Impact Assessment; Viridis; Date August 2024; Page 1.

Figure 4 – Summary of ecological values (Source: EIA)

Ecological feature	Ecological Value
Mixed native-exotic vegetation – coastal edge	Low – Moderate
SEA vegetation	Low – Moderate
Exotic vegetation (shelterbelts, amenity, scrub)	Low – Moderate
Pasture	Negligible
Terrestrial connectivity and ecological function	Low – Moderate
Avifauna (birds)	Low – Moderate
Herpetofauna (lizards)	Moderate
Chiroptera (bats)	Moderate
Artificial drains	Negligible
Permanent stream	Moderate
Intermittent streams	Low
Natural inland wetland	Low
Coastal environment	High

Figure 5 – Location of ecological features and on-site vegetation



Constraints and natural hazards

Various overland flow paths are present within the PCA, following depressions within the landform or artificial channels reflective of the historic rural land uses. A stream is located at the boundary of 15 and 17/17A Clarks Lane, which also comprises a wetland and 1% AEP flood plain. The stream is sourced from a culvert under Clarks Lane and a stream and pond at 6 Clarks Lane to the south.

The AUP identifies the coastal edge of the PCA as being subject coastal inundation, albeit the Coastal Hazard Assessment (**CHA**) at **Appendix 7** confirms this limited to the toe of the embankment. The coastal edge or embankment of the PCA meets the AUP definition of being subject to coastal erosion. The CHA confirms the forecasted 100-year extent of erosion ranges from 14m – 18m in depth when measured from the MHWS.

Geotechnically, the Geotechnical Reports at **Appendix 5** confirm PCA is comprised of:

- Topsoil ranging between 0.2m to 0.35m below ground level (bgl);
- Colluvium or Puketoka Formation soils (brown, orange or grey clays or silts with variable sand content) varying in depth up to 7.5m bgl; and
- East Coast Bays Formation varying in depth.

Groundwater depths encountered during investigations varied, generally ranging between 1.8m to 4.8m bgl. Engeo confirm the land is not susceptible to land instability and is suitable to accommodate residential development. However, a historical area of subsidence is present at 10 Clarks Lane which will require particular construction methodologies at the time of development. Groundwater is not a constraint to future development.

Former rural and horticultural land uses give rise to the presence of activities on the HAIL, requiring site-specific remediation at the time of development, as described in the Detailed Site Investigation (**DSI**) reports and Remedial Action Plans (**RAP**) at **Appendix 6**.

Infrastructure and services

The PCA is not serviced by a public stormwater network, nor a public wastewater network. The nearest wastewater network is located 150m to the east, at the Ockleston Landing development. Water supply is located within the adjacent road reserve. There is no Network Discharge consent for the discharge of stormwater from the peninsula. The existing network is described in full within the Infrastructure Report at **Appendix 10**.

Archaeological, cultural and historical features

The Archaeological Assessment at **Appendix 8** identifies the following sites within the PCA (with other relevant sites in the vicinity, but outside of the PCA), as illustrated in Figure 3:

- 15 Clarks Lane –
    - R11/3501 represents a new shell midden identified on the coastal edge by Archaeology Solutions during on-site investigations, which has been disturbed over time by public access, coastal vegetation removal and new plantings. An archaeological authority to modify is required from Heritage NZ prior to commencing works in the vicinity.
- 17 and 17 Clarks – No identified features.
- 10 Sinton Road –
    - NZAA feature R11/2024 (shell midden) is located on the coastal edge and has been impacted by coastal vegetation removal and new plantings over time. An archaeological authority to modify is required from Heritage NZ prior to commencing works in the vicinity.
    - W. Ockleston House – The Ockleston House is likely to have been constructed in early 20th century, with various additions and alterations occurring over time. While the building has historic references given the original owner's ties to the PCA and local brick works, the site is not scheduled under the AUP and nor is Heritage NZ approval required prior to demolition or further site works (as the building appears to have been constructed post-1900).
- 12 Sinton Road –
    - NZAA feature R11/2025 (shell midden) is located on the coastal edge of the site. An archaeological authority to modify is required from Heritage NZ prior to commencing works in the vicinity.
- 14 Sinton Road –
    - Sinton House – There are two possible locations on the site where the former Sinton house may have been located. Other than some remnant earthworks, no physical structures were identified on the site that would inform the date of the building's construction. Archaeology Solutions does not identify this property as requiring an authority to modify prior to commencing works on the site.

- 16 Sinton Road – No identified features.

There are no features, structures or sites subject to the Historic Heritage and Special Character overlay in the AUP.

Site photographs

The following photographs illustrate the existing site conditions.

Figure 6 – Photographs of the Plan Change Area

Views to Waiarohia Inlet from 15 Clarks Lane

Existing structures and pasture at 15 Clarks Lane

Stream and wetland looking from Clarks Lane, 17A and 17 Clarks Lane in background

Stream looking north (15 Clarks Lane on right hand side)

Views to Waiarohia Inlet from 10 Sinton Road

10 Sinton Road looking south to structures and road

Structures at 12 Sinton Road

Examples of shelterbelt planting at 16 Sinton Road

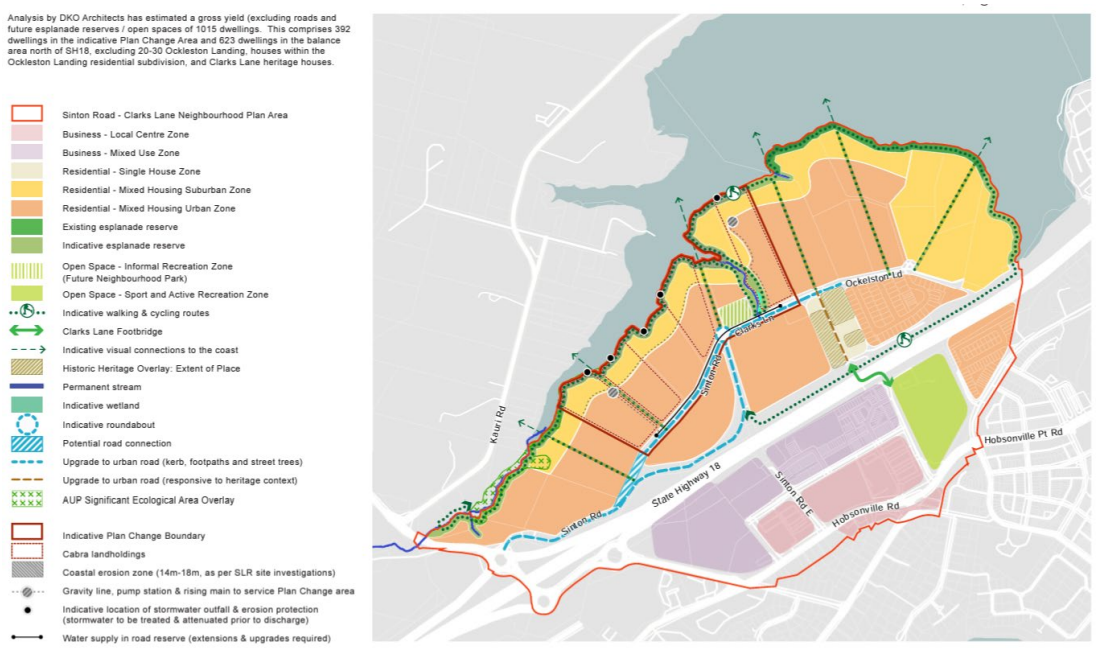
Rural road formation at Sinton Road (7 Sinton Road on left hand side)

4.2.1 Clarks Lane – Sinton Road Neighbourhood Plan

Acknowledging the WSP is eight years old and various policies have since been released at both central and local government levels, Cabra has undertaken to update, collate and record the planning framework as it applies to the peninsula today. The project team has undertaken extensive on-site analysis, the findings of which is also collated. This information and analysis are contained within the Neighbourhood Plan at Appendix 4.

The Plan takes a 'step back' to consider the eastern peninsula as a whole and the way in which it integrates with the wider catchment. This analysis has also informed the extent of the PCA and how future development within it will integrate with immediately adjoining properties via future road and pedestrian connections, the coastal environment, and wider amenities including those accessible via the Clarks Lane Footbridge. Key features and connections are identified on the Neighbourhood Plan as illustrated at Figure 7, together with what is considered to reflect appropriate underlying zoning, open space and infrastructure upgrades.

Figure 7 – Neighbourhood Plan (Source: Boffa Miskell)



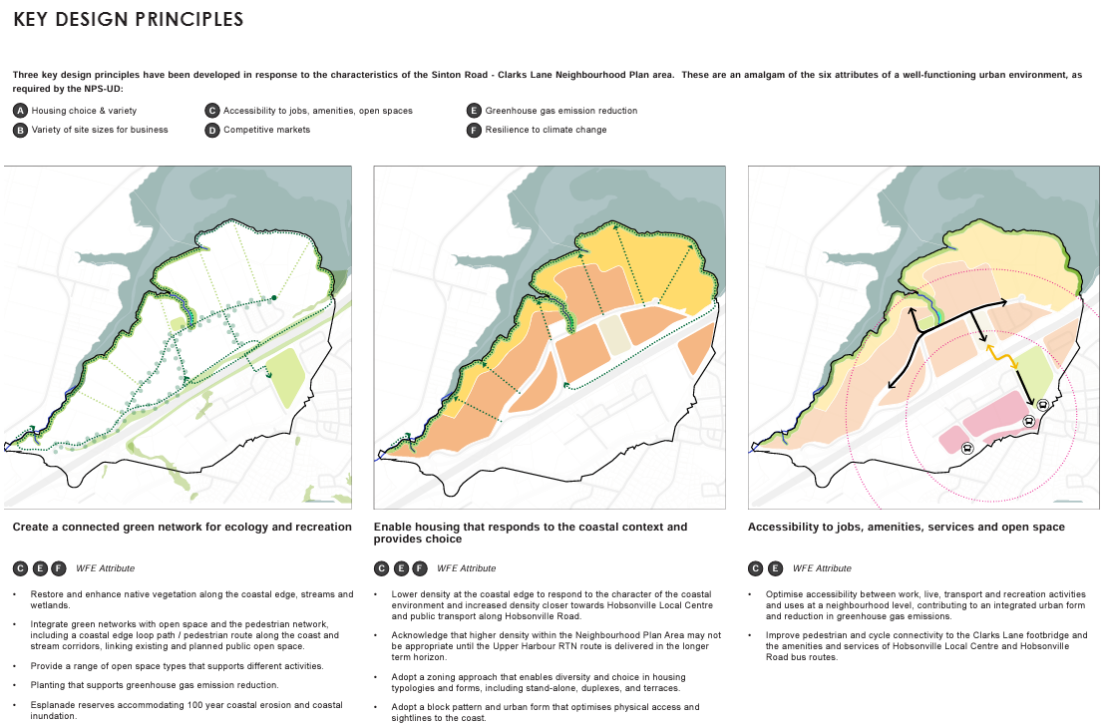
The Urban Design Assessment (**UDA**) prepared by Boffa Miskell (**Appendix 9**) describes the key elements of the Neighbourhood Plan map as follows:[3]

- *the MHU Zone is applied to the majority of the operative FUZ land (being that area north of SH18), including the existing Ockleston Landing subdivision;*
- *the Single House Zone is applied to the grouping of Clarks Lane workers cottages, acknowledging development of these properties is constrained by their Historic Heritage Extent of Place overlays;*
- *the MHS Zone is applied in a band along the coastal edge, generally in place of that area shown to be 'low density' in the WSP, expanding in depth to take in the full extent of existing rural lifestyle properties at the eastern end of the study area;*
- *the Open Space – Informal Recreation Zone is applied to Auckland Council's planned Neighbourhood Park at 17a Clarks Lane;*
- *upgrades to urban road status, with anticipated kerbs, footpaths and street trees, are shown along parts of Sinton Road and Clarks Lane;*
- *an indicative esplanade reserve is shown along the length of the coast (where there is not already live Open Space zoning) and along both sides of the permanent stream that runs down the boundary of 15 Clarks Lane and 17 Clarks Lane;*

[3] Urban Design Assessment; Boffa Miskell; Dated August 2024; Page 25.

- *an indicative walking and cycling route is shown along the length of the coast, connecting back to Sinton Road and Clarks Lane at regular intervals;*
- *regular indicative visual connections between Sinton Road / Clarks Lane and the coast are shown; and*
- *possible locations for pump wastewater stations and stormwater outfalls are shown.*

The Neighbourhood Plan indeed confirms the plan change will contribute to a well-functioning urban environment. Page 35 of the Neighbourhood Plan demonstrates how the plan change location and future development is consistent with the attributes of a well-functioning urban environment, as defined by the NPS-UD.



The Neighbourhood Plan also confirms there are infrastructure solutions to service urbanisation of the land within the PCA. These infrastructure solutions are otherwise necessary upgrades based on existing conditions, or are localised upgrades which can be funded and delivered by the applicant without requiring funding from Auckland Council.

5 Details of the Proposed Plan Change

5.1 Purpose and Overview

Clause 22(1) of the RMA requires that a Plan Change request explains the purpose of, and reasons for the proposed plan change.

The AUP explains that the FUZ is *"applied to greenfield land that has been identified as suitable for urbanisation. The Future Urban Zone is a transitional zone. Land may be used for a range of general rural activities but cannot be used for urban activities until the site is rezoned for urban purposes."* The WSP has previously determined that low-medium density residential development is suitable within the PCA. As such, the proposal seeks to deliver on these principles.

The purpose of this PPC is to facilitate the provision for additional housing and open spaces in Whenuapai, specifically within the PCA, in accordance with the WSP and the more localised Neighbourhood Plan attached at **Appendix 4**. Specifically, this is to be enabled through the introduction of:

- A mix of residential and open space zones;
- A new precinct to provide site-specific provisions to achieve integrated development; and
- The Stormwater Management Area – Flow 1 control.

The proposed precinct, zoning and control maps are illustrated at Figures 8 – 10 below and attached at **Appendix 2**, and discussed in further detail as follows.

No changes are proposed to the Coastal – General Marine zone, nor to the controls, overlays or designations as currently mapped in the AUP.

No physical works are proposed as part of this application, albeit the accompanying expert reports and drawings have considered in detail the potential development and site layout, taking into account the potential effects arising from future site works associated with delivering the Precinct Plan outcomes.

5.2 Rezoning

The Plan Change seeks to re-zone the site a combination of Residential and Open Space zones as illustrated at Figure 8 and in **Appendix 2** in line with the WSP. Specifically, the PPC will deliver:[4]

- 3.8ha of Residential – Mixed Housing Suburban zoned land along the coastal edge (excluding future esplanade reserve land);
- 9.6ha of Residential - Mixed Housing Urban zoned land (excluding future esplanade reserve land); and
- 0.4ha Open Space – Informal Recreation zone at 17A Clarks Lane.

More specifically, the MHS zone is proposed to run parallel to the coastal edge for a depth of around 70m. This anticipates a 20m esplanade reserve being vested at the time of subdivision, which will subsequently be rezoned to Open Space via Council's usual process. The zoning pattern then anticipates and provides for a row of two-storey residential dwellings within the MHS zone on the landward side of the esplanade, providing a lower intensity interface as development transitions or 'steps down to' the esplanade and coastal character of the Inlet, and acknowledging the context of the existing low density residential environment to the north, along Kauri and Rata Roads.[5] The MHS zone enables intensification while retaining a suburban built character and provides for two storey detached and attached housing typologies in a variety of types and sizes to provide housing choice.[6] It is expected that a local road will comprise the balance of the MHS zone, at the interface with the MHU zone to the beyond, to the south east (as per the indicative road connections shown on the Precinct Plan).

The MHU zone is proposed across the balance of the PCA, consistent with the WSP. This is intended to provide a mix of housing choice and a variety of sizes and forms, including detached dwellings, terrace housing and low-rise apartment typologies up to three storeys in height, increasing housing capacity in a location that is walkable to a local centre and public transport.[7]

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[4] Urban Design Assessment; Boffa Miskell; Dated November 2024; Pages 43-44.

[5] A lower intensity residential zone is required in this location (i.e. the Single House zone) as the CHA confirms the 100-year forecast for coastal erosion will be wholly located within the 20m esplanade reserve, and that a shared pedestrian/cycleway can be constructed outside of the forecasted erosion area, but within the 20m esplanade (futureproofing pedestrian and cycle access along the coastal edge therefore).

[6] H4.1. MHS Zone description.

[7] H5.1. MHU Zone description.

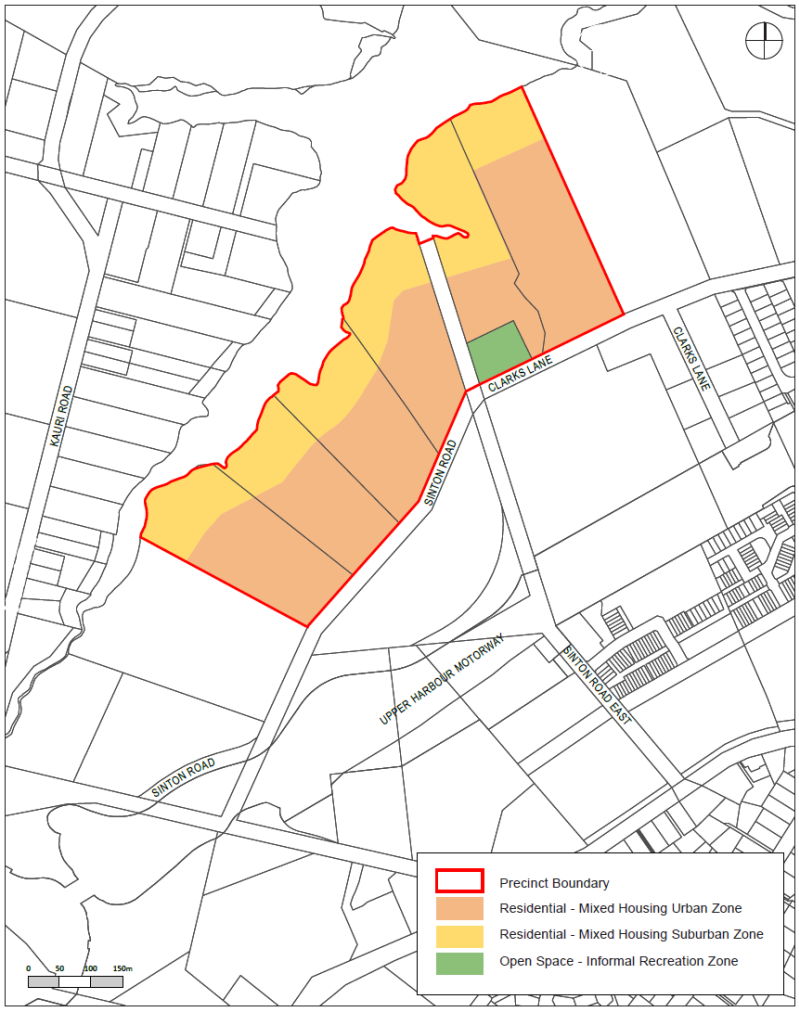
Resource consent is required for more than four dwellings to ensure development achieves the planned urban built character of the zone, attractive and safe streets and public open spaces, managing effects of development on adjoining neighbouring sites, and to achieve high quality on-site living environments. That said, as development is likely to occur in a manner that is integrated with subdivision, consent will be required for joint land use and subdivision accordingly, thus providing Council with appropriate discretion to assess the layout and design of development as it is rolled out across the PCA.

The 4,000m^2 Auckland Council-owned property at 17A Clarks Lane is proposed to be rezoned Open Space – Informal Recreation, providing immediate open space for residents within the PCA and within the wider peninsula, consistent with the WSP. This zone is intended to be applied to a range of informal recreation activities, such as walking, running, cycling, relaxing and socialising, picnics, playing and enjoying the environment, some of which are located adjacent to and provide access to the coast, harbours, lakes, rivers and streams providing access to and along these areas.[8] The open space at 17A Clarks Lane is in addition to the open space that will be provided within the coastal and riparian esplanade reserves, which are to be created and vested to Council at the time of subdivision. Cabra does not propose to deliver playground or amenity features on the reserve via the Precinct (owing to the bespoke design requirements of a Neighbourhood Park and the Development Contributions that will be paid proportionate to the dwellings constructed). Prior to the delivery of amenities within the Neighbourhood Park, residents within the Precinct will have access to the esplanade and stream reserves, the playground at Ockleston Landing, and the sports fields and playground at the Hobsonville War Memorial Park.

The Plan Change defaults to the provisions of the underlying zones as and where they apply, however a precinct is proposed to provide for the delivery of site-specific transport upgrades, open space provision and the management and treatment of stormwater, all relative to development, as discussed in further detail below.

[8] H7.5.1. Open Space – Informal Recreation Zone description.

Figure 8 – Proposed Zoning Map



5.3 Precinct

Cabra proposes to apply the 'Whenuapai East Precinct' across the full extent of the PCA to manage the effects of urban growth and development, and to ensure the delivery of a quality built and well-functioning urban environment. The precinct is required to create a package of site-specific provisions that together manage the specific site constraints and opportunities relative to the local context.

As required by s 77G(1) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**RMA-EHS**), the Council must not accept or adopt a private plan change request if it does not incorporate the Medium Density residential Standards (**MDRS**). As such, the proposed precinct is drafted so as to incorporate MDRS, except where qualifying

matters apply in accordance with s 77I. Indeed, it is considered in this instance, that it is necessary to apply a qualifying matter along the interface with the coastal environment in order for the proposal to give effect to the NZCPS. This is discussed in further detail at Section 6.1.2 of this report below.

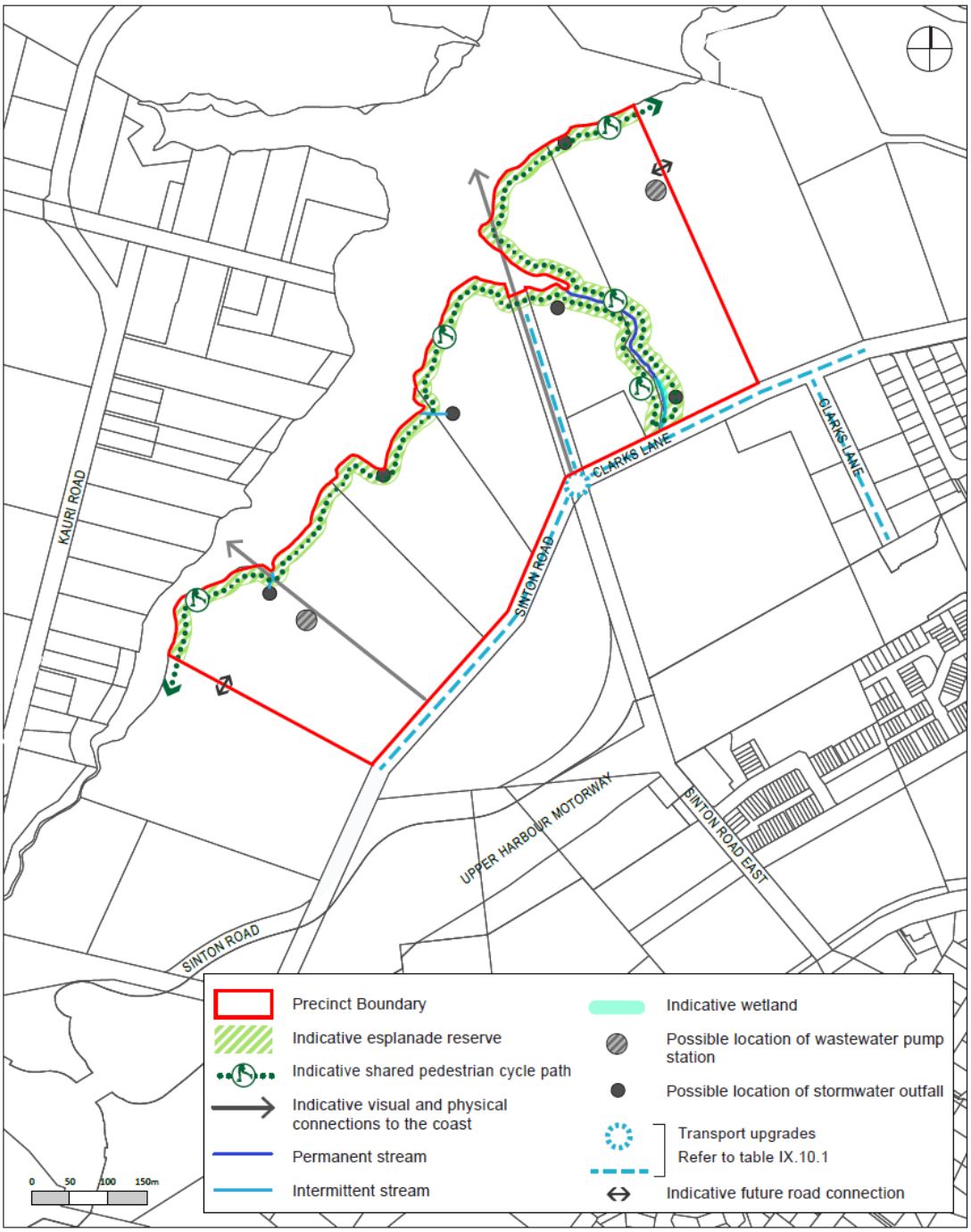
The Whenuapai East Precinct contains a package of policies, rules, standards, matters of discretion and related assessment criteria that together deliver the objectives of the Precinct. A copy of the proposed provisions is attached at Appendix 2, and are summarised as follows:

- Permitted activity standard for the construction of up to two dwellings per site in the MHS zone, overriding the underlying zone which permits the development of up to three dwellings per site. Three or more dwellings in the MHS zone require restricted discretionary activity consent to deliver an appropriate interface with the coastal environment;
- Non-complying activity status for residential subdivision or occupation of a dwelling prior to the delivery of specified transport upgrades, and a standard stipulating the specifications for those transport upgrades respectively;
- Non-complying activity status for residential subdivision or the construction of a dwelling prior to the delivery of wastewater and water supply upgrades;
- Discretionary activity status to develop or subdivide in a manner that is inconsistent with the Precinct Plan or Stormwater management standards.
- A coastal planting rule requiring a 10m native vegetation buffer to enhance the quality of biodiversity and ecological values of the coastal environment, and either side of a permanent or intermittent stream to mitigate the effects of urbanisation on water;
- Standards requiring safe and connected public access to and along coastal and riparian esplanade reserves;
- Provisions to manage potential adverse amenity effects of fencing where it is located adjacent to open spaces;
- Standards relating to the management of stormwater in accordance with the Stormwater Management Plan, including treatment and discharge;
- Provisions to avoid adverse reverse sensitivity effects on the continued safe operation of the Whenuapai Airbase including in respect of on-site amenity for residents, lighting, temporary activities and construction, and noise (in form of the requirement to impose a no-complaints covenant on residential lots);
- Special information requirements to provide a riparian planting plan at the time of esplanade subdivision (including the requirement to demonstrate consultation with Te

Kawerau ā Maki and other iwi with an interest in the area), and to demonstrate compliance with the Stormwater Management Plan.

These are illustrated in Precinct Plan 1 shown at Figure 9 and in **Appendix 2**.

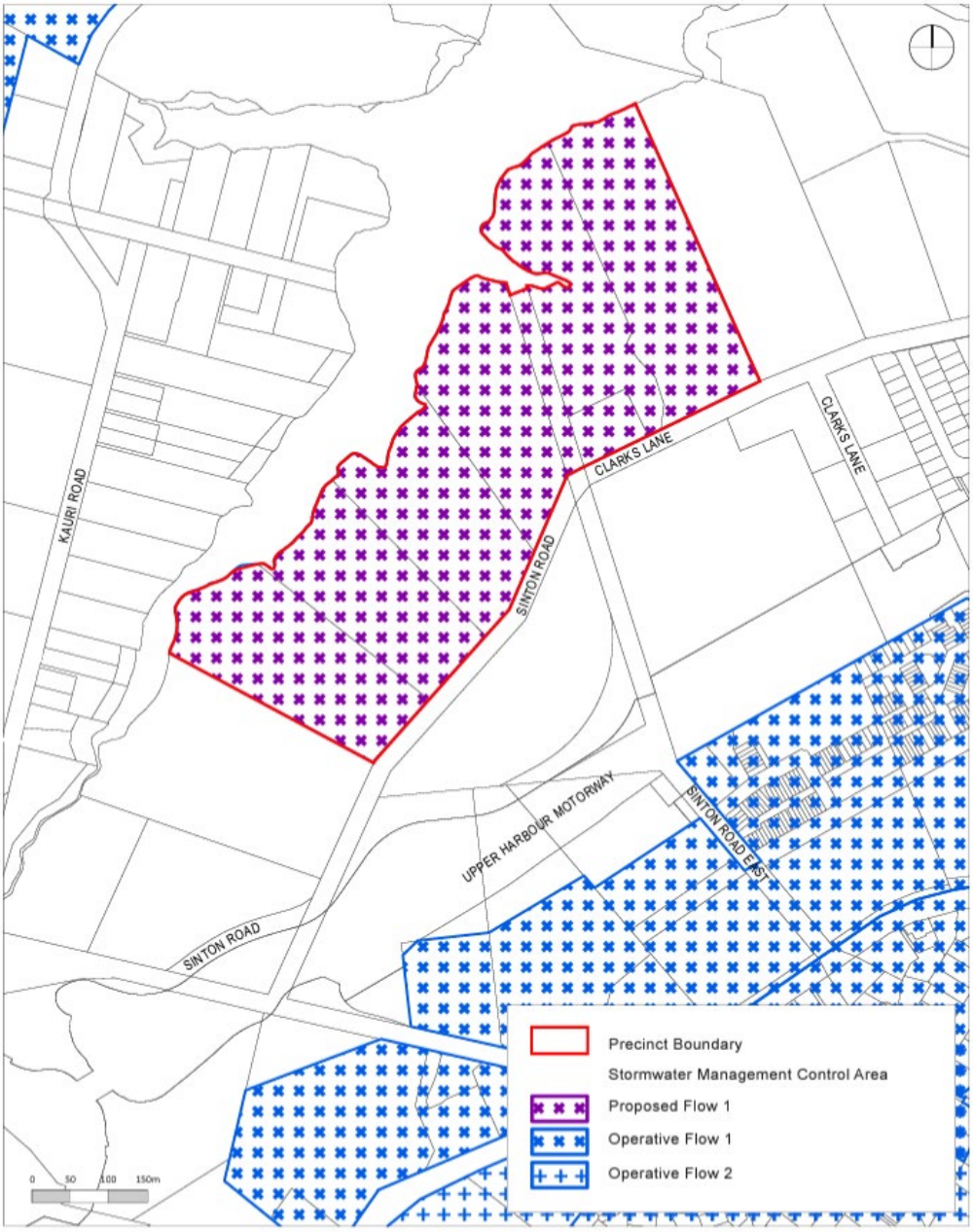
Figure 9 – Proposed Precinct Plan 1



5.4 Stormwater Management

It is proposed to apply the SMAF-1 control to the full extent of the PCA, as shown in Figure 10. Stormwater from three catchments will be discharged to a permanent and two intermittent streams which are located across the length of the PCA. Stormwater from all other catchments will discharge to the coast (without need for hydrology mitigation), via a series of stabilised outfalls to be consented at resource consent stage pursuant to Chapter E36 of the AUP.

Figure 10 – Proposed SMAF-1 Control Map (purple hatching showing new control)



6 Statutory Considerations

6.1 Resource Management Act

Schedule 1 Part 2 (Clause 21) of the Act sets out that any person may request a change to a district plan. Clause 22 sets out that the request shall be made in writing and shall explain the purpose of, and reasons for, the Plan Change, and shall contain an evaluation report prepared in accordance with s 32 of the Act. The requirements of s 32 are listed and addressed in Section 9 of this report.

Clause 22(2) of the Act requires that where environmental effects are anticipated, the request shall describe those effects, in such detail as corresponds with the scale and significance of the actual or potential effects anticipated from the implementation of the Plan Change. The actual or potential effects of the Plan Change are assessed in Section 7 of this report.

Clause 25 of the Act provides Council with discretion to accept or reject a Plan Change, subject to the matters set out in Clause 25(4)(a)-(e). Council is able to reject the Plan Change request on the following grounds only:

a) The Plan Change request is frivolous or vexatious (clause 25(4)(a));
b) The Plan Change request is not in accordance with sound resource management practice (Clause 25(4)(c));
c) The Plan Change request would make the plan inconsistent with Part 5 – Standards, Policy Statements and Plans (Clause 25(4)(d)).

It is noted that the substance of the request has not been considered within the last two years and the AUP has been operative for longer than two years, and therefore Clauses 25(4)(b) and (e) do not apply.

There is not considered to be any reason to reject the Plan Change application, having regard to the following:

- In relation to Clause 25(4)(a), considerable technical analysis has been undertaken to inform the Plan Change, which is detailed in the report below. For this reason, the proposal cannot be described as frivolous or vexatious.
- The Plan Change request is considered to be in accordance with sound resource management practice as the proposed zoning has regard to and gives effect to the WSP

which was developed through extensive public consultation and technical input as required by AUP Appendix 1 Structure Plan Guidelines and more recent statutory and non-statutory documents as evidenced by the Neighbourhood Plan at **Appendix 4**. The underlying zoning pattern and site-specific precinct provisions will deliver a quality compact urban form that meets the definition of a well-functioning urban environment as per the National Policy Statement for Urban Development (**NPS-UD**). The PPC incorporates reasonable alternatives to enable development ahead of the planned release of land as stipulated in the Future Development Strategy (**FDS**), as the NPS-UD enables out-of-sequence development where it delivers a well-functioning urban environment. The Precinct enables MDRS, in a format that enables those provisions to be removed efficiently, should MDRS be removed from the AUP via changes to the RMA in late-2024.[9] Further, the PPC is consistent with the relevant objectives and policies of the Auckland Regional Policy Statement (**ARPS**) and AUP. Actual and potential adverse effects of urbanisation can be appropriately managed through the Plan Change. Finally, and for these reasons, the PPC is considered to be consistent with Part 2 of the RMA, and therefore in accordance with sound resource management practice consistent with Clause 25(4)(c).

- The request will not make the AUP inconsistent with Part 5 – Standards, Policy Statements and Plans in accordance with Clause 25(4)(d) as the assessment of the relevant ARPS and AUP objectives and policies at **Appendix 3** confirms the proposal is consistent with, and will give effect to, the relevant standards, policy statements and plans.

The proposal does not give rise to any reason for Council to reject the Plan Change, and it should be accepted to be processed via the Schedule 1 process.

6.1.1 Purpose and Principles of the RMA

The purpose of the RMA, set out in s 5, is to promote the sustainable management of natural and physical resources. This is defined as:

> *"managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*

[9] The proposed format (Appendix 1) has recently been accepted by Council at Plan Change 104 (Private) Remuera Precinct.

(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment."

The broader principles of the Act are set out in s 6 to 8 of the RMA.

Section 6 governs matters of national importance. Of relevance to this application, all persons are required to recognise and provide for the following:

(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development:

(c) The protection of significant indigenous vegetation and significant habitats or indigenous fauna:

(d) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers:

(e) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga:

(f) The protection of historic heritage from inappropriate subdivision, use and development:

(h) The management of significant risks from natural hazards.

Section 7 identifies the following other matters and requires Council to have particular regard to the following:

(a) Kaitiakitanga:
(aa) The ethic of stewardship:

(b) The efficient use and development of natural and physical resources:

(bb) The efficiency of the end use of energy:

(c) The maintenance and enhancement of amenity values:

(d) Intrinsic values of ecosystems:

(f) Maintenance and enhancement of the quality of the environment:

(i) The effects of climate change

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

It is my assessment that the Plan Change will promote the sustainable management of natural and physical resources and demonstrate consistency with ss 6-8 of the RMA by:

- Enabling the Applicant to develop the site in a manner that will contribute to the social, and economic wellbeing of those future residents of the site and in its surrounds.
- Enabling the Applicant to develop the site in a way that will assist in providing for the reasonably foreseeable needs of future generations.
- Providing for the more efficient use and development of the valuable natural and physical resource represented by the land.
- Enhancing the amenity of the area and the quality of the developing urban environment by proposing a high-quality public realm for residents and visitors to the site and to the coastal environment, recognising unique natural and cultural heritage features.
- Mitigating potential flood risk on the site and upstream and downstream of future development, and potential coastal erosion and inundation effects on future development.
- Providing riparian planting to enhance the natural character of the coastal environment, wetland and stream, and their margins, and mitigating the effects of development on the Significant Ecological Area located at 16 Sinton Road.
- Protection of historic heritage along Clarks Lane in respect of delivering road upgrades.
- Engaging with iwi in respect of future development – including stewardship of open spaces, potential street and open space naming rights and developing landscape strategies.
- Appropriately managing potential adverse effects.

6.1.2 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

As discussed above, the RMA-EHS came into law in December 2021. It is designed to increase housing supply in main urban areas by speeding up the implementation of the NPS-UD (discussed further below) by introducing the Intensification Streamlined Planning Process, and by enabling more medium-density homes through the MDRS.

MDRS allow for building up to three homes of up to three storeys per site in relevant zones, without requiring resource consent (except for other matters, such as earthworks). The following provides a summary of the MDRS:[10]

Density standard		
Number of residential units per site	Maximum	3
Building height	Maximum	11 m + 1 m for pitched roof
Height in relation to boundary	Maximum	4 m + 60° recession plane
Setbacks	Minimum	Front yard: 1.5 m Side yard: 1 m Rear yard: 1 m (excluding on corner sites)
Building coverage	Maximum	50% of the net site area
Outdoor living space (one per unit)	Minimum	Ground floor: 20 m^2, 3 m dimension Above ground floor: 8 m^2, 1.8 m dimension
Outlook space (per unit)	Minimum	Principal living room: 4 m depth, 4 m width All other habitable rooms: 1 m depth, 1 m width
Windows to street	Minimum	20% glazing of the street-facing facade
Landscaped area	Minimum	20% of the developed site with grass or plants

Generally speaking, the RMA-EHS has immediate legal effect in relevant zones which enable MDRS from the notification date of the intensification planning instrument (in Auckland, this is Plan Change 78). There are some exceptions to this however, including in areas where a

[10] https://environment.govt.nz/assets/publications/Files/Understanding-the-RMA-EHS-General-overview-July-2022.pdf

qualifying matter has been identified. Council can modify the MDRS if a qualifying matter applies to an area that would make higher density inappropriate.

A relevant residential zone includes:

- Low density residential zone
- General residential zone
- Medium density residential zone
- High density residential zone.

A relevant residential zone does not include non-residential zones, large lot residential zones, settlement zones, offshore islands, or a mainly urban area that the 2018 census recorded as having a resident population of less than 5,000 (unless a local authority intends it to become part of an urban environment).

In this case, the 2018 census states that Whenuapai had a population of 3,888 people, however it is considered that the Council intends the area to become part of an urban environment because the site and surrounding Whenuapai area is zoned Future Urban under the AUP. Therefore, it is considered that MDRS applies in respect of the proposal to rezone the PCA for residential use and development.

Having established that the MDRS will apply to the PCA following rezoning[11], it is relevant therefore to determine whether any qualifying matters apply that that would make relatively higher density inappropriate. In this regard, the RMA-EHS states at s 77I (emphasis added):

77I Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones

A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:

[11] As the private plan change request triggers s 77G(1) RMA requirements.

a) *a matter of national importance that decision makers are required to recognise and provide for under section 6:*
b) *a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:*
c) *a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River:*
d) *a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:*
e) *a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:*
f) *open space provided for public use, but only in relation to land that is open space:*
g) *the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:*
h) *a matter necessary to implement, or to ensure consistency with, iwi participation legislation:*
i) *the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:*
j) *any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.*

Subsections c)-e) and g)-i) do not apply to this particular PCA, however ss a), b), f) and j) do apply. These are addressed in turn.

a) a matter of national importance that decision makers are required to recognise and provide for under section 6:

Section 6 of the RMA is listed in full above, however the following analysis is undertaken for the purpose of identifying whether any qualifying matters apply to the PCA in respect of ss77I(a) of the RMA-EHS:

(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development:	The north western edge of the PCA adjoins the coastal environment, and a stream and wetland is located within the eastern extent of the PCA. These natural features are required to be preserved and protected from inappropriate subdivision, use and development.

(c) The protection of significant indigenous vegetation and significant habitats or indigenous fauna:	The SEA overlay applies to a portion of existing vegetation within the properties at 14 and 16 Sinton Road. The extent of land that is subject to the SEA overlay is to be protected.
(d) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers:	The PCA adjoins the coastal marine area, one permanent stream and two ephemeral (intermittently flowing) streams – public access to these features is to be maintained and enhanced.
(e) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga:	The Archaeological Assessment (**Appendix 8**) identifies three midden sites along the coastal edge which are to be recognised and provided for.
(h) The management of significant risks from natural hazards.	The CHA (**Appendix 7**) identifies the presence of coastal erosion along the north western edge of the PCA, albeit for a depth of 14-18m when measured from the MHWS. Further, the SMP (**Appendix 11**) identifies minor stream bank erosion on the eastern side of the river in the eastern part of the PCA, which is also subject to flooding in a 1% AEP event. Significant risks from these natural hazards are to be managed.

The above analysis identifies that the adjoining coastal environment, coastal erosion, stream instability, significant ecological areas, streams, wetlands and flood hazards are qualifying matters that apply 'only to the extent necessary' within the PCA. These areas are shown graphically as the MHS zone (which will contain the coastal esplanade reserve), the extent to which the 20m riparian esplanade reserve will apply along each side of the stream, and noting the proposed Open Space zoned site at 17A Clarks Lane is also excluded from MDRS.

b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:

The purpose of the New Zealand Coastal Policy Statement (**NZCPS**) is to set out policies in order to achieve the purpose of the RMA in relation to the coastal environment, which has characteristics, qualities and uses that mean there are particular challenges in promoting sustainable management.

The Landscape and Visual Effects Assessment (**LVA**) at **Appendix 15** sets out a comprehensive description of the coastal environment as it adjoins the PCA and an assessment of the PPC relative to that environment. Having regard to this analysis, the comprehensive assessment of the objectives and policies of the NZCPS at **Appendix 3B** confirms that the MDRS, if applied at the interface with the coastal environment of the Waiarohia Inlet, would enable inappropriate development which would not give effect to the NZCPS. In particular, I make particular reference to the anticipated outcomes of Objectives 2 and 6, and Policies 1, 6 and 13 at **Appendix 3B**.

Having established that the NZCPS is indeed an applicable qualifying matter, it is necessary to determine the extent to which it is necessary to apply standards that are less enabling than the MDRS. Section 5.7 of the LVA considers this in further detail, concluding that even when regard is had to the requirement for a 20m esplanade along the CMA, it is appropriate that the 'front row' of development along the coastal edge (adjoining the esplanade reserve) is lower in scale and intensity than otherwise enabled by the MDRS. Conversely, enabling three storey terraced development in rows of three dwellings per site is considered by expert landscape and urban design specialists to represent inappropriate development in the coastal environment setting, which would not give effect to the NZCPS. The LVA states:[12]

"I consider that that the more sensitive coastal environment 'triggers' a qualifying matter ('QM') in the form of the MHS zone towards the coastal edge. In my opinion applying Medium Density Residential Standards ('MDRS') (three storey development in the form of three dwellings/terraces) up to the coastal edge would result in in an inappropriate form of built development and would not give effect to the NZCPS. In this regard, the QM is proposed to apply and the MHS zone proposed at the coastal interface to deliver an appropriate outcome from a landscape character, natural character and visual amenity perspective."

[12] Assessment of Landscape and Visual Effects; LA4; Dated Oct 2024; Page 8.

Similarly, the UDA supports such an outcome:

"In our view, the appropriate urban form and urban design response along the coastal edge of the Site is a stepping down in height, bulk and intensity as a response to the Site's coastal character. That response is achieved by the PPC proposal of:

- *a change to MHS zoning (anticipated two storey buildings) along the coast, with the exclusion of the MDRS (limiting the exclusion to only that part of the Site that is appropriate) through the application of a qualifying matter to give effect to the NZCPS (as per s77I(b) of the RMA); and*
- *the introduction into the Precinct of other bespoke provisions, discussed elsewhere in this assessment, including a maximum permitted two dwellings per site, and an increased minimum side and rear yard depth."*

Both the UDA and LVA consider that beyond the first row of dwellings, the separation distance and intervening vegetation and development would deem MDRS appropriate across the balance of the residential zoning within the PCA (i.e. within the proposed MHU zone).

It is considered therefore that the NZCPS qualifying matter need only apply to the 'front row' of development as it interfaces with the future esplanade reserve and coastal environment. This is shown graphically as applying to the MHS zone.

f) open space provided for public use, but only in relation to land that is open space:

The land within 20m of the MHWS and on either side of the stream in the eastern part of the PCA are required to be vested to Council upon subdivision for open space purposes that will be provided for public use. These areas are squarely subject to a qualifying matter and once rezoned, will not be within a 'relevant residential zone' under the RMA-EHS.

It is proposed to rezone the property at 17A Clarks Lane as Open Space – Informal Recreation. This is not a 'relevant residential zone' under the RMA-EHS and therefore is not subject to MDRS.

j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.

For completeness, the spatial extent to which the above qualifying matters are proposed to apply is also assessed against the matters set out in s 77L within the proceeding s 32 analysis, which confirms that the area shown as Area A on the Whenuapai East Precinct Plan reflects 'only the extent necessary' to give effect to the qualifying matters respectively.

In conclusion, it is considered that qualifying matters apply within the PCA and the extent to which it is appropriate and necessary therefore to make the MDRS less enabling within the spatial extent of land to be zoned MHS, and within 20m of the stream, as required by the RMA.

6.2 National Policy Statements

6.2.1 New Zealand Coastal Policy Statement 2010

This NZCPS is addressed above and comprehensively assessed at **Appendix 3A**, which confirms the NZCPS is a qualifying matter under the RMA-EHS and that the respective provisions within the PPC will give effect to the Policy Statement by delivering appropriate use, development and subdivision outcomes in relation to the coastal environment of the Waiarohia Inlet.

6.2.2 National Policy Statement on Urban Development

The NPS-UD came into effect on 20 August 2020 and directs local authorities to provide sufficient development capacity in their resource management plans to meet demands in housing and business growth.[13] The NPS-UD acknowledges that sufficient development capacity is critical to ensuring urban land can be developed efficiently to meet community needs. Further, the NPS-UD acknowledges the importance of commercial feasibility and commercial viability when taking account of whether certain developments can occur in certain locations.

The NPS-UD requires councils to plan well for growth and to do so in a way that:

- Ensures the principles of the Treaty of Waitangi are taken into account;
- Ensures that plans make room for growth both up and out, and that rules are not unnecessarily constraining growth;
- Develops, monitors and maintains local evidential bases for demand, supply and prices of land (for housing and to inform planning decisions);
- Aligns and coordinates with planning across urban areas.

Auckland is a Tier 1 urban environment. Therefore, the PPC is required to give effect to the NPS-UD, as is demonstrated within the following assessment of the relevant objectives and policies.

[13] As amended in 2021 by the RMA-EHS and again in 2022.

NPS-UD provision	Response
Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, now and into the future.	As confirmed at Policy 1 below, the PPC will enable the implementation of a well-functioning urban environment, positively contributing to the social, economic and cultural wellbeing of future residents as well as existing residents on the peninsula. The precinct provisions as drafted will provide for the community's health and safety now and into the future for the reasons set out below and at Section 9 of this report.
Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.	The PPC represents one such planning decision that can improve housing affordability in the area of Whenuapai, and indeed Auckland-wide, by unlocking residential land supply and enabling residential intensity, thus supporting competitive land and development markets. The Economic Assessment at **Appendix 14** states at page 37: *"Provision of additional residential land supply in the PPC area is likely to have some positive effect on housing affordability and ability to purchase a new dwelling. While the scale of this effect is likely to be very small, by virtue of the small number of additional dwellings enabled in the PPC area relative to the large size of the existing residential market, all additional supply in the catchment will contribute to an overall increase in dwelling availability, and will help to slow the rate at which future residential land and dwelling prices increase."*
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	The PPC will facilitate changes to the AUP which will in turn enable more people to live in the Whenuapai area, and more specifically, with frequent public transport routes providing access to nearby employment opportunities in the retail, commercial and light industrial areas of Westgate and Hobsonville. The Economic Assessment confirms there is a high demand for housing in the area (when compared to other areas to the north west) due to the location of the PCA on the edge of existing urban development and the access and proximity to existing community, social and recreational amenities.

NPS-UD provision	Response
c) there is high demand for housing or business land in the area, relative to other areas within the urban environment.	In the longer term, rapid transit stops will be delivered within the SH18 corridor, improving further the accessibility and proximity to services, amenities and employment opportunities.
Objective 4: New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.	This objective acknowledges that the character and amenity of urban environments will change over time as intensification occurs in order to meet the needs of people, communities and future generations. In respect of the subject site, indeed the change from a greenfield environment to an urban community will be significant, however Objective 4 anticipates such a change, acknowledging that amenity values in the area will depart from open expanses in order to establish a well-functioning urban environment whereby the proposed precinct responds to the diverse and changing needs of the people, community and future generations that will reside within the development enabled by the PPC.
Objective 5: Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).	The Applicant has undertaken extensive consultation with mana whenua to ensure the cultural values of the PCA are identified and understood, and appropriately managed through provisions in the PPC. This consultation process has been carried out over an 18-24 month period (commencing initially in respect of the Fast Track referral application process), and has sought to work in partnership with relevant iwi to ensure opportunity is provided participate through the consultation process to deliver the protection of mana whenua values and sites of historic importance to iwi.
Objective 6: Local authority decisions on urban development that affect urban environments are: a) integrated with infrastructure planning and funding decisions b) strategic over the medium and long terms	The precinct provisions require transport and infrastructure (wastewater and water supply) upgrades prior to subdivision (except for roading or infrastructure) or occupation of a dwelling within the PCA, demonstrating integrated delivery of urban development alongside the provision of infrastructure. The PPC reflects the delivery of a strategic outcome that is consistent with the WSP. whereby residential dwellings will be

NPS-UD provision	Response
c) responsive, particularly in relation to proposals that would supply significant development capacity.	delivered over the medium term, notwithstanding the potential effects of that development account for long-term effects of natural hazards and climate change. Compared to existing residential development and density in Whenuapai, the PPC will deliver a significant development capacity by contributing around 390 residential dwellings by unlocking live-zoned land supply, and for this reason, the local authority is required by the NPS-UD to act responsively to the PPC request in order to give effect to this higher order planning document.
Objective 8: New Zealand's urban environments: a) support reductions in greenhouse gas emissions; and b) are resilient to the current and future effects of climate change.	The PCA is located within walking and cycling distance of existing and proposed open spaces, public transport and local amenities (utilising the Clarks Lane Footbridge), reducing VKT, reliance on private vehicle travel and the emission of greenhouse gas emissions accordingly. Further, extensive planting is required along the coastal and stream edges, supporting the capture of emissions. The CHA and Infrastructure Report describe the 100 year forecast in respect of coastal and natural hazards including accounting for climate change, demonstrating that future development can be located outside of these areas.
Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: a) have or enable a variety of homes i. meet the needs, in terms of type, price, and location, of different households; and ii. enable Māori to express their cultural traditions and norms; and	The proposal can enable delivery of all the identified outcomes. The mix of zones provides housing choice, price and variety of typologies that suit different households, as supported by the Economic Assessment at **Appendix 14**. Ongoing consultation throughout the plan change preparation process will deliver outcomes that ensure development (at a masterplan level) will enable Māori to express their cultural traditions and norms, with reference to the CIA at **Appendix 17.**

NPS-UD provision	Response
b) have or enable a variety of sizes that are suitable for different business sectors in terms of location and site size; and 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; and d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and e) support reductions in greenhouse gas emissions; and f) are resilient to the likely current and future effects of climate change.	The PCA is located within a 10-20 minute walking distance (via the Clarks Lane Footbridge) to a range of retail, services and amenities within the Hobsonville Town Centre, open spaces (coastal and neighbourhood parks/sports fields), and public transport modes (including bus access every 15 minutes at peak times to Westgate, Hobsonville Point/Ferry and the new WX1 express bus route to the city centre), also supporting the reduction of greenhouse gas emissions accordingly. The Economic Assessment at **Appendix 14** advises the plan change will deliver live-zone land supply and in turn, support the supply of smaller residential sites than otherwise widely available in Whenuapai. The CHA at **Appendix 7** confirms areas subject to inundation and coastal erosion within the next 100 years are located within the future esplanade reserve, and the engineering report will confirm overland flow paths can be contained within road reserves, ensuring development is resilient to the likely current and future effects of climate change. The Infrastructure Report at **Appendix 10** confirms flooding is limited to the stream environment such that adequate setbacks will be required to be provided. The proposal will deliver a well-functioning urban environment in Whenuapai.
Policy 2: Tier 1, 2 and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and business land, over the short, medium and long terms.	Page 10 of the Economic Assessment specifically references Policy 2, which states: *"It is important that policy 2 requires that councils provide at least sufficient capacity for expected growth, and so requires that there must be a minimum, but not a maximum, amount of capacity that should be enabled. Providing for capacity in excess of that minimum is acceptable, although other adverse effects must still be taken into account. At a high level then, the thrust of the NPS-UD is around promoting development*

NPS-UD provision	Response
	capacity, subject to requirements that the capacity provided contributes to well-functioning urban environments." It goes on to assess the NPS-UD in further detail at Section 4.4 of that report, which states *"Taking the competitiveness margin into account, projected dwelling growth in the catchment is 13,920 in the short term (4,640 per year on average), 42,960 in the medium term (4,300 per year), and 90,510 in the long term (3,020 per year)."* The PPC therefore gives effect to Policy 2 as it will deliver residential land supply to contribute to the forecasted demand over the short-medium term (1-10 years), subject to when each developer progresses respectively. The Economic Assessment considers FUZ land will play a significant role in accommodating future growth within the catchment given the large extent of such zoning within it. Rezoning to enable residential activity therefore gives effect to Policy 2.
Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable: a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and c) building heights of at least 6 storeys within at least a walkable catchment of the following: i. existing and planned rapid transit stops;	The PCA is not located within an area that is required to deliver additional height and intensity under Policy 3 for the following reasons: ▪ Policies 3(a) and 3(b): The PCA is not within the city centre or metropolitan centre zones. ▪ Policy 3(c): Building height of at least 6 storeys within at least a walkable catchment of the following: o The PCA is not located within a walkable catchment of any existing rapid transit stops. o The PCA is not located within a walkable catchment of any planned rapid transit stops, noting the location of stops along the future SH18 RTN have not been confirmed and an intensification plan change will be required around those stops at a future date. A minimum height of 6 storeys has not been applied within the Neighbourhood Plan nor PCA therefore.

NPS-UD provision	Response
ii. the edge of city centre zones; iii. the edge of metropolitan centre zones; and d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.	▪ Policy 3(d): o While the PCA is located within a 10-15 minute walking distance of the Hobsonville Town Centre (zoned Local Centre), in PC78 Council has only applied the THAB zone (5 storeys) within 200m of specified larger local centres, of which the Hobsonville centre is not one such listed. On this basis, the THAB zone has not been applied within the Neighbourhood Plan, nor PCA. There is no requirement to enable development of at least 6 storeys within Precinct.
Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters: a) the planned urban built form anticipated by those RMA planning documents that have given effect to this NPS b) that the planned urban built form in those RMA planning documents may involve significant changes to an area…. c) the benefits of urban development that are consistent with well-functioning urban environments d) any relevant contribution that will be made to meeting the requirements of this NPS to provide or realise development capacity e) the likely current and future effects of climate change	The Plan Change is consistent with the planned built form in Whenuapai insofar as the WSP identifies the land to be used for future residential development and the provision of open space. This aligns with the Council's FDS, noting however the PPC comes ahead of some infrastructure it lists as being required to service urbanisation of the peninsula. These matters are addressed above. While the residential use of the land at the proposed density will involve significant change, the change is in line with the WSP and the precinct (and AUP zone, control and Auckland-wide provisions) will appropriately manage the transition from semi-rural to residential use and the delivery of a well-functioning urban environment. The PCA will deliver around 390 residential dwellings and deliver wider transport and infrastructure upgrades within the peninsula which will benefit existing local residents and those enabled via future plan changes in the area. The CHA and Infrastructure Report identify and assess the likely current and future effects on climate change, particularly in this location, where it gives rise to more frequent or severe natural hazards such as coastal erosion and overland flow. These reports confirm that development can occur outside of this natural hazard areas, or in the case of flow paths, managed / integrated into the layout of the site.

NPS-UD provision	Response
	The PPC is consistent with Policy 6 accordingly.
Policy 7: Tier 1 and 2 local authorities set housing bottom lines for the short-medium term and the long term in their regional policy statements and district plans.	Refer to Policy 2 above – the plan change will contribute to Council meeting minimum housing targets (bottom lines) within the north west catchment.
Policy 8: Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well functioning urban environments, even if the development capacity is: a) unanticipated by RMA documents or b) out of sequence with planned land release.	The proposal represents the opportunity to contribute to the well-functioning urban environment of Whenuapai and the Hobsonville Town Centre via significant development capacity. The residential use of the land at the proposed density is wholly consistent with the WSP and is not therefore unanticipated by an RMA document. While the PPC is ahead of the 2035+ timeframe identified in the FDS, the proceeding assessment demonstrates / confirms that the PCA can be suitably serviced ahead of the delivery of the full suite of specified infrastructure. This has been confirmed via on-going iterative meetings with Watercare, Auckland Transport and NZTA. Indeed, Appendix 6 of the FDS states that 'infrastructure prerequisites do not constrain development' and nor do they prevent PPC requests. As such, the local authority shall, in making decisions affecting the proposed urban environment, act responsively to the proposed out of sequence release of land via the PPC process.
Sub-part 2 – Responsive planning 3.8 Unanticipated or out-of-sequence developments This clause applies to a plan change that provides significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release.	The proposal meets the three sub-clauses in this implementation policy. The ARPS has not yet been updated to reflect the NPSUD, so the regional-specific criteria are not yet available, however it has been demonstrated the PPC meets clause a) and b).

NPS-UD provision	Response
Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity: a) would contribute to a well-functioning urban environment b) is well connected along transport corridors c) meets the criteria under the clause below Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.	

In this regard, the proposal is considered to be consistent with the NPS-UD and in particular will deliver the benefits of a well-functioning urban environment of around 500-600 dwellings.

6.2.3 National Policy Statement on Indigenous Biodiversity 2023

The National Policy Statement on Indigenous Biodiversity (**NPS-IB**) provides objectives, policies and implementation requirements to manage natural and physical resources to maintain indigenous biodiversity in the terrestrial environment under the RMA. The EIA confirms in this regard, that the proposal will *"provide opportunities to increase indigenous vegetation cover through planting and enhancements of riparian areas, wetlands and the coastal margin"* and that the *"effects management hierarchy will be applied to manage residual ecological effects on the*

SEA and any areas that meet the definition of a Significant Natural Area (SNA) under Appendix 1 of the NPS-IB."[14]

It is considered therefore, that the plan change (and subsequent resource consent applications) is consistent with the NPS-IB therefore.

6.2.4 National Policy Statement on Freshwater 2020

The National Policy Statement on Freshwater (**NPS-FW**) came into force on 3 September 2020 (and was most recently amended in January 2024) and provides direction to local authorities on managing activities that affect the health of freshwater. Requirements of the NPS-FW include:

- Managing freshwater in a way that gives effect to Te Mana o te Wai through involving tangata whenua and working with the community to set long term visions in regional policy statements
- Improving degraded water bodies
- Avoiding any further loss or degradation of wetlands or streams, mapping existing wetlands and encouraging their restoration
- Monitoring and reporting annually on freshwater.

The NPS-FW is implemented by the National Environmental Standard, addressed below. This policy statement is relevant in respect of the works that may be required to water bodies within the PCA in seeking to transition from former rural use/greenfield to an urban use. The following provides an assessment of the objectives and policies of the NES-FW.

NPS-FW provision	Response
Objective 1: The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises: (a) first, the health and well-being of water bodies and freshwater ecosystems	The PPC is wholly consistent with the hierarchy of priorities set out in Objective 1 and will achieve all three stated outcomes. The Precinct Plan and associated provisions are specifically designed (from early masterplanning stages) to retain the existing freshwater ecosystems within the PCA, being the permanent stream and wetland located between 15 and 17 Clarks Lane,

[14] Ecological Impact Assessment; Viridis; Dated August 2024; Page 31.

NPS-FW provision	Response
(b) second, the health needs of people (such as drinking water) (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.	and two intermittent streams. The envisaged urbanisation of the PCA is intended to integrate with and occur around these natural features. Various precinct provisions require setbacks, native planting and stormwater treatment to ensure the health and well-being of the freshwater bodies and their ecosystems. The EIA states *"It is considered that the proposed plan change will allow for the maintenance and enhancement of the existing ecological values of the site and adjacent coastal environment…The recommended stormwater management will help to protect the site's wetlands, streams and adjacent coastal environment."*[15] Further, the Infrastructure Report and SMP (**Appendices 10 and 11**) identify that development can occur in an integrated manner with on-site stormwater management and erosion mitigation. Enhancing the quality of the freshwater and ecosystems (i.e. through treatment, native planting, and building setbacks) will in turn improve the health residents and the ability of future communities to provide for their social, economic, and cultural well-being, now and in the future.
Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.	Refer Objective 1 which sets out the way in which the precinct plan and provisions deliver the hierarchy of obligations in Te Mana o te Wai, therefore giving effect to the six principles of the concept. **Appendices 18 and 19** confirm iwi have been actively involved throughout the Applicant's preparation of the PPC, and indeed the CIA acknowledges the proposed mitigation in the form of stormwater treatment, erosion and sediment control measures, and native planting are aligned with Māori freshwater values.
Policy 2: Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.	

[15] Ecological Impact Assessment; Viridis; Dated August 2024; Page 34.

NPS-FW provision	Response
Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.	The SMP at **Appendix 11** considers the management of stormwater on a catchment-wide basis across the PCA, in respect of the diversion, treatment and discharge of stormwater to freshwater features (and the CMA), ensuring the management of stormwater is integrated with the design of the development.
Policy 4: Freshwater is managed as part of New Zealand's integrated response to climate change.	As set out above at Objective 1, the PPC is intended to integrate, manage and improve freshwater within the PCA, including the degraded intermittent streams and wetland (both categorised in the EIA as having low ecological value), and the permanent stream (of moderate ecological value). The EIA states at page 32 *"The PPC will also provide opportunities to improve the ecological values of these freshwater features through planting, enhancements and weed and pest control."*
Policy 5: Freshwater is managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.	
Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.	The PPC does not seek to or intend for the identified wetland to be reclaimed or reduced. Rather, the precinct provisions acknowledge the ecological values of the wetland, seeking to protect and restore these values.
Policy 7: The loss of river extent and values is avoided to the extent practicable.	There are no rivers within or adjacent the PCA.
Policy 8: The significant values of outstanding water bodies are protected.	There are no water bodies of 'outstanding' value within the PCA.
Policy 9: The habitats of indigenous freshwater species are protected.	Refer Policy 6 – precinct provisions require restoration of freshwater habitats and the SMP ensures stormwater will be treated prior to discharge, in doing so, protecting the habitat of indigenous freshwater species.
Policy 10: The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.	N/A – none present.

NPS-FW provision	Response
Policy 11: Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.	N/A – no freshwater take is required to give effect to the proposed PPC.
Policy 12: The national target (as set out in Appendix 3) for water quality improvement is achieved.	The EIA and SMP confirm the development of the PCA will provide opportunities for the integrated management of water discharge as subdivision and greenfield development occur in order to maintain and/or enhance water quality, flows, intermittent/permanent streams and associated riparian margins, thus positively contributing to meeting national targets for water quality improvement. The need for monitoring of these outcomes can be determined at resource consent stage.
Policy 13: The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.	
Policy 14: Information (including monitoring data) about the state of water bodies and freshwater ecosystems, and the challenges to their health and well-being, is regularly reported on and published.	
Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.	Refer Objective 1.

The PPC is therefore considered to be is consistent with, and will give effect to, the NPS-FW.

6.2.5 National Policy Statement on Highly Productive Land 2022

The National Policy Statement on Highly Productive Land 2022 (**NPS-HPL**) is intended to manage the urbanisation of productive land but excludes land that, at the commencement date, was identified for future urban development as it must not be mapped as highly productive land. In this case, the site was zoned Future Urban on 17 October 2022, being the commencement date of the NPS-HPL.

6.3 National Environmental Standards

6.3.1 National Environmental Standard for Assessment and Management Contaminants in Soil to Protect Human Health

The purpose of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (**NES – Contamination**) is to provide a nationally consistent approach to the assessment and management of contaminants in soil for the protection of human health. The NES does not include a policy framework to guide the assessment of applications, however, it does identify the matters that will be taken into account when consent is required under the NES.

In this case, the accompanying DSI (**Appendix 6**) provided in respect of the Cabra-owned properties concludes that the NES – Contamination does apply (with supporting Remedial Action Plans setting out proposed remedial mitigation), and further, that a Detailed Site Investigation and soil sampling is required in respect of non-Cabra owned properties at resource consent stage to ascertain the concentrations of contaminants on those sites. The Applicant accepts that future consenting will be required but at this stage, no further assessment under the NES – Contamination is required, and that DSI confirms the proposed future development is not precluded by any unmitigated contamination hazards.

6.3.2 National Environmental Standard for Freshwater

The NES-FW regulates activities that pose risks to the health of freshwater and freshwater ecosystems. It came into force on 3 September 2020 (updated in 2023) and sets requirements for carrying out certain activities, including compliance with standards to:

- Protect existing natural inland wetlands
- Protect urban and rural streams from in-filling
- Ensure connectivity of fish habitat
- Other rural and agricultural-related restrictions.

Amendments to the NES-FW in 2023 sought to better enable urban development, particularly in greenfield areas. Of relevance to this proposal, the NES-FW states that in respect of constructing development:

- Vegetation clearance within, or within a 10m setback from, a natural inland wetland is a restricted discretionary activity.
- Earthworks or land disturbance within, or within a 10m setback from, a natural inland wetland is a restricted discretionary activity.
- Earthworks or land disturbance outside a 10m, but within a 100m, setback from a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing urban development; and results in, or is likely to result in, the complete or partial drainage of all or part of the wetland.
- The taking, use, damming, or diversion of water within, or within a 100m setback from, a natural inland wetland is a restricted discretionary activity if the activity is for the purpose of constructing urban development; and there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.
- The discharge of water into water within, or within a 100m setback from, a natural inland wetland is a restricted discretionary activity if the discharge is for the purpose of constructing urban development; and there is a hydrological connection between the discharge and the wetland; and the discharge will enter the wetland; and the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.

The PPC identifies the presence of two short intermittent streams along the coastline, and a permanent stream and wetland between the properties at 15 and 17 Clarks Lane. Specific consent requirements will be determined and assessed at the time of resource consent, and suitable mitigation provided where required, at that time. The accompanying EIA (**Appendix 13**) confirms this: *"Future resource consents required for the development of the site will require compliance with relevant NES-F regulations in relation to natural inland wetlands, noting that a consenting pathway is provided for urban development (refer Regulation 45C)."*[16] Having regard to the development setbacks, stormwater management measures and proposed planting required by the PPC, urban development can occur in manner that is not contrary to the outcomes anticipated by the NES-FW.

[16] Ecological Impact Assessment; Viridis; Dated August 2024; Page 31.

6.4 Auckland Regional Policy Statement

The Auckland Regional Policy Statement (**ARPS**) became operative in 2016. It is a mandatory document that provides an overview of resource management issues in the Auckland region, and the ways in which integrated management of the region's natural and physical resources will be achieved.

The objectives and policies of relevance are addressed in detail within **Appendix 3B**. The following provides a summary in respect of the overarching matters of urban growth and development with respect of Chapter B2.

Of particular relevance is Policy B2.2.2 of the ARPS which deals with development capacity and supply of land for urban development. Further, Policy B2.2.2.(7) deals with the rezoning of land within the RUB to accommodate urban growth, including the matters that must be met to facilitate that growth:

(7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:

(a) support a quality compact urban form;

(b) provide for a range of housing types and employment choices for the area;

(c) integrate with the provision of infrastructure; and

(d) follow the structure plan guidelines as set out in Appendix 1.

The WSP was prepared following the structure plan guidelines as set out in Appendix 1 of the ARPS and is discussed in detail within Section 6 above. It is a strategic document which considers the constraints and opportunities in the Whenuapai area and provides developers and landowners with Council's intention for the development of the Future Urban zoned areas in Whenuapai, releasing land in a staged arrangement relative to the anticipated provision of infrastructure at the time (2016). The WSP anticipates that the area will provide somewhere between 8,100 to 10,700 dwellings (depending on the density of development), 8,600 jobs and over 300 hectares of new business land over the next 10 to 20 years. It anticipates residential development of low-medium density across the Clarks Lane/Sinton Road peninsula and identifies various natural features and the need for open space (in respect of coastal and riparian setbacks and for an area of informal recreation). The proposal is largely consistent with the land use

pattern set out in the WSP, the zoning arrangement for which will deliver a quality compact urban form. The precinct's stated purpose is to give effect to the WSP. Further, the Neighbourhood Plan collates the WSP and recent changes in policy since 2016.

The Economic Assessment at **Appendix 14** confirms the proposal will provide a range of housing types. The mix of residential zones will provide a range of housing typologies across the plan change area, with lower density development occurring along the coastal edge as a result of the MHS zoning and proposed assessment criteria requiring particular regard to be had to the coastal interface, guiding development away from terraced building forms. The MHU zone across the balance of the site will provide for a 'reasonably high intensity' outcome with development *"typically up to three storeys in a variety of sizes and forms, including detached dwellings, terrace housing and low-rise apartments. This supports increasing the capacity and choice of housing within neighbourhoods as well as promoting walkable neighbourhoods, fostering a sense of community and increasing the vitality of centres."* [17] The anticipated outcomes of the zone layout are further discussed in respect of the respective zones below. The mix of landowners within the PCA will inevitably bring about a range of different typologies across the precinct as different developers approach the site with different commercial, yield and feasibility requirements relative to the timing of their projects.

Development will be integrated with infrastructure delivery, and with reference to Policies B3.3.2(4) and (5) of the ARPS:

- The precinct provisions require all specified/listed transport upgrades external to the PCA to be constructed and operational prior to occupation of the first dwelling within the PCA. Non-complying activity consent is required to develop in a manner that is contrary to this overarching principle.
- The precinct provisions require upgrades to existing water supply and wastewater lines external to the PCA to be constructed and operational prior to occupation of the first dwelling within the PCA, and non-complying activity consent is required to develop contrary to this.
- The construction of roads and infrastructure internal to the PCA will be carried out in a staged approach as required to service dwellings as development progresses. The layout

[17] H5.1 Zone description; AUP.

and design of roads and infrastructure internal to the PCA has been 'tested' for the purpose of the PPC application, but will be refined at resource consent stage.

- Turning to the delivery of infrastructure in the wider area of Whenuapai, beyond the immediate vicinity of the PCA, development contributions will be paid proportionately relative to the number of dwellings or lots created (in accordance with the forthcoming Development Contributions Policy 2025), contributing to the wider costs of growth in Whenuapai, noting the forthcoming policy to be released in respect of growth in north west.

Having regard to the detailed assessment at **Appendix 3**, the overarching review above confirms that the Plan Change is consistent with the regional-level expectations for development in the region, including but not limited to Policy B2.2.2(7). Having regard to that analysis, it is considered that the Plan Change has appropriately considered and positively responds to the provisions of the ARPS.

Any applications for bulk earthworks, discharge or contamination will require consents under the regional planning provisions and therefore be subject to further assessment against more detailed provisions in the ARPS also.

6.5 Auckland Unitary Plan

6.5.1 Future Urban zone

The site is located within the FUZ under the AUP and is within the Rural Urban Boundary. The FUZ is applied to greenfield land that has been identified as suitable for urbanisation, and is therefore a 'transitional' zone until such time that a Structure Plan is carried out and a plan change application is approved to 'live-zone' the land in the AUP.

Until that time, the zone envisages a range of general rural activities. Objectives H18.2(1) seeks to ensure that *"land is used and developed to achieve the objectives of the Rural – Rural Production Zone until is has been rezoned for urban purposes."* Objective H18.2(2) states these *"rural activities and services are provided for to support the rural community until the land is rezoned for urban purposes."*

The provisions of the zone are intentionally restrictive to delay development until urbanisation is planned for and delivered in a cohesive and coordinated manner. Objective H18.2(3) seeks to ensure that *"future urban development is not compromised by premature subdivision, use or*

development" and to ensure that urbanisation is *"avoided until the sites have been rezoned for urban purposes"* (Objective H18.2(4)).

Auckland Council has carried out a structure plan for the Whenuapai area, as discussed above, and the PPC proposes zoning and infrastructure delivery consistent with the WSP.

Further, the appropriateness of the proposal relative to the objectives and policies of the proposed zoning framework is set out Section 9 of this report which confirms that the proposed nature of development cannot be achieved under the existing zoning framework, and indeed the plan change is required to deliver a well-functioning urban environment.

6.5.2 District-wide Objectives and Policies

The relevant sections of the Auckland-wide chapters of the AUP are identified within **Appendix 3C**, including an assessment of the proposal against the relevant objectives and policies. That assessment confirms that the subdivision, land use and development enabled by the plan change can be designed in a manner that gives effect to these provisions, and is not contrary to the intended outcomes therefore. The development of land and the establishment of activities within a the MHS and MHU zones will likely trigger some, if not all of these provisions relative to the location of the works comprised of the respective application sought. The assessment of these matters can be undertaken as part of that development process and the assessment of effects has demonstrated that the land is suitable for the PCA.

6.5.3 Relevant Plan Changes

Plan Change 78 - Intensification

PC78 does not apply to areas of the region that are currently zoned FUZ and is focused on brownfield development, therefore. This streamline planning instrument responds to changes that are required by the RMS-EHS and in response to changes to the NPS-UD to:

- enable more development in the city centre and at least six-storey buildings within walkable catchments from the edge of the City Centre, Metropolitan Centres and Rapid Transit Stops;
- enable development in and around neighbourhood, local and town centres;

- incorporate Medium Density Residential Standards that enable three storey housing in relevant residential zones in urban Auckland; and
- implement qualifying matters to reduce the height and density of development required by the RMA to the extent necessary to accommodate a feature or value that means full intensification is not appropriate.

As it relates to the subject plan change request, we note that PC78 does not utilise the MHS zone within urban areas where MDRS applies; the MHS zone is reserved for small settlements with a resident population of less than 5,000 people.

However, the Applicant proposes to utilise the MHS zone within the proposed plan change for the following reasons:

- PC78 is currently on hold, and its future is unclear.
- A private plan change request cannot propose the Low Density Residential zone, as this zone is not currently used in the AUP, despite this zoning being the most commonly used coastal-edge zoning evident in PC78.
- If in the future and subject to the processing of PC78, should Council consider there is a need to rezone the MHS zoned extent of the site, it can do so via a variation to or replacement of PC78 (which is expected to be required in 2025 following foreshadowed changes to the RMA), or indeed via the second generation AUP (on which Council is commencing work in 2025).

The proposed plan change incorporates the required MDRS and qualifying matters, as required, consistent with the overarching intent of PC78.

Plan Change 79 – Amendments to the transport provisions

PC79 introduces changes to Chapter E27 and others to manage the impacts of development on the transport network. Council has released its decision version of the proposed changes, and the appeals period has since closed. The relevant provisions will be assessed at the time of seeking resource consent within the PCA, noting the masterplan at that stage can be designed in accordance with these standards, and infringements assessed accordingly.

Plan Change 80

PC80 introduces changes to the ARPS in response to the NPS-UD. The decision was notified on 14 September 2023 and appeals closed on 27 October 2023. Various appeals were received and these remain unresolved. An assessment against of the proposed plan change against the decisions version of PC80 is enclosed at **Appendix 3B**, confirming the proposal is consistent with the outcomes of those changes, subject to appeals.

6.6 Other Matters

In addition to the above statutory documents, it is prudent to consider the Plan Change against the following matters.

6.6.1 Auckland Plan 2050

The Auckland Plan is the Council's key strategic document which sets out how the Council will address challenges relating to high population growth, shared prosperity, and environmental degradation over the next 30 years (within an outlook to 2050). Most recently, the Auckland Plan was updated in June 2018. The plan focuses on a multi-nodal model within the existing urban footprint with Albany, Westgate and Manukau being key nodes.

It recognises Westgate as the centre for future urban development for Red Hills, Whenuapai and Kumeu-Huapai. The PCA is located within the growth node surrounding Westgate, identified as a Future Urban Area along with the large area of FUZ in Whenuapai, Riverhead, Kumeū, Huapai and Redhills.[18] The Auckland Plan anticipates this area to accommodate a large future increase in population.[19] The Economic Assessment at **Appendix 14** states that *"The PPC area is signalled in the Auckland Plan 2050 to be development ready in years 1-3, or from 2018 onwards,[20] and infrastructure improvements that will be required to enable growth to occur in the PPC area are identified either as being in place already (e.g. strategic roads)[21] or as being planned for the short- rather than long-term (e.g. water,[22] wastewater[23])"*.

[18] Auckland Plan 2050, Map 18.

[19] Auckland Plan 2050, Map 3.

[20] Auckland Plan 2050, Map 31.

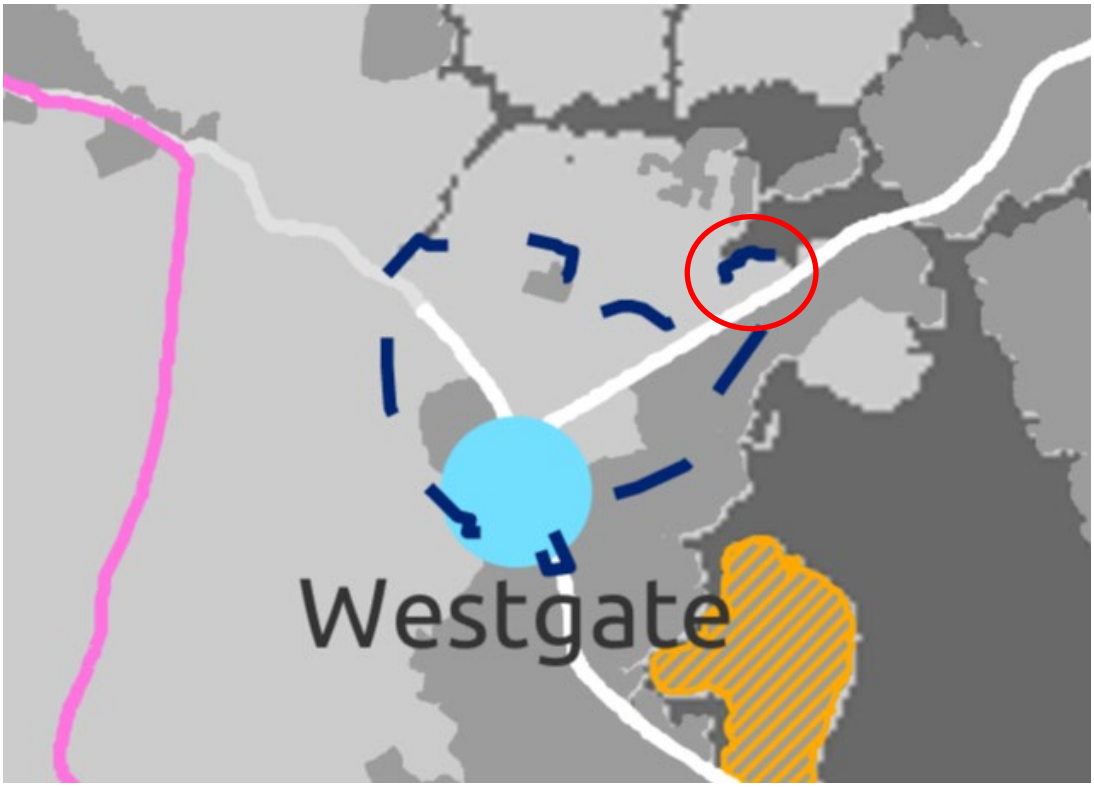
[21] Auckland Plan 2050, Map 20.

[22] Auckland Plan 2050, Map 22.

[23] Auckland Plan 2050, Map 21.

In summary, the Auckland Plan wholly anticipates residential growth in the location of the PCA.

Figure 11 – Westgate Growth Node (blue dashed line; PCA in red circle)



6.6.2 Whenuapai Structure Plan 2016

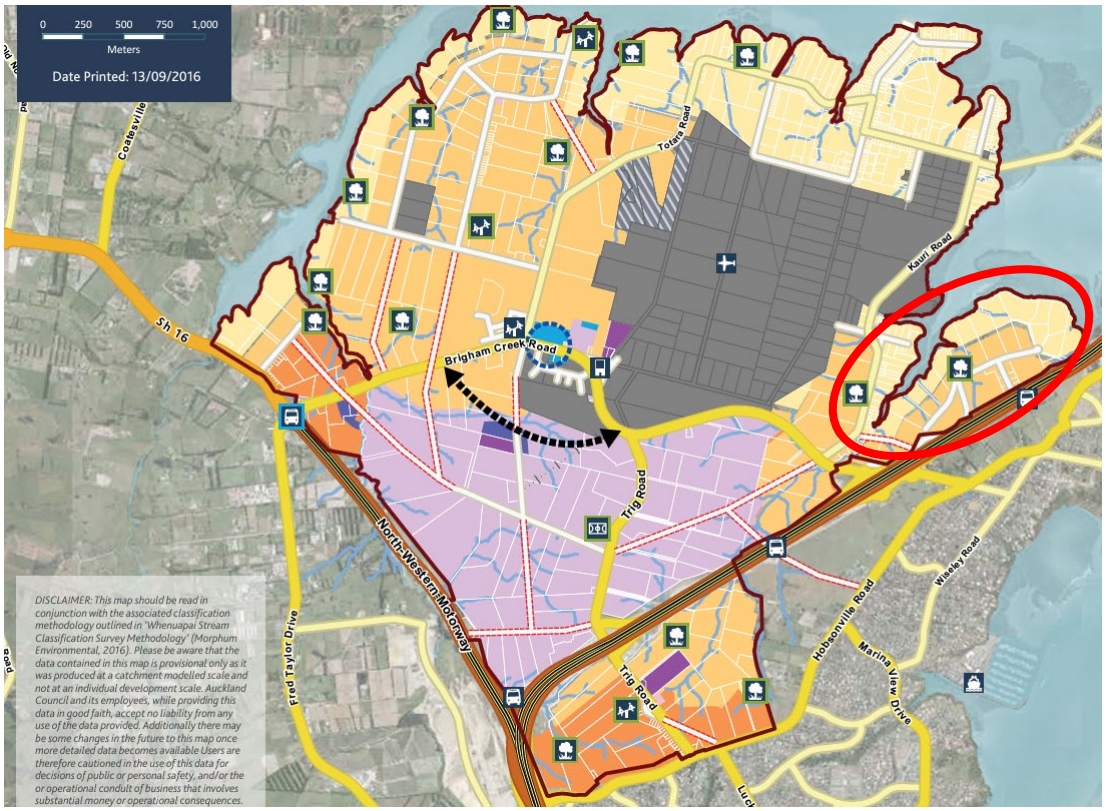
Pre-dating the FDS, the WSP was released in 2016 providing a comprehensive and integrated structure plan for the roll-out of urban growth in Whenuapai, while managing the potential effects of growth on infrastructure, natural features and the NZDF Whenuapai Airbase. The WSP forecasted the structure plan area would accommodate 8,100 – 10,700 dwellings, 8,600 jobs and over 300ha of new business land over the following 10-20 years (2026-2036), delivered in stages relative to the delivery of infrastructure and subject to the density of residential development.

The eastern peninsula is identified as being suitable for medium density residential development with low density residential development along the coastal edge and at the eastern end of the peninsula, as illustrated in Figure 12. Open space is indicated as being appropriate centrally within the peninsula, as reflected by Auckland Council's purchase of 17A Clarks Lane for open space use. The PCA is located within Stage 1D (encompassing the eastern peninsula), originally expected to be 'development ready' within 2-10 years (2018-2024), noting however the FDS trumps this timing.

The WSP indicates Clarks Lane and Sinton Road as potential future bus and cycle routes, with cycle connections across SH18 (now built) and north across the Inlet to Kauri Road. In terms of infrastructure, the WSP does not anticipate the provision of bulk infrastructure to the peninsula, but does identify the trunk wastewater line running alongside SH18. Indicative riparian margins around intermittent/permanent streams are illustrated in three locations within the PCA, with one indicative esplanade area at the stream on the boundary of 15 and 17/17A Clarks Lane. The Coastal Constraints overlay adjoins the coastal edge of the peninsula, generally aligning with the extent of 'low density' residential land, reflecting the extent to which this coastal erosion and processes can adversely effects land use and development. The WSP identifies however that the extent to which land is affected by coastal erosion is required to be considered in further detail at plan change and resource consent stage (as per the CHA at **Appendix 7**).

Overall and in summary, the WSP anticipates medium residential growth within the eastern peninsula of Whenuapai, lowering in intensity at the coastal interface.

Figure 12 – Whenuapai Structure Plan (PCA in red)



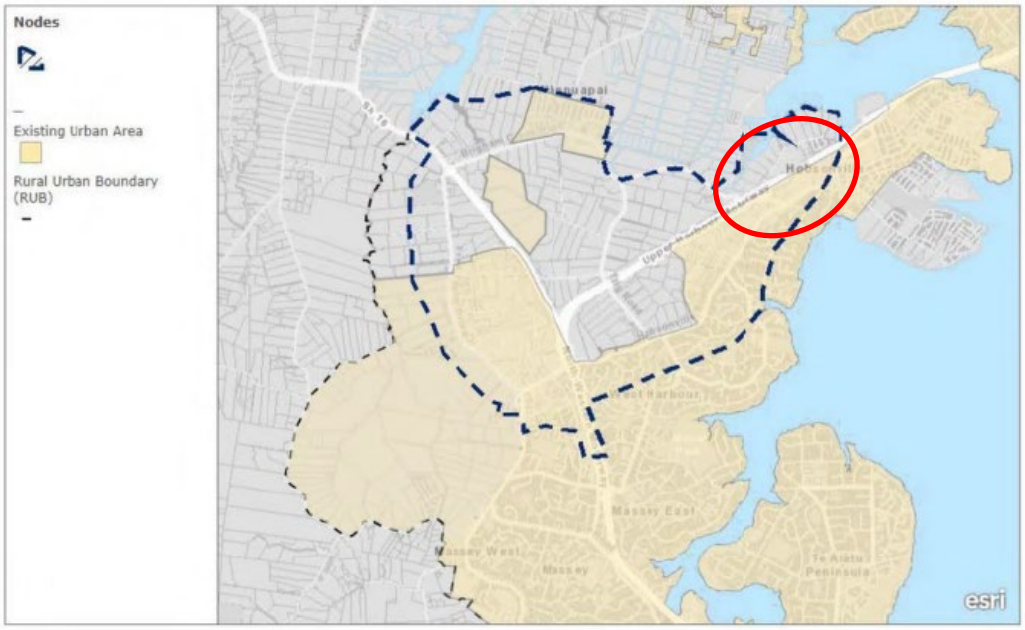
6.6.3 Future Development Strategy 2023

The Future Development Strategy 2023 (**FDS**) formally replaced the FULSS in November 2023, which earmarked development in the PCA to commence between 2018-2022.

The FDS however, pushed back urbanisation in FUZ greenfield locations due to uncertainty as to the timing and delivery of infrastructure as a result of funding and financing, climate change, severe weather events, environmental degradation, the effects of the Covid-19 pandemic, and a changing legislative landscape, amongst others. The purpose of the FDS, and indeed delaying growth across FUZ land, is to facilitate a coordinated and integrated approach to infrastructure and resiliency, alongside development, for the next 30 years. The FDS maintains the multi-nodal approach to growth established by the Auckland Plan, again identifying Westgate as a key node in north west Auckland. At a regional scale, the FDS generally prioritises growth within existing urban (live-zoned) areas for the first decade (2024-2034). There are some exceptions to this, including the Whenuapai Business area, which the FDS acknowledges can accommodate some growth from 2025 onwards, in advance of the full build-out of infrastructure required to support maximum growth. Generally speaking however, the FDS pushes urbanisation of FUZ within the PCA out to the second or third decade, within Years 11-30.

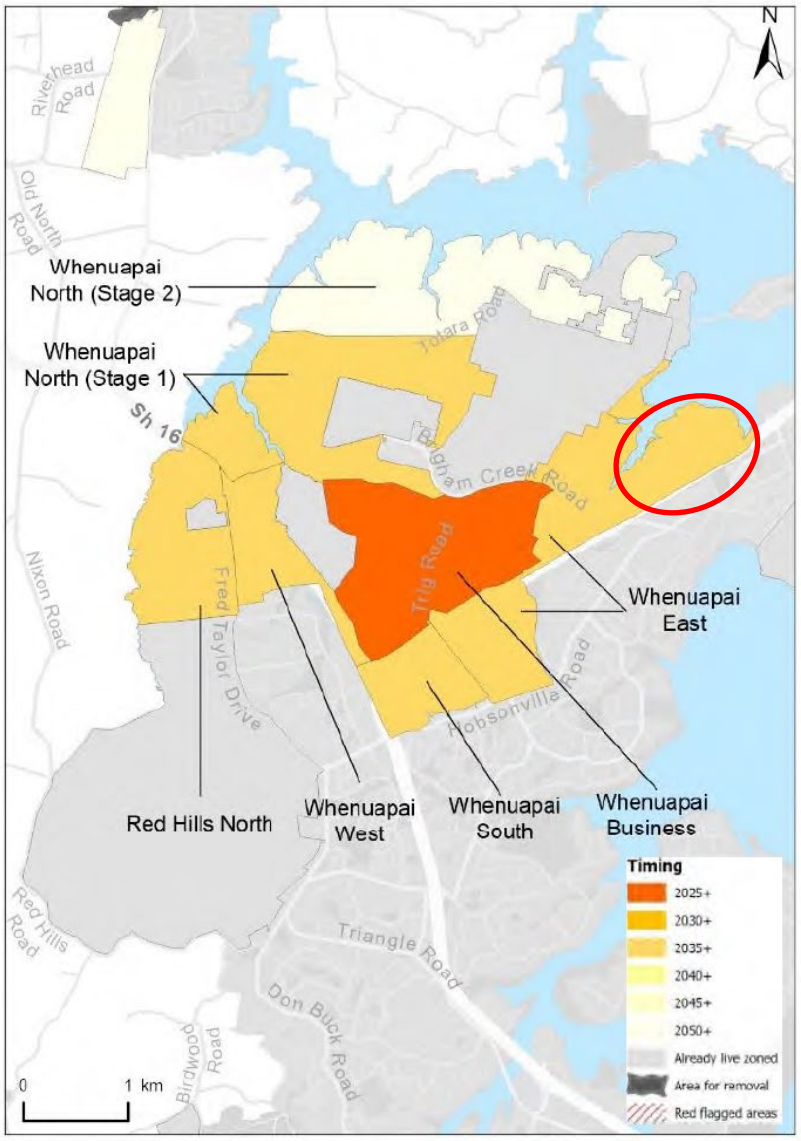
The FDS identifies Westgate as a focal point for supporting significant growth in the north west, including future urban areas around Red Hills, Whenuapai and Kumeū-Huapai. While the area is well connected to SH16 and SH18, other substantial transport and infrastructure will be required to support surrounding growth. The extent of the Westgate node is illustrated in Figure 13.

Figure 13 – Westgate node (PCA shown at red circle)



Turning to infrastructure, the FDS itemises a list of infrastructure 'prerequisites' that are required to unlock growth in Whenuapai, to ensure infrastructure and growth is aligned and will deliver a well-coordinated development that contributes to a well-functioning urban environment. The PCA is located within Whenuapai East sub-catchment, which is identified as being ready for development from 2035. Listed infrastructure is set out below, with commentary insofar as the infrastructure relates to the proposed rezoning within the PCA.

Figure 14 – Whenuapai and Red Hills Cluster (PCA shown at red circle)



However, Appendix 6 of the FDS is clear that infrastructure prerequisites do not constrain development nor prevent private plan change requests. A flexible approach is required to ensure that interim transport works or upgrades can and will occur to enable development, and that these can be scoped and staged to allow for upgrades which support the level of proposed development, without compromising the ultimate form of a wider transport project. The FDS confirms there is indeed a pathway for FUZ land to be rezoned ahead of the anticipated timing, in this case 2035 (which is based on Council funding infrastructure) where other suitable alternatives can be provided by the plan change requestor. Given development occurs progressively over time, the FDS acknowledges that consenting, subdivision and construction is

often a multi-year programme for large scale residential projects, and that occupation of new dwellings is often staggered across that programme; the construction of necessary infrastructure can be delivered iteratively in-line with growth.

The FDS confirms that not all infrastructure is needed for initial new residential communities. Infrastructure can therefore be rolled out commensurate with demand and/or staging of development, where deemed suitable by the infrastructure provider and does not place additional financial burden on Council. Certainly, the FDS provides for development to occur prior to completion of infrastructure, the suitability of which will be considered on a case-by-case basis. The NPS-UD requires councils to be responsive to private plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is unanticipated by RMA planning documents or out-of-sequence with planned land release. As such, the FDS's infrastructure prerequisites provide a good indication of planned land release relative to infrastructure delivery, while acknowledging this is not rigid and that some flexibility is required when considering whether suitable alternatives are provided until such time that bulk infrastructure is rolled out.

The Economic Assessment attached at **Appendix 14** states *"The PPC area has consistently been identified as appropriate for and expected to become urban zoned at some point in the future, and current growth projections indicate that it will need to be rezoned to ensure sufficient residential supply."* Therefore, *"the key outstanding issue is one of timing, and whether it is appropriate for the PPC area to be developed ahead of the indicative FDS development ready timeframe."*[24] The Economic Assessment goes on to state (emphasis added):

"An advantage of the northern part of the Neighbourhood Plan area, including the PPC area, as a development area is that it is a spatially discrete area with (we are informed) quite predictable future infrastructure needs. That will provide some certainty to Council that development of the PPC area will not lead to unforeseen infrastructure burden that ends up being publicly funded when funding is unavailable. The applicant is cognisant of the limited pool of funding available for new infrastructure to service FUZ conversion, and accordingly does not rely on Council contributions, and will significantly contribute to new infrastructure in the wider area through development contributions under the new contributions policy for North West Auckland which is expected to be in place later this year. Auckland Council's Parks team have advised that Cabra is

[24] Economic Assessment; Formative; Dated June 2024; Pages 29-30.

not required to deliver any physical amenities on the land that is to be rezoned Open Space at 17A Clarks Lane – Council will deliver this in due course.

This location means that it is probable that infrastructure costs will be lower than other comparable developments located further from the urban edge, which would result in superior economic outcomes relative to accommodating growth in less accessible areas that are not as well served by existing infrastructure. This outcome would improve the productivity of the economy, by reducing the amount of resources needed to accommodate new growth, relative to new residential developments in more remote locations, and recommends the PPC area as one of the next development opportunities in the catchment. Future development in Whenuapai may also be able to connect into new/upgraded infrastructure, and certainly existing and new residents will benefit from the urbanisation of the road reserve and pedestrian/cycle access to the Clarks Lane Footbridge." [25]

Further, the transport and infrastructure assessments prepared by Commute Transportation Consultants and Capture Land Development respectively confirm that the development enabled by the proposed rezoning will not result in adverse effects on wider infrastructure networks as a result of development occurring in advance of the stated prerequisite upgrades, as is discussed below.

FDS Prerequisite	Description and Project Status	Commentary
Brigham Creek Road upgrade	North West Local Network: Brigham Creek Road (NoR W3) Auckland Transport. Upgrade of Brigham Creek Road corridor to a 30m wide four-lane arterial cross-section with separated active mode facilities on both sides of the corridor. Auckland Transport has issued its decision; currently under appeal.	The Integrated Transport Assessment (**ITA**) at **Appendix 12** explains the site is uniquely located on a peninsula which utilises the interchange at the south western end of Sinton Road to access Brigham Creek Road and SH18. The volume of traffic that is anticipated to be generated by this plan change will not generate adverse effects on the capacity of the roundabout (including when other approved plan changes are considered in addition to background
SH16 to SH18 Connections	These works comprise connections between SH16 and SH18. The project is	

[25] Economic Assessment; Formative; Dated June 2024; Pages 36-37.

	unfunded and the NOR is yet to be lodged.	growth rates), nor local state highway or arterials, including Brigham Creek Road. Therefore, the analysis of Commute is that the plan change and enabled growth can come ahead of the Brigham Creek Road upgrade and SH16 to SH18 connections without generating adverse traffic safety or network capacity effects. Likewise, residents will be able to walk or cycle to Hobsonville Road to reach existing public transport stops, which currently provide direct connection to Hobsonville Point and Westgate, providing an appropriate and reasonable connection to the wider community and other public transport connections, without Hobsonville Road first being upgraded. The ITA confirms development can come ahead of the SH18 Rapid Transit project without adverse effects on the transport network.
Hobsonville Road Upgrade	North West Local Network: Hobsonville Road (NoR W5, alteration to existing designation 1437) Auckland Transport. Alteration of the existing Hobsonville Road designation 1437 to provide for the widening of the Hobsonville Road corridor between Oriel Avenue and Memorial Park Lane. Upgrade of sections of Hobsonville Road corridor to a 30m wide four-lane cross section with separated active mode facilities on both sides of the corridor. Upgrade of sections of Hobsonville Road corridor to a 24m wide two-lane cross section with separated active mode facilities on both sides of the corridor. Auckland Transport has issued its decision; currently under appeal.	
Upper Harbour (SH18) Rapid Transit	This is an NZTA project which is intended to deliver a rapid bus lane along / parallel to SH18. PC5 indicated a bus stop may be located near the Clarks Lane Footbridge. The project is unfunded and the NOR is yet to be lodged. There is no certainty of the location of future bus stops relative to the PCA. However, it is expected that upon confirmation of the project and location of bus stops, the land within a walkable catchment of the rapid transit stop would be upzoned via a separate plan change to enable up to six storeys in accordance with NPS-UD Policy 3. The extent of upzoned land cannot be determined at this time and will be upzoned by Council (or private landowners) at a later date.	
Whenuapai Wastewater	These works relate to the construction of the wastewater network from Spedding	Consultation with Watercare (refer **Appendix 18**) confirms there are no

Package 2 (Southern portion only)	Road to SH18, where it connects to the Northern Interceptor. The Notice of Requirement and associated resource consents for Package 2 are yet to be notified, however the works are funded and are estimated to be completed by late-2026.	wastewater constraints and multiple scenarios to connect the PCA to the public wastewater network which will be privately funded. All options currently discharge to the Mangere Treatment Plant, however discharge to the Rosedale Plant will also be an option following completion of Package 1 works (ETA 2026); i.e. multiple disposal options will be available to service future development. Watercare confirmed in consultation that Package 2 is not required to service development in the PCA, contrary to the FDS.
Trig Road Water Reservoir, North Harbour No. 2 Watermain Project	Under the LTP 2024-2035, the North Harbour No. 2 Watermain has been delayed until 2025, with completion expected by 2030.	Consultation with Watercare (refer **Appendix 18**) confirms, with upgrades to the existing public network in Sinton Road which will be privately funded, the water supply line can service the proposed development. Again, development in the PCA can be serviced in advance of the Trig Road reservoir and watermain project, contrary to the FDS.

Consultation with relevant stakeholders and infrastructure providers (including NZTA, AT and Watercare) confirm the proposed plan change will a) mitigate its effects, and b) where upgrades are required, will provide a suitable alternative that is fully funded by the Applicant. The PCA can be appropriately serviced and mitigate its own effects without the full suite of above upgrades being place.

6.6.4 Iwi Management Plans

There are 10 mana whenua groups within the Auckland Region who have a registered interest in the PCA, a number of which have publicly available iwi management plans. An assessment of those publicly available is provided at **Appendix 20** which confirms that the proposed plan change is not contrary to the outcomes sought by the respective IMPs, in particular that of Te Kawerau ā Maki, which has actively engaged in the preparation of this application.

6.6.5 Government Policy Statement on Land Transport 2024-2034

The Government Policy Statement on Land Transport 2024-2034 (**GPS-LT**) sets out the government's land transport investment agenda to boost economic growth and productivity, resilience, reliability and safety. The GPS-LT identifies the Alternative State Highway in north west as a Road of National Significance, providing an alternative state highway route between Brigham Creek and Waimauku (refer to Supporting Growth Alliance below). While this project is not required to unlock housing growth in the PCA, it signals the priority given to growth in greenfield north west Auckland. Closer to the PCA, the GPS-LT confirms NZTA will undertake planning for the Northwest Rapid Transit Corridor in the next three years, identifying the project as a 'major public transport project'.

6.6.6 Auckland Council Long-term Plan 2024-2034

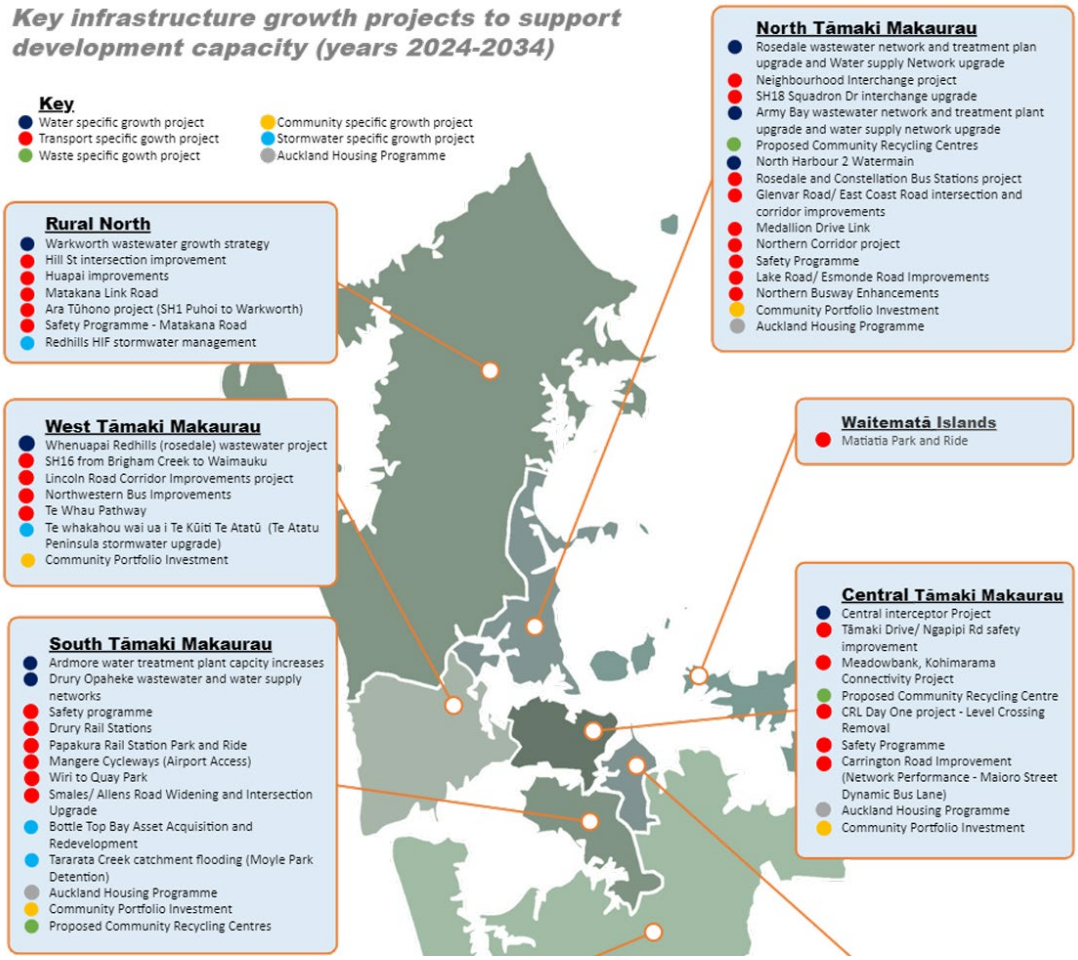
The Auckland Council Long-term Plan 2024-2034 (**LTP**) aligns investment with the FDS. The LTP states in respect of infrastructure delivery and funding (emphasis added):[26]

Approximately $11.6 billion (around 31 per cent) of the council's 10-year capex on infrastructure investment was identified as providing infrastructure that supports development planned in Spatial Priority Areas in the next 10 years, or is of regional benefit (servicing live-zoned land or enabling bulk infrastructure). Planned and proposed investment in growth includes:

- *Taking a targeted approach through staged investment in the Auckland Housing Programme areas (in partnership with Kāinga Ora and the government) and the priority areas of Drury and the inner North-West Redhills, Westgate and Whenuapai.*
- *All infrastructure portfolios also report the growth component of their investment in Section 4 of the strategy.*

Key growth investments planned for the 10-year period of this long-term plan are identified in Figure 22. This map shows the general area where council infrastructure providers have planned investment for growth related infrastructure (not an exhaustive list of projects).

[26] Auckland Council Long-term Plan 2024-2034; Vol. 2; Page 65.



The LTP goes on to explain that a range of funding and financing tools are available to deliver infrastructure, such as general and targeted rates, fees and charges, and development contributions. In regard to the latter, Auckland Council is moving towards a 30-year outlook for infrastructure funding, as evidenced by the first example of this approach in Drury's Development Contributions Policy (Variation A) and most recently in the Draft Development Contributions Policy 2025 (released in October 2024; to take effect in early 2025). Any subsequent subdivision and development in the PCA will be captured by the incoming policy, and will be charged increased rates, thus providing a proportionate contribution to wider infrastructure upgrades, including those listed below.

The following review of LTP-projects that are located in the vicinity of the PCA reinforces the shift away from greenfield to an urban environment in Whenuapai, but confirms the PPC is not reliant on the completion of these nearby projects in order to service or 'unlock' development in the PCA:

- Rosedale wastewater network and treatment plan upgrade – Watercare's Whenuapai Packages 1 and 2 are comprised within the wider Rosedale upgrades. The NOR application for Package 1 is scheduled to progress to a hearing later in 2024, with Package 2 to follow thereafter. Construction is expected in 2026. Consultation with Watercare has confirmed that neither Package 1 nor 2 are required to be completed prior to development in the PCA as the proposed upgrades/alternatives are sufficient to service the anticipated growth, as set out in the Infrastructure Report at Appendix 10.
- North Harbour 2 Watermain – this project is listed in the FDS as being required to enable development in the PCA; noting it has been delayed to 2025, with completion estimated in 2030. The Infrastructure Report at Appendix 10 confirms that alternative solutions are available to deliver water supply to the PCA in advance of this, and Watercare has confirmed it agrees with/supports the alternatives presented in the Infrastructure Report. Provided the most appropriate upgrade option is delivered prior to construction or residential subdivision, Watercare confirm development can occur in advance of the North Harbour 2 Watermain.
- SH16 Brigham Creek to Waimauku – relates to safety improvements to be undertaken by NZTA, situated some 4km to the north west of the PCA. These works are not directly related to growth in the PCA, but will improve transport safety in Whenuapai generally. Phase 1 of these works are underway (with NZTA allocating $54m between 2024-2027, however Phase 2 has been delayed by NZTA.
- Northwest Bus Improvements – this project intends to deliver greater public transport services and choices with better access to key destinations along SH16. Together with the recent delivery of the Northwestern WX1 express bus (via an interim bus station) from Westgate to the City Centre, a new Westgate RTN and a Park & Ride at Brigham Creek is planned. The RTLP allocates $10.4m to this project between 2024-2025, with parts of these upgrades being delivered by NZTA.
- SH18 Squadron Drive interchange upgrade – the construction of west-facing ramps at the Summerset Retirement Village peninsula to the east, which will not directly service the PCA but will improve connectivity in the wider vicinity.

To conclude, while it is positive to see Council prioritising the delivery of infrastructure in Whenuapai, the expert assessment enclosed and consultation with Watercare and Auckland Transport confirm that development can progress ahead of the delivery of the above projects, provided the alternatives and road upgrades specified in the proposed precinct plan and attached specialist reports are delivered prior to residential dwellings, as is intended. Developers within the PCA will financially contribute to these upgrades in a manner that is proportionate to the

demand generated by respective developments under the forthcoming revised development contribution policy for the inner north west area.

6.6.7 Auckland Regional Land Transport Plan 2024-2034

The Auckland Regional Land Transport Plan 2024-2034 (**the RLTP**) identifies the Northwest Growth Improvements as a priority growth area. The RLTP states:[27]

"The rapid growth in the Northwest area requires a robust transport network. This expansion is closely linked to the State Highway network managed by NZTA. Specifically, the inner northwest (including Redhills, Whenuapai, and Westgate) is projected to accommodate more than 28,000 houses and more than 25,000 jobs by 2051. Over 100 transport projects have been identified in this programme to address this growth between now and 2047."

The following funding is allocated for AT projects in Whenuapai, however as set out in the Integrated Transport Assessment (**Appendix 12**), none are required to mitigate the transport effects of the PPC:

Project Name	Description	Category	Funding Source	Strategic objectives	Duration	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31-2033/34	Total 10-yr cost
Northern Busway Enhancements	By 2038 around 18,000 bus trips from the NorthShore are expected to cross the Waitematā Harbour in the morning peak. Bus stations along the NorthernBusway are reaching capacity with the growing demand for public transport. This programme will optimise the busway and upgrade the stations. The programme scope includes: •Platform length and width extensions at Albany, Constellation, Sunnynook, Smales Farm and Akoranga Stations. •Optimisation and bus stop upgrades on Fanshawe Street. •Busway station upgrades to improve capacity and safety including changes to local bus platforms and bus circulation.	2	Local, NLTF	1,2,3,4	2027/28 to 2030/31	-	-	-	4.7	7.9	34.7	37.9	85.2
Northwest Bus Improvements*	The northwestern parts of Auckland continue to be one of the fastest growing areas in New Zealand with approximately 38,000 new residents by 2028 (compared to the number of residents in 2018). This investment aims to support more PT services and travel choices with better access to key destinations along the SH16 corridor. Together with NZTA's 'Northwestern WX1 Other Works' and SH16 Westgate & Brigham Stations, the overall programme delivers Westgate RTN Station, Brigham Creek station and planning for the Brigham Creek Park & Ride, to be delivered in stages over time.	1	Local	ND.	2024/25	10.4	-	-	-	-	-	-	10.4
Northwest Growth Improvements	The rapid growth in the Northwest area requires a robust transport network. This expansion is closely linked to the State Highway network managed by NZTA. Specifically, the inner northwest (including Redhills, Whenuapai, and Westgate) is projected to accommodate more than 28,000 houses and more than 25,000 jobs by 2051. Over 100 transport projects have been identified in this programme to address this growth between now and 2047.	2	Local, NLTF	1,2,3,4,5	2025/26 to 2033/34	-	0.3	1.4	4.2	7.9	6.9	30.2	50.8

[27] Auckland RLTP 2024-2034; Page 93.

6.6.8 Supporting Growth Programme (Te Tupu Ngātahi Supporting Growth)

In July 2024, Te Tupu Ngatahi Supporting Growth Alliance issued decisions on 19 notices of requirements in north west Auckland to future proof the delivery of strategic and local road projects over time, involving the construction of new roads or the upgrade of existing networks. Figure 15 below illustrates the general location of each project. Upgrades to Brigham Creek Road and Hobsonville Road will improve connectivity for residents within the PCA. No such projects directly interact with the PCA and no approvals will be required from the requiring authority pursuant to s178 accordingly.

Other projects not included in the 19 NORs are shown in grey, including the SH18 Upper Harbour Rapid Transit Network between Westgate and Hobsonville (therefore sitting outside the recent package of NOR decisions, for NZTA to designate by way of a separate process in the future).

Figure 15 – Indicative location of Supporting Growth Alliance projects in north west

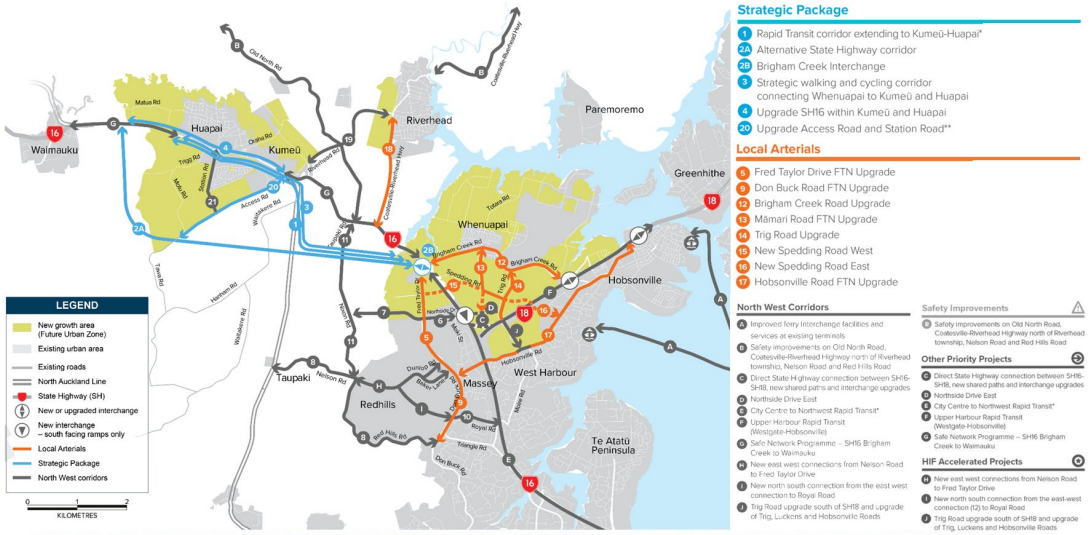


Figure 2-3: NW Local Arterials Package (subject of this application) and NW Strategic Package (a separate application) against wider North West Transport Network

6.6.9 Auckland Council Development Contributions Policy 2025

In October 2024, Council released the Draft Development Contributions Policy 2025 for consultation (closing 15 November 2025). The Policy will come into effect from March 2025, and intends to accrue funding from subdivision and development within growth areas (including Whenuapai) for development that is forecasted for the next 30 years. A range of transport, community facilities, reserves and other infrastructure will be funded partially through development contributions, unlocking growth and development in growth areas. The PCA is captured by the Policy and therefore future development will attract contributions that proportionately contribute towards the funding of infrastructure across north west Auckland.

6.6.10 Emissions Reduction Plan and Auckland's Climate Plan

The Emissions Reduction Plan is New Zealand's plan to achieve the first emissions budget, as required by the Climate Change Response Act 2002. In doing so, it outlines how New Zealand intends to play its part in global efforts to limit warming to 1.5˚C above pre-industrial levels. This plan responds to the recommendations of He Pou a Rangi – Climate Change Commission in its report, Ināia tonu nei: a low emissions future for Aotearoa.

The Auckland Climate Plan 2020 aims to deliver the Auckland Plan's high-level vision on climate change. The plan is founded on three key elements to drive climate action. These include: an overarching Tāmaki response; a focus on clear greenhouse gas emissions reduction targets; and preparing Auckland for the impacts of climate change. For the Auckland region, the focus on clear greenhouse gas emissions reduction targets includes halving emissions by 2030 and reaching net zero emissions by 2050.

The plan change will deliver on both the Emissions Reduction Plan and Auckland's Climate Plan as it will enable a well-functioning urban environment, the definition of which requires urban development to *"have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport"* and *"support reductions in greenhouse gas emissions"*.[28] This report demonstrates future residents will have access to a range of services and amenities by way of public and/or active transport, thereby providing options for residents to use modes of transport other than private vehicle. The plan change requires planting of coastal and riparian vegetation to support the ecological and biodiversity outcomes within the PCA. Together, the plan change will positively contribute to reducing greenhouse gas emissions.

6.6.11 Upper Harbour Local Board Plan 2020

Local board plans are strategic three-year plans developed in consultation with the community. They set out the direction for the local area reflecting community aspirations and priorities, and guide decisions on local activities, projects and facilities; local board input into the council's regional strategies and plans; how local boards will work with other agencies, including

[28] NPS-UD, Policy 1(c) and (e).

community groups, central government agencies and council-controlled organisations that play key roles in the area; and funding and investment decisions.

To deliver on the plan, the Upper Harbour Local Board will prioritise budgets to focus on the initiatives in the plan; make the best use of local assets such as community centres, libraries and open space; set direction for the council staff who deliver the projects and services; work with various community groups and partners, to deliver projects and services; make decisions that are in line with Auckland's commitment to climate action and emissions reduction. Specific to the Whenuapai area:

Climate action:

Areas subject to climate impacts include Herald Island which is vulnerable to coastal inundation and areas of Whenuapai that are vulnerable to flooding. The local board is committed to doing their part to respond to this challenge and will continue working with our communities to achieve climate goals.

Our places:

Large parts of Whenuapai are zoned Future Urban under the Unitary Plan. The local board will continue advocating for appropriate planning and investment for infrastructure and quality open space. Funding is a continuing challenge for both infrastructure and quality open space needs as identified in our plans in response to intensification (e.g. Whenuapai Structure Plan)

Advocacy:

- *The local board will advocate to the Governing Body for appropriate planning and investment for infrastructure and quality open space in areas impacted by growth and intensification e.g., Whenuapai and Hobsonville Point.*
- *The local board will advocate to the Governing Body to amend the Development Contributions Policy 2022 to include Whenuapai as an investment priority area for investment for 2024 - 2034 and acknowledge the longer-term view needed for infrastructure required to support growth across Auckland.*

The Applicant has attempted to consult directly with the Local Board however the opportunity was not taken up by the Chair. Notwithstanding, it is considered that the proposed plan change is wholly consistent with the Local Board Plan. Specifically, the expert assessment set out in the CHA (**Appendix 7**) confirms the location of proposed development within the PCA is not subject to coastal inundation and erosion. The plan change will deliver the infrastructure necessary to

facilitate residential growth within the PCA. The plan change will deliver open space amenities for local residents via the planted (and publicly accessible) esplanades and by rezoning 17A Clarks Lane to the Open Space – Informal Recreation zone, both of which are consistent with the WSP.

The Applicant supports the advocacy work carried out by the Local Board, noting that the infrastructure and open space needs will be met by the applicant in respect of the PCA, and that Auckland Council is indeed prioritising a new development contributions policy for the inner north west, which is expected to be released in late-2024 (and therefore future development will be captured by increased rates).

The plan change is wholly consistent with the Upper Harbour Local Board Plan 2020.

6.6.12 Upper Harbour Greenways Plan 2019

The Upper Harbour Greenways Plan 2019 (**the Greenways Plan**) aims to create a network of greenways in the Upper Harbour of the Hauraki Gulf. The Greenways Plan presents a vision of a complete network of shared paths connecting town centres, schools, public facilities, recreation areas and public transport hubs. It is a long-term plan with the aim of significantly improving walking, cycling and ecological connections within the urban and rural environs of the Upper Harbour Local Board area. It is anticipated that this will be implemented over time to achieve the vision, key objectives and outcomes prescribed by the Local Board.

The design principles and the path types in this plan are based on the Local Paths Design Guide developed for Auckland Transport and Auckland Council. It describes a set of local path types which use a combination of design treatments to 'provide priority to people riding bikes and improve the conditions for walking'. Whenuapai and Herald Island are one of six focus areas of the Greenways Plan, acknowledging that higher density residential and commercial development is underway in the Whenuapai area.

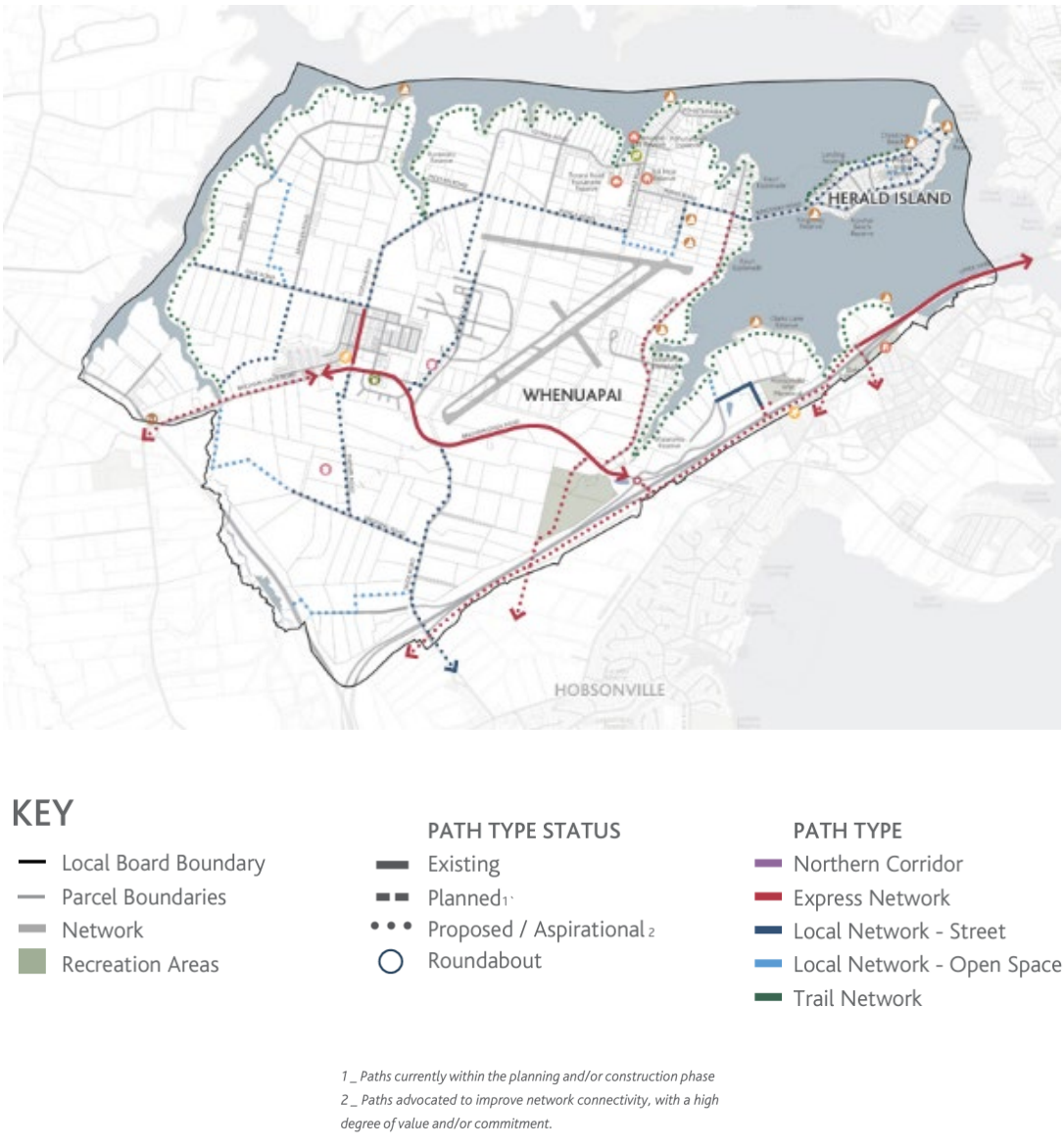
The Greenways Plan seeks to develop pedestrian access around the perimeter of the peninsula and along the paper road to the north of the intersection of Sinton Road, and to improve the formation of Clarks Lane between the intersection with Sinton Road and the Clarks Lane Footbridge, as shown in Figure 16.

The LTP identifies the implementation of actions from the Greenways Plan is a key initiative that the Upper Harbour Local Board intend to deliver in the 2024/205 year. One such initiative is to

provide/enhance urban green spaces (local parks, paths and Ngahere) and improve access to the coast.

The proposal is wholly consistent with the Greenways Plan and the Local Board's aspirations/measures to deliver it, as these features are required by the proposed precinct provisions and as shown on the precinct plan.

Figure 16 – Upper Harbour Greenways Plan (whenuapai and Herald Island)



6.6.13 North West Wild Link

The North West Wild Link (**the Wild Link**) is a conservation project creating safe, connected and healthy habitats for native wildlife across Auckland, stepping stones where wildlife can travel and breed safely between conservation hotspots such as the Hauraki Gulf Islands and the Waitākere Ranges.

Figure 17 illustrates that the Wild Link generally traverses across the peninsula and PCA, aligning with the Waiarohia Inlet. The proposed precinct provisions include requirements for riparian planting both along the coastal edge and the stream and wetland prior to vesting these parts of the precinct to Council as esplanade reserve. The design of riparian planting will be confirmed at resource consent stage via the preparation of a riparian planting plan. The EIA confirms the plan change will result in less than minor adverse effects on the existing ecology and biodiversity of the PCA, and that new planting in the coastal and riparian esplanades will positively contribute to the quality of biodiversity within the Waiarohia Inlet and its tributaries, and to the connectivity within and along the Wild Link accordingly.

Figure 17 – Location of North West Wild Link

The North-West Wildlink provides a wildlife corridor from the Waitākere Ranges to the Hauraki Gulf.

6.7 Overall Statutory Conclusions

Overall, it is my assessment that the Plan Change satisfactorily responds to the relevant planning framework, notably the national policy statements of relevance, the ARPS and the objectives and policies of the AUP. A further s 32 evaluation of the Plan Change against these provisions is provided in Section 9 of this report.

7 Effects on the Environment

Section 76(3) of the Act states that in making a district rule, the Council must have regard to the actual or potential effect on the environment of activities, including in particular any adverse effect. Furthermore, Schedule 1 of the Act states that where environmental effects are anticipated, the plan change request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the Plan Change.

The following provides an assessment of the potential effects on the environment associated with the PPC and covers both positive and adverse effects, having regard to the technical analysis within the accompanying reports.

As such, the effects that are relevant to the assessment of the proposal include:

- Positive effects;
- Effects on urban design;
- Landscape Visual effects;
- Transportation effects;
- Infrastructure and servicing, including stormwater disposal;
- Natural hazards;
- Reverse sensitivity effects;
- Ecological effects;
- Arboricultural effects;
- Economic effects;
- Archaeological effects; and
- Effects on mana whenua values.

7.1 Positive Effects

It is my assessment that the Plan Change will have the following positive effects:

- Implementation in accordance with the WSP and more recent Neighbourhood Plan enables the delivery of a holistic and integrated masterplan for this unique site, rather than the counterfactuals of no development (status quo) or uncontrolled or piecemeal residential development without consideration of the unique site characteristics.

- The community benefit resulting from the provision of around 500-600 dwellings being significant supply of new housing in a variety of typologies, including the potential for affordable homes;
- Construction of the site will initially be a new and significant employer in the area, and then provide a source of local employees for existing and future commercial activities within the growing Westgate Metropolitan Centre;
- The community and social benefits arising from the provision of high-quality public realm spaces, including walking and cycling links to and along the coastal and stream interfaces, and other nearby destinations via the Clarks Lane Footbridge;
- Provision of an Open Space zoned site enabling the delivery of a future neighbourhood park;
- The Plan Change incorporates, celebrates and enhances natural features that are currently inaccessible by the community and which could otherwise have been lost through piecemeal, alternative development of the site;
- The delivery of local roads to an urban standard benefiting the existing and future community on the peninsula;
- The delivery of wastewater and water supply infrastructure upgrades, also benefiting existing and future development in the area;
- Appropriately locating residential development outside of coastal and natural hazards to avoid adverse effects on people and property, including when accounting for climate change;
- The delivery of the anticipated outcome of the CIAs to maintain and protect cultural heritage midden sites along the coastal edge; and
- The delivery of the anticipated outcomes of non-statutory documents including the Local Board Plan, Greenways Plan and North West Wild Link.

Further, the Economic Assessment (Appendix 14) sets out a range of positive effects, as follows:

- There is demand for residential dwellings in this location. Formative expects the population of north west Auckland to grow by around 58,000 people by 2053, with the majority of those (45,000) being located in Whenuapai and Westgate, thus the PCA will play a small but important role in contributing to ensuring sufficient residential supply is enabled in the catchment to accommodate growth, and would supply about four months' worth of demand in the catchment, at current growth rates.

- Turning to the affordability of housing, the Economic Assessment states that the *"Provision of additional residential land supply in the PPC area is likely to have some positive effect on housing affordability and ability to purchase a new dwelling. While the*

scale of this effect is likely to be very small, by virtue of the small number of additional dwellings enabled in the PPC area relative to the large size of the existing residential market, all additional supply in the catchment will contribute to an overall increase in dwelling availability, and will help to slow the rate at which future residential land and dwelling prices increase."[29]

- The direct economic impacts (benefits) associated with the enabled development are modelled by Formative to exceed $530m, including costs associated with consenting, land development, construction activity, and household spending by new residents within the first three years. Direct expenditure will flow through the economy and result in additional (indirect and induced) economic activity and employment in supporting industries. Together the direct, indirect and induced economic impact would support over $495m in GDP and nearly 5,500 employment years in the Auckland economy, and additional activity elsewhere in New Zealand. Once the PPC area has been fully developed, PPC area households will support around $6.8m/year in GDP and approximately 94 jobs in the Auckland economy on an ongoing basis. [30]

- The Economic Assessment states *"The PPC area has consistently been identified as appropriate for and expected to become urban zoned at some point in the future, and current growth projections indicate that it will need to be rezoned to ensure sufficient residential supply."* Therefore, *"the key outstanding issue is one of timing, and whether it is appropriate for the PPC area to be developed ahead of the indicative FDS development ready timeframe."*[31] This is comprehensively addressed in respect of the FDS above.

- The Assessment confirms that from an economic perspective, *"Development of the PPC area will contribute to a well-functioning urban environment. The proposed development is an appropriate location in which to enable higher density residential growth because it is adjacent an established residential and business area, and is close to (walkable to) the key infrastructure networks, and other services. Locations with those characteristics are an appropriate place for higher density residential activity to*

[29] Economic Assessment; Formative; November 2024; Page 37.

[30] Ibid; Pages 31-32.

[31] Ibid; Page 40.

establish."[32] The PCA is situated in an efficient location proximate to local amenities and facilities in Hobsonville centre, Hobsonville Point and Westgate, all of which are accessible by public transport or active modes. For non-local travel, a notable benefit of the PPC area is that it is close to major transport infrastructure (including State Highways 16 and 18) which means PPC area households will be able to travel more efficiently and better access their needs outside the local area than will residents of comparably sized developments in more remote greenfield locations.[33]

The PPC will deliver a range of positive effects in addition to increasing housing supply in Auckland.

7.2 Urban Design Effects

The PPC involves the conversion of an existing semi-rural character site into an extension to the urban environment, as presently experienced on the southern side of SH18. Therefore, there is potential for the PPC to result in adverse effects on the streetscape and associated public amenity and surrounding rural-residential amenity in respect of the site design, layout and future built character.

The UDA (**Appendix 9**) comprehensively describes the PCA and its surrounds, the statutory framework, and the design process undertaken in preparing the Neighbourhood Plan, which underpins the key elements of the proposed precinct plan and its associated provisions.

Section 6 of the UDA provides a comprehensive assessment of urban design effects that may be generated by the PPC. The following provides a summary of the comprehensive assessment enclosed:

- In respect of the proposed zoning arrangement and precinct provisions as they relate to the built form, the UDA supports the form, typology, scale and typology enabled in both the MHS zone at the coastal interface, and in the MHU zone beyond, will positively respond to the coastal character. [34]

[32] Economic Assessment; Formative; Dated November 2024; Page 37.

[33] Ibid; Page 34.

[34] Urban Design Assessment; Boffa Miskell; Dated November 2024; Pages 28-31, and 37-38.

- In respect of the coastal interface and the application of a qualifying matter, the UDA considers the lower density and additional standards proposed to apply to the MHS zone appropriate:[35]

  "The increased minimum depth of the side yards will both retain greater views between houses to the coast when within the Precinct and retain a greater sense of openness and a reduced sense of building bulk, positively responding to the existing character of the coastal environment. The different minimum depths for side yards, one being 1m and the other 2m, will create variation in built form along the coast, with adjoining side yards between houses varying in total width from 2m to 4m. The increased minimum rear yard depth will retain a sense of openness along the coastal edge, again positively responding to a quality of the Site's existing coastal character.

  Overall, these provisions are considered well-tailored to achieve a built form which positively responds to the Site's coastal character."

- While the PCA does not adjoin live-zoned land, the UDA considers that the Neighbourhood Plan illustrates how the PCA will integrate with adjoining development as it occurs over time, without detriment to wider urban design outcomes across the peninsula.[36]
- The site is suitably located to accommodate moderate to high density, with a range of services and transport options available within a 10-20 minute walk or short bicycle via the Clarks Lane Footbridge, and a metropolitan centre within reach by bus, bicycle or private vehicle. The road upgrades required by the PPC will enhance pedestrian and cycle connectivity and permeability from an urban design perspective.[37]
- The zoning mix (and associated precinct standards) will give rise to a *"range of dwelling types, from standalone houses to various attached forms (duplexes, terraces, and low-rise apartments). This range will enable residential developers of the Site to respond in a manner which meets a range of lifestyles and housing needs."*[38]

[35] Urban Design Assessment; Boffa Miskell; Dated November 2024; Page 33.

[36] Ibid; Page 34.

[37] Ibid; Page 34.

[38] Ibid; Page 35.

- The PCC, together with the underlying provisions in the AUP, will deliver a permeable, connected and integrated subdivision layout across the greenfield PCA. This will be delivered at the time of masterplanning at resource consent stage, noting the proposed precinct provisions will deliver such outcomes:
  "The ability for Council to further manage and ensure a good level of permeability and connection within the Site and to neighbouring land through subdivision applications is enhanced by proposed assessment criterion IX8.2(7). This refers to the extent to which subdivision and development enables connections with neighbouring sites and cross-references to proposed policy IX.3(1), which refers to an expected outcome of comprehensive and integrated subdivision that is in general accordance with Precinct Plan 1."
- The PPC will deliver suitable on-site amenity and a positive contribution to the street and public open spaces, particularly by managing fence height at the interface with open spaces. The UDA confirms the purpose of the standard is suitable as it will promote open space character and enable passive surveillance of the public realm.
- Physical and visual connections to the coastal environment will be provided, creating a sense of place and character from within the future development. The UDA states:[39]
  "The Precinct Plan requires two visual and physical connections extending from Sinton Road / Clarks Lane to the coast to be provided. In addition to the coastal access provided by the stream esplanade reserve, these will provide a strong structuring element to the Site, adding to its legibility, sense of place, and awareness of the coastal environment through providing sightlines (and access) to the coast when not directly adjacent it, towards Sinton Road and Clarks Lane."
- The precinct provisions require demonstration of engagement with mana whenua and the UDA considers the this will process will enable urban development to "*respond to cultural values identified by iwi is acknowledged to be a matter determined by those iwi*".[40]
- The precinct plan provides for connectivity with a range of public open spaces that will meet a range of community needs, including the Neighbourhood Park within the PCA, the public accessway along the coastline, and more formal open spaces (sports fields) to the south of SH18. These spaces are readily accessible from within the PCA, and within

[39] Urban Design Assessment; Boffa Miskell; Dated November 2024; Page 37.

[40] Ibid; Page 38.

> reasonable travel distances relative to the nature/purpose of respective open space. The UDA considers *"the suite of proposed Precinct and underlying zone provisions, is considered to sufficient to achieve the delivery of high quality access to planned public open spaces within the Site and existing and planned public open spaces around it in a form which contributes to the Site's legibility, wayfinding and sense of place, is convenient and permeable, and safe and attractive."*[41]

In summary, the UDA considers the PPC to be appropriate from an urban design perspective as it will enable the management of urban development in a manner which:[42]

- *positively contributes to a quality compact urban form;*
- *appropriately responds to the Site's rural/coastal character and identified cultural values;*
- *will provide access to high amenity public open spaces that meet future community needs;*
- *will achieve a well-connected transport network with quality active transport options; and*
- *will manage potential reverse sensitivity effects.*

I adopt this conclusion and consider the proposal will result in appropriate urban design outcomes whereby the potential adverse effects have been suitably mitigated by the proposed precinct provisions.

7.3 Landscape and Visual Effects

The LVA prepared by LA4 at **Appendix 15** *"investigates the existing character of the Site and surrounding environment, identifies the key landscape and visual features of the Site and describes the visual and landscape implications of the PPC on the Site and surrounding area."*[43]

Having regard to the surrounding context and the proposed zoning and precinct provisions (summarised where relevant in the LVA), LA4 considers that despite the change from semi-rural to urban land use, *"the proposed PPC would be generally consistent with the intent of the landscape character, natural character and visual amenity objectives and policies of the AUP and*

[41] Urban Design Assessment; Boffa Miskell; Dated November 2024; Pages 39-40.

[42] Ibid; Page 42.

[43] Assessment of Landscape and Visual Effects; LA4; Dated Oct 2024; Page 3.

when considered in totality would be entirely acceptable in landscape character and visual amenity terms."[44] This is considered in further detail, as follows.

Natural Character Effects

Firstly, natural character relates to the degree of 'naturalness' of a landscape, i.e. the nature and extent to which the landscape has been modified. The PCA is not identified as being high in natural character values, except for the coastline, given the extent to which the area has been modified over time by previous and current pastoral, horticultural and lifestyle activities and associated structures. The LVA considers therefore:[45]

"The provision of a 20m esplanade reserve with 10m of indigenous riparian planting from MHWS will enhance the natural character, landscape character and visual amenity values of the coastal edge. Indigenous riparian planting to a depth of 10m from both sides of any intermittent or permanent stream or wetland will similarly enhance the natural character values and provide ecological linkages.

Overall, the adverse effects of development enabled by the PPC on the natural character values of the Site and surrounding area would be ***very low****."*

Leading on from the assessment of the coastline, the LVA considers that enabling an MDRS typology, form and density along the coastal edge would result in an *"inappropriate form of built development and would not give effect to the NZCPS. In this regard, the QM is proposed to apply and the MHS zone proposed at the coastal interface to deliver an appropriate outcome from a landscape character, natural character and visual amenity perspective."*[46] The LVA concludes that it is *"necessary and appropriate to apply qualifying matter along the coastal edge of the precinct area to avoid the adverse effects on the natural and coastal character of the estuary environment, and therefore to give effect to the NZCPS"*[47], and this analysis forms the rationale for the approach taken in respect of the qualifying matters, as discussed in Section 6.1.2 above.

[44] Assessment of Landscape and Visual Effects; LA4; Dated Oct 2024; Page 13.

[45] Ibid; LA4; Dated Oct 2024; Page 14.

[46] Ibid; LA4; Dated Oct 2024; Page 8.

[47] Ibid; LA4; Dated Oct 2024; Page 22.

Landscape Effects

Landscape effects consider the physical effects on the land resource, including the likely nature and scale of change to landscape elements and characteristics having regard to the "landscape sensitivity of a Site and its surrounds to accommodate change and development". The LVA explains this in the context of the PCA and wider Whenuapai environs:[48]

"Landscape character results from a combination of physical elements together with aesthetic and perceptual aspects that combine to make an area distinct. The wider Whenuapai landscape to the north-west has and is still undergoing rapid change and development with the urbanisation of the area transforming the previously semi-rural landscape to one of highly modified characteristics through earthworks, ground shaping, roading construction, associated infrastructure for urban residential development and the construction of dwellings and commercial activities. The surrounding land is similarly zoned FUZ in anticipation of future urbanisation…

It is also important to note that although the Site and local area currently exhibit semi-rural characteristics, neither display a high degree of 'ruralness' due to a combination of the size of landholdings, existing infrastructure, the proximity to the RNZAF Base, and the highly urbanised area of Whenuapai to the north-west, Ockleston Landing to the east and Hobsonville to the south. Consequently, distinctly urban influences are highly evident in the surrounding area, which further reduce the sensitivity of the Site and surrounding environment to change as anticipated by the PPC."

On this basis, LA4 consider the PCA and surrounds have a relatively low landscape value and sensitivity to change, and while development enabled by the PPC would result in a change in landscape character, the plan change provisions will ensure a suitable level of amenity, albeit an urban, rather than a semi-rural character. The reasons for this are set out in detail at Section 6.19 of the LVA. LA4 conclude in this regard that the PPC will result in **low** adverse effects on the landscape character and enable a suitable level of amenity in this regard. Further, the proposed precinct provisions will *"significantly enhance the landscape values within the PCA through the ecological and riparian planting of the coastal edge and stream banks. The precinct provisions will maintain and enhance the visual amenity and landscape character of the Site's natural*

[48] Assessment of Landscape and Visual Effects; LA4; Dated Oct 2024; Page 15.

features and mitigate potential adverse landscape effects from development enabled by the PPC."

Visual Amenity Effects

The LVA explains that the assessment of visual amenity effects analyses the perceptual (visual) response that any of the identified changes to the landscape may evoke, including effects relating to views and visual amenity. LA4 has undertaken a systematic analysis of the visual intrusion and qualitative change arising from the PPC in relation to aesthetic considerations and visual character and amenity.[49] A range of viewing audiences was identified from which to assess visual amenity effects, which are grouped into adjoining properties, wider surrounding properties, and surrounding roads, as follows.

Adjoining properties

This includes (but is not limited to) Viewpoints 1, 2 and 3 as illustrated in the photographs at Annexure 4 to the LVA, comprising views from adjoining properties to the east, west and south.

While it is acknowledged that the existing outlook from adjoining properties will be noticeable, comprising a change from a relatively open semi-rural scene characterised by grass/pasture and lifestyle activities to a comprehensive urban view, this is not totally unexpected within the planning context of the AUP and WSP. The LVA considers this will comprise *"a mixed housing urban and suburban development with planted streetscapes and other planting, including the riparian planting of the stream and wetland, coastal edge and planting associated with the residential dwellings."* LA4 goes on to explain however, that *"Development enabled by the proposal would not be out of context due to the surrounding residential settlement pattern within Whenuapai and Hobsonville, and FUZ zoning of the Site and surrounding area. The future form would be read as part of the surrounding wider Ockleston Landing, Whenuapai and Hobsonville urban context."*[50] It is also noted that for properties immediately to the south, the openness of the stream and 4,000m^2 future Neighbourhood Park provide a break in urban form along the street frontage.

[49] Assessment of Landscape and Visual Effects; LA4; Dated Oct 2024; Page 17.

[50] Ibid; Pages 19-20.

The LVA concludes in respect of adjoining properties, the adverse visual amenity effects for the adjoining residential and semi-rural properties would be **moderate**, albeit effects on landscape values must be assessed against the existing environment and the outcomes sought in the relevant statutory provisions which anticipate change, and within this context the effects on the landscape values would be **appropriate**.

Wider surrounding environment

This includes (but is not limited to) Viewpoints 4 and 5 as illustrated in the photographs at Annexure 4 to the LVA, comprising views from Rata Road to the north and the Clarks Lane Footbridge to the south east.

The assessment by LA4 explains the varied degree to which development will be viewed from distant views towards the PCA, owing to the unique setting within a peninsula. Where visible from the surrounding area, *"views of development would be highly variable due to distance, orientation of the view, diversity of elements within the view and screening elements (buildings, landform, shelterbelts, and prevailing vegetation patterns)."* Where development is visible, *"it would be viewed in the context of the surrounding residential settlement pattern within Ockleston Landing and wider Whenuapai and therefore not appear incongruous."*[51]

The proposed precinct provisions are intended to manage the effects of visual change and assist to visually integrate development with the landscape by reducing building height and length along the coastline, setting back development behind a 10m strip of vegetation within the 20m esplanade. In particular, the Waiarohia Inlet is reasonably narrow, reducing to 20m at is narrowest point at the south western end of the PCA. It is relevant therefore to consider the interface with the residential properties on the north western side of the Inlet as a result of urban development. When viewed from the opposite side of the Waiarohia Inlet, the LVA states that *"views will be moderated by the reduced intensity, form and height of the MHS zone along the coastal edge, set back through the 20m esplanade reserve and proposed riparian planting along the coastal edge."* [52]

When viewed from the Clarks Lane Footbridge, views are across the *"foreground of the scheduled workers cottages within the Historic Heritage overlay and views towards the Site will therefore*

[51] Assessment of Landscape and Visual Effects; LA4; Dated Oct 2024; Page 20.

[52] Ibid; Page 20.

remain within the context of low density development in the foreground. The proposed open space zoned land at 17A Clarks Lane and 20m wide riparian planting along the stream banks will provide a good visual break when viewed from the southerly directions across Sinton Road and Clarks Lane."[53]

For these reasons, while development will be visible from wider viewpoints, the LVA concludes that *"the adverse visual effects would be* **low to very low** *and entirely* **acceptable** *within the context of the existing and planned future urban environment as anticipated by the FUZ and WSP."*[54]

Surrounding roads

The south eastern edge of the PCA adjoins the 'spine' road running along somewhat of a central ridgeline within the peninsula. Therefore, local road users will experience a visual change as development progresses. This is however consistent with the WSP, and medium density development along the street frontage is anticipated by the local community therefore. Development of moderate density is already present on the peninsula at Ockleston Landing (and Hobsonville and Whenuapai beyond), and the community is therefore familiar with the character and appearance of greater residential density.

In this instance, the LVA considers the proposed open space zoned land at 17A Clarks Lane and the 20m wide riparian planting along the stream banks will provide a good visual break when viewed from Sinton Road and Clarks Lane, breaking up the length of development at street frontage. Further, the sensitivity of road users to this change *"would be reduced further by the fact that development would be gradual and staged over a number of years and will be viewed in the context of the 'gaps' in development arising from the Open Space zoned site and riparian stream planting, contributing to a landscaped context in which the built form will be viewed."*[55]

LA4 conclude that the adverse visual effects from the surrounding road network would be **low**.

Overall, while the PPC will result in a significant visual change from the current open semi-rural state, the visual change is in accordance with long-standing structure planning for the area, which assists to reduce sensitivity to change. As riparian planting, street trees and on-lot landscape plantings become established, the urban development will visually integrate consistent with a

[53] Assessment of Landscape and Visual Effects; LA4; Dated Oct 2024; Page 20.

[54] Ibid; Page 21.

[55] Ibid; Page 21.

high-quality urban development. The LVA concludes that *"in the context of the established environment the proposal could be visually accommodated* ***without adversely affecting*** *the character, aesthetic value and integrity of the surrounding environment."*[56]

7.4 Transportation Effects

The Plan Change seeks to re-zone the PCA from a low-intensity, low-traffic generating (on average) Future Urban zone to a mix of residential zones, with areas of open space. The western end of Sinton Road connects to the Brigham Creek Road roundabout and SH18 interchange, and the southern end of Clarks Lane provides pedestrian and cycle access to the Clarks Lane Footbridge. The increase in residential intensity has the potential to give rise to adverse transportation effects on the local, arterial and state highway road networks in the vicinity of the PCA therefore.

The ITA prepared by Commute Transportation at Appendix 12 provides a comprehensive assessment of potential adverse effects that may result from the proposed plan change, and a detailed explanation of the measures that are required to appropriately avoid, remedy or mitigate those effects accordingly.

7.4.1 Trip Generation

The ITA considers three possible density scenarios and the associated trip generation arising accordingly. While the likely development yield based on Cabra's intended density, being the largest landowner within the PCA, sits at around 390 dwellings across the precinct, and this forms the basis for the trip generation analysis undertaken by Commute (Scenario 3). However, a scenario worst case scenario (Scenario 1) and a scenario whereby around half of the PCA is developed utilising MDRS (Scenario 2) are also considered.

The analysis of Commute confirms that Scenario 1 results in little change in level of service on the nearest interchange at Sinton Road/Brigham Creek Road/SH18 (remaining at Category A), and Scenario 3 results a reduction in service (to Category B) but does not 'fail' nor generate minor adverse effects on the operation or safety of the network. No mitigation is required in the form of transport / road upgrades at this interchange therefore.

[56] Assessment of Landscape and Visual Effects; LA4; Dated Oct 2024; Page 23.

7.4.2 Transport upgrades

The following analysis confirms that the proposed plan change indeed incorporates the necessary measures to appropriately mitigate the potential adverse effects of the PPC on the local transport environment. Further, the proposed upgrades will support and encourage the use of public transport and active modes of transport, reducing the reliance on private vehicles.

Road network – outside the PCA

The proposed precinct provisions involve the upgrade of several local roads within the peninsula for the purpose of urbanising local road infrastructure integrally with residential development, and to improve connectivity between the PCA and wider transport network both for pedestrians/cyclists and private vehicles. As set out in Table IX.10.1 of the precinct, a range of local road upgrades and active mode facilities are proposed to be delivered along Clarks Lane and Sinton Road. The ITA supports the precinct provisions requiring the above upgrades to be delivered prior to subdivision and development in accordance with the precinct plan, failing which a full assessment of alternatives and effects on the network would be required.

Further, the ITA considers that the proposed upgrades will be designed to deliver a safe, efficient and connected urban transport environment for both active modes of transport and private vehicles. The proposed design of the road infrastructure upgrades will result in less than minor adverse effects on the wider road network accordingly.

Road network – within the PCA

The proposed precinct provisions involve the construction of new local roads within the PCA, as and when development occurs. Table IX.10.1 of the precinct sets out the design requirements for new local roads, comprising 20m wide roads designed for a speed of 30 km/hr. The exact location will be confirmed at that detailed design stage, however the precinct plan indicates future road connections to adjoining properties (outside of the PCA), demonstrating vehicular and pedestrian connectivity and permeability as development occurs across the peninsula over time.

The Urban Design Report confirms the design elements of the future roads are appropriate for the nature of medium density residential development that will be served by the future local roads, and are appropriately sized to accommodate the provision of street trees, lighting, on-street parking and other features typical of a road serving a local residential catchment. The proposed assessment criteria require consideration as to how public roads within the precinct will

connect to future development sites both within and outside the precinct, futureproofing connectivity within the precinct as growth occurs.[57]

The proposed design of the road infrastructure upgrades will result in less than minor adverse effects on the surrounding local road network accordingly.

Further in respect of the internal layout, parking, cycle storage and loading can be readily designed within the greenfield PCA to achieve the standards required by E27 of the AUP at the time of masterplanning and resource consent.

On this basis, it is considered that the PPC will result in less than minor adverse effects on the state highway, and in particular, the safety and operation of the roundabout at the western end of Sinton Road.

7.4.3 Pedestrian and Cycle Connectivity

The ITA also identifies that the Plan Change promotes walking and cycling connections for future residents residing within the PCA and existing residents within the peninsula. Currently, residents are required to walk on the road carriageway to access the Clarks Lane Footbridge. The proposed transport upgrades listed in Tables IX.10.1 and Table IX.10.2 will deliver the urbanisation of existing rural roads comprising a grade separated footpath to the Hobsonville Town Centre and Hobsonville Road arterial via the Clarks Lane Footbridge, and the construction of a paper road. Residents from within the PCA will be able to access the Hobsonville Town Centre within a 15-20 minute walk, relative to their location within the PCA. These upgrades reflect a positive outcome for future and existing local residents and business owners and the ITA confirms the proposal will improve pedestrian and cycle connectivity, permeability and safety for future residents within the PCA, and within the wider peninsula.

Overall, Commute conclude at Section 14 of the ITA that *"traffic effects associated with the development of the Whenuapai East Precinct, with the implementation of the measures identified in Section 8, are considered acceptable and there are no reasons from a transport perspective not to approve the PPC."*

[57] Urban Design Assessment; Boffa Miskell; Dated November 2024; Pages 33-34.

It is therefore concluded that any adverse transportation effects resulting from the proposed zoning, precinct and resulting development can be managed such that any adverse effects are avoided, remedied or mitigated. I adopt the expert position presented in the ITA overall, I consider that the proposal results in less than minor adverse effects on the operation and safety of the surrounding road network and pedestrian and cycle networks, having regard to the mitigation instilled in the proposed precinct provisions.

7.5 Infrastructure Effects

7.5.1 Stormwater Discharge

The Infrastructure Report (**Appendix 10**) confirms the PCA is not currently serviced by a public stormwater network. Stormwater runoff currently drains overland to the coastal Waiarohia Inlet. The only stormwater features within the PCA are a permanent watercourse (culverted under Clarks Lane), a natural inland wetland between the boundary of 15 and 17 Clarks Lane, and two short sections of intermittent streams on 12 and 14 Sinton Road at the coastal edge.

A comprehensive stormwater management strategy is therefore required to facilitate urbanisation in this greenfield location. Capture has prepared a Stormwater Management Plan (**SMP**) (**Appendix 11**) that considers future development within the PCA in the context of the wider stormwater, riparian and coastal environments in this location, and explains that stormwater runoff from within the PCA can be managed without requiring connections to other existing or wider public networks. This is because of the site's coastal location, which enables stormwater to be discharged to the adjacent coast and the intermittent and permanent streams within the PCA. Stormwater discharge from within the PCA is relatively 'self-sufficient' in this regard.

Despite this, consultation with Healthy Waters has confirmed that it remains appropriate for the public stormwater network within the PCA to be vested with Auckland Council upon completion and thereafter for stormwater discharge to be managed under their existing regional Network Discharge Consent (**NDC**). For greenfield development, the NDC requires the provision of a SMP and compliance with the conditions of that regional discharge consent. The Applicant requests Healthy Waters adopt the SMP as part of this plan change application, should it be approved.

The enclosed SMP establishes that the following approach will appropriately manage (and mitigate the potential adverse effects of) stormwater runoff as the PCA urbanises over time:

- The introduction of the SMAF-1 control will protect and enhance the quality of the streams and recharge the wetland as urbanisation occurs. The control will 'trigger' assessment against Chapter E10 at the time of resource consent and the requirement for on-site hydrology mitigation in accordance with standard E10.6.4.1 (for the development of new impervious areas greater than 50m^2) which requires compliance with Table E10.6.3.1.1, below.

Table E10.6.3.1.1 Hydrology mitigation requirements

Stormwater management area control	Hydrology mitigation requirements
(1) Except as provided for in (2) below the following applies:	
Stormwater management area – Flow 1	(a) provide retention (volume reduction) of at least 5mm runoff depth for the impervious area for which hydrology mitigation is required; and (b) provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event minus the 5 mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required.

- Stormwater that is not discharged into an intermittent or permeant stream will be discharged to the coastal environment. Where this occurs, hydrology mitigation is not required prior to discharge given the site's proximity to the coastal environment and the absence of downstream flooding.

- Stormwater will be discharged to a stream or to the CMA via a series of stabilised outfalls to be consented at resource consent stage pursuant to Chapter E36 of the AUP. This consenting process will avoid giving rise to adverse erosion or instability effects. The structures will be designed to comply with Auckland Council's technical report, TR 2013/018 *Hydraulic Energy Management: Inlet and Outlet Design for Treatment Devices*. The possible locations of the stabilised outfalls have been determined by Capture having regard to topography and the context of the adjacent/receiving environment, as shown within the Infrastructure Report at Appendix 10, and indicated on the Precinct Plan. The final location of the outfalls will be determined at resource consent stage.

- The indicative outfall locations avoid three midden sites located along the coastal edge of the PCA in order to protect and maintain the quality and value of these cultural

features, as identified in the Archaeological Assessment at **Appendix 8** - an outcome supported by Te Kawerau ā Maki.

- Stormwater from all surfaces except roofs (which are to be constructed using inert materials) will be treated prior to discharge to protect downstream water quality. Treatment will be provided in accordance with GD01 and can be delivered in a variety of devices/measures to be determined at resource consent, including:

Mitigation requirement (Auckland Unitary Plan)	Stormwater management requirement and aim	Devices providing this mitigation
Stormwater management – quality: • Provide treatment of the water quality flow or volume.	Water quality mitigation: • To protect water quality.	• Bioretention devices • Swales • Wetlands • Ponds (where specific design is agreed with Auckland Council).

- The primary stormwater network will be designed in accordance with Auckland Council's Stormwater Code of Practice, and will ensure that in a 10% AEP event, runoff from roads and lots will be directed to the outfall structures discussed above. This network will be vested with Auckland Council, also as discussed above.
- Secondary overland flow paths will be accommodated in roads and reserve areas (where possible) for larger storm events, up to the 1% AEP event (with allowance for 3.8 degrees climate change). The entry and exit locations of existing flow paths are to be retained where possible, to minimise effects on upstream or downstream properties. A Flood Hazard Risk Assessment is enclosed with the SMP and further assessment will be required at resource consent stage pursuant to Chapter E36 of the AUP.
- Flooding is limited to the permanent stream and will be contained within the 20m esplanade reserve that is required to be offset on each side of the stream. No development within the extent of the floodplain is expected therefore.

Having regard to the above and the assessment provided in **Appendices 11 and 12**, it is considered that the proposal will result in less than minor adverse effects in respect of stormwater and no floodwaters are displaced by the proposal. The PPC does not adversely affect properties upstream or downstream of the site.

7.5.2 Wastewater Discharge

The Infrastructure Report confirms that the public wastewater network does not currently have sufficient capacity to accommodate the future development of the PCA, and that a more strategic-scale upgrade of the public network is required.

That said, the Infrastructure Report identifies three different options for servicing the site and wider network improvements. The Applicant and its experts are committed to continuing to work with Watercare to develop a feasible servicing outcome that benefits both the Plan Change site and the remaining growth within the peninsula.

Pre-application consultation with Watercare (as set out in the memo received from Watercare at Appendix 10) confirms their agreement with the above, and that the site will be benefit from the Whenuapai Wastewater Package 1 works which are expected to be complete in 2025. This consultation process also confirmed that the PCA does not need to wait for Stage 2 of the upgrade works to come online prior to residential occupation (despite the FDS listing Stage 2 of the project as an infrastructure pre-requisite for this location). The memo received from Watercare states:

"The applicant shall demonstrate that the connection of the Plan Change area does not compromise the ability of PS70 to service its catchment and will not require any planned works at the pumping station to be brought forward to service this Plan Change area."

For these reasons, and considering there are several viable and feasible options for servicing that will need to be resolved prior to development (and subsequent connections), that do not adversely affect other properties, or the wider environment, the proposal does not give rise to adverse infrastructure effects in respect of wastewater.

7.5.3 Water Supply

The Infrastructure Report similarly confirms the public water supply network does not currently have sufficient capacity to accommodate the future development of the PCA, and that a more strategic-scale upgrade of the public network is required.

That said, the Infrastructure Report identifies several options for servicing the site and wider network improvements. The Applicant and its experts are committed to continuing to work with Watercare to develop a feasible servicing outcome that benefits both the Plan Change site and the remaining growth within the peninsula.

For this reason, and considering there are several viable and feasible options for servicing that will need to be resolved prior to development (and subsequent connections), that do not adversely affect other properties, or the wider environment, the proposal does not give rise to adverse infrastructure effects in respect of wastewater.

Overall, the proposed development results in less than minor adverse effects on surrounding public infrastructure and can be serviced without detriment to the wider environment and capacity of public networks, including in respect of stormwater.

7.6 Natural Hazards

7.6.1 Flooding and Overland Flow

Refer to the assessment at section 7.5.1 above which confirms the PPC will not result give rise to adverse flooding or overland flow effects.

7.6.2 Coastal Hazards

The CHA prepared by SLR Consulting (**Appendix 7**) addresses coastal inundation, risk of tsunami, and coastal erosion (regression). These matters are addressed in turn.

Coastal inundation

The Auckland Council Geomaps identifies the presence of inundation at the toe of the embankments adjoining the PCA. The CHA confirms that despite forecasted sea level rise, coastal inundation will not adversely affect future development on the site which is situated at an elevated ground level:[58]

"Coastal inundation resulting from extreme storm tides is not generally considered to be an issue with regard to the project area, under both current day and future sea level rise scenarios over the next 100+ years. With consideration of up to 2m sea level rise, coastal inundation is expected to be limited to the low-lying coastal fringes with the vast majority of the subject area remaining unaffected. Overall, it is concluded that the potential impact from future coastal inundation on

[58] Coastal Hazard Assessment; SLR Consulting; Dated April 2024; Page 22.

the project area will be minor and can easily be avoided/mitigated through appropriate building setbacks. No specific mitigation is required."

Tsunami risk

In regard to the potential for adverse effects on future development from tsunami, the CHA concludes:[59]

"The risk to the project area from a tsunami is considered to be very low. All key infrastructure and development will be located landward of tsunami extents and presented in Figure 11. It is also recognised that the proposed plan change will not change or worsen the susceptibility of the site to tsunami inundation hazard."

Coastal regression (erosion)

Site-specific calculations of shoreline retreat undertaken as part of this assessment have identified a current day slope settlement distance of approximately 4-10m.

Following on-site analysis, SLR confirm that the Area Susceptible to Coastal Instability and Erosion ("**ASCIE**") ranges from 14.6m to 17.9m along the coastal edge of the PCA, when measured from MHWS, owing to the narrow width of the Waiarohia Inlet and presence of extensive mangroves. On this basis, the area of land that is subject to 'exceptionally unlikely' future erosion will be contained within the vested esplanade reserve that is required to measure 20m from the same location (MWHS), and therefore, no future development will be situated within the ASCIE.

The CHA states in this regard:[60]

"The calculated 'Exceptionally Unlikely' future ASCIE distances of 14.6m (Cross Section A 15 Clarks Lane), 17.1m (Cross Section B - 10 Sinton Road), 17.9m (Cross Section C - 14 Sinton Road) and 16.2m (Cross Section D - 16 Sinton Road), which are indicative of the maximum area at risk from potential retreat over the next 100 years, are mapped on the latest aerial imagery related to the proposed plan change in Figure 13. The blue line in the figure represents the approximate location of the present bank toe as determined from aerial imagery; the red line highlights the future ASCIE (until 2130). The results demonstrate that the area at risk from retreat is located seaward

[59] Coastal Hazard Assessment; SLR Consulting; Dated April 2024; Page 22.

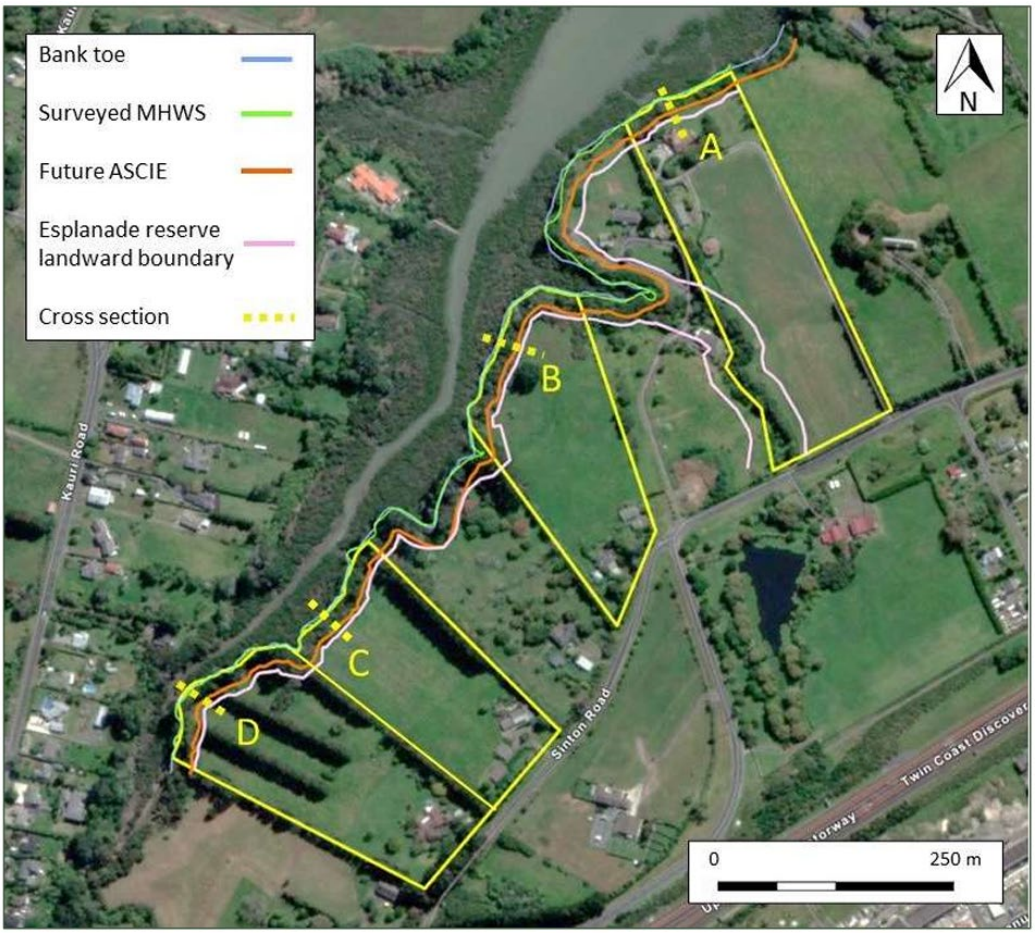
[60] Ibid; Page 21.

from the approximate landward boundary of the planned local 20m wide esplanade reserve (light purple line). Since future residential development would be located landward of the esplanade reserve, such future development should be adequately set back from the areas potentially susceptible to coastal erosion risk."

SLR conclude in this regard:[61]

"It is recognised that based on this very conservative cliff regression scenario (i.e. 1% exceedance probability), erosion is not expected to encroach within the area of the future residential development as a result of the plan change. Future erosion potential will likely be confined to the coastal areas of the site which are to be vested as esplanade reserve (i.e. 20m inland of MHWS)."

Figure 19 - Site overview showing the coastal edge condition (Source: SLR)



[61] Coastal Hazard Assessment; SLR Consulting; Dated April 2024; Page 22.

SLR conclude "the overall risk to the subject site from coastal hazards is considered **low**."[62]

I adopt the analysis of SLR and on this basis, consider the potential adverse coastal hazard effects will result in less than minor adverse effects on the site and its future development.

7.6.3 Stream Instability

The Erosion Screening Assessment prepared by Engeo (appended to the SMP at **Appendix 11**) confirms that minor scouring has occurred on the eastern side of the permanent stream at 15 Clarks Lane, however the 10m setback required is less than the 20m esplanade reserve that will be provided along the eastern side of the stream. Detailed design of planting and measures to mitigate future scouring is to be provided at resource consent stage, and the SMAF-1 control will assist to manage discharge rate and flow to the stream.

7.7 Geotechnical Effects

The Geotechnical Assessment at **Appendix 5** contains Geotechnical Investigation Reports for the four Cabra owned-properties, and a desktop analysis of the remaining non-Cabra owned sites (17 and 17A Clarks Lane and 12 Sinton Road). Together, the geotechnical analysis supplied for the PPC provides a comprehensive understanding the underlying geotechnical conditions across the PCA.

In summary, the risk of seismic hazards is low and the PCA is not susceptible to liquefaction. Expansive soils vary from non-expansive to moderately expansive, requiring further site-specific testing and detailed design and construction verification to confirm the ground conditions at subgrade levels for future building development. This is a matter that can be resolved in further detail at resource consent stage. Areas of organic soils and peat layers were identified at each end of the PCA but are not expected to present a significant risk to residential development and can be managed using conventional earthworks and through specific foundation design. Historic slope instability was observed at 10 Sinton Road, and elsewhere along the coastal margin via aerial photographs; these features can be managed via site specific investigation (particularly in respect of 10 Sinton Road) to inform the appropriate design of mitigation measures, such as geotechnical drainage, retaining wall(s), and / or bulk earthworks solutions to support stable

[62] Coastal Hazard Assessment; SLR Consulting; Dated April 2024; Page 22.

building platforms and associated infrastructure. Uncontrolled fill is evident in isolated locations across the PCA, and any fill deemed unsuitable for use would be cut to waste and removed from site.

Engeo conclude the above features are typical of development in the Auckland region and that there are standard geotechnical practices that can be employed at resource consent (and later at building consent) stage to mitigate the potential adverse effects on future residential use and development. Engeo conclude:[63]

"Based on the findings of the existing ENGEO geotechnical reports for properties within the PPC area, as well as this desktop study of the wider peninsula area for context, we have not identified geohazards which would be likely to preclude future conversion of this area to residential land use provided that the normal geotechnical investigation, analysis and design process is followed. The geohazards identified in this assessment are typical of land development in the Auckland region and are able to be addressed through conventional engineering design approaches."

I adopt the analysis of Engeo that there are no geotechnical reasons preventing redevelopment and residential use of the land within the PCA. The land conditions are typical of the Auckland region and therefore it is considered site-specific mitigation measures can be employed at resource consent stage, should it be required. The proposal will result in less than minor adverse geotechnical effects, therefore.

7.8 Contamination Effects

The site has been the subject of DSI analysis in respect of the Cabra-owned properties, and a desktop assessment in respect of 17 and 17A Clarks Lane and 12 Sinton Road. Together, the PCA is collectively addressed within the covering letter prepared by Engeo at **Appendix 6**, accompanied by the four DSI and associated RAP also prepared by Engeo.

This analysis concludes that the PCA has accommodated possible HAIL activities in the past, including persistent pesticide storage (within areas of cropping and vineyard), waste disposal to land (dumping of domestic waste), and possible accidental release of contaminants from lead paint, asbestos materials on buildings, burn piles and the use of small volumes of fuel/oil.

[63] Geotechnical Assessment - Cabra Sites, Hobsonville, Auckland; Engeo; Dated 22 April 2024; Page 10.

Accordingly, Engeo confirm that resource consent will be required under the NESCS and AUP at the time consent is sought for earthworks, subdivision and residential use, but that the ultimate use of the land for residential activity can be achieved following standard remedial measures:[64]

"ENGEO did not identify activities which would be likely to preclude future conversion of this area to residential land use from a contamination perspective, provided that the relevant provisions of the NESCS and the Auckland Unitary Plan are followed when the change in land use occurs."

Further analysis (including the preparation of a DSI) will be required in respect of non-Cabra landholdings at the time of resource consent.

I adopt the analysis of Engeo and consider that future resource consent applications can appropriately address the management of contaminated soils in a manner that will result in less than minor adverse effects on the environment and on human health.

7.9 Ecological Effects

The natural features within the PCA are described at section 4.2 above and within the EIA (**Appendix 13**) which states the ecological values of natural features within the PCA are generally *low-moderate*, except for the adjacent coastal environment which has a *high* ecological value. The following provides a summary of the findings set out within the detailed ecological assessment enclosed.

- **Vegetation** – *the PPC proposal is expected to have low effects on the terrestrial botanical values within the site, and likely provide positive outcomes for the terrestrial ecological values of the area through enhancement of botanical and fauna habitat values.*[65]
- **Terrestrial indigenous fauna** - *any potential direct adverse effects on native terrestrial fauna as a result of subsequent development works (e.g., earthworks, vegetation clearance) would be assessed at the resource consenting phase. It is considered that adverse ecological effects on indigenous fauna can be appropriately mitigated through the implementation of consent conditions and fauna management plans. As discussed, it is also expected that terrestrial habitat values will increase through the likely future*

[64] Private Plan Change Contamination Assessment - Cabra Sites, Hobsonville, Auckland; Engeo; Dated 22 April; Page 5.

[65] Ecological Impact Assessment; Viridis; Dated August 2024; Page 26.

enhancement of currently low-quality vegetation and habitat within the site, which would be expected to positively impact indigenous species.[66]

- Pest mammals - *it is considered that the rezoning of the site will result in negligible effects on pest animal presence.*[67]
- Watercourses - *It is considered that the effects management hierarchy will be appropriate for managing adverse effects of future development on the streams, and mitigating/offsetting where required. All adverse effects can be managed with appropriate measures/mitigation such as erosion and sediment control, stormwater management, riparian planting and management, and fish relocation if required. Stormwater runoff from new impervious areas will be treated prior to discharging to streams or the coast. As such, the proposed rezoning is not anticipated to result in residual adverse effects on the streams.*[68]
- Wetlands - *Indirect adverse effects on the wetland such as sedimentation and stormwater contaminants are expected to be adequately mitigated through appropriate controls and following best practice guidelines, to ensure adverse effects on ecological values are low…The identified wetland is associated with the upper reach of the permanent stream within the site, and therefore there is the potential to significantly increase the ecological values through appropriate native buffer and wetland planting.*[69]
- Coastal ecology - *It is considered that the effects management hierarchy will be appropriate for managing adverse effects of future proposals. All adverse ecological effects can be effectively managed with appropriate controls such as stormwater management plans, erosion and sediment control plans, appropriate development design, and enhancement planting and weed and pest control. As such, the proposed rezoning is not anticipated to result in residual adverse effects on the coastal environment. Further, the proposed planting within 10 m of the MHWS is expected to provide positive ecological benefits to the coastal environment through improved buffering, filtration and fauna habitat.*[70]

The above summary confirms that the PPC will not result in adverse ecological effects on these natural features that cannot be reasonably mitigated at the time of resource consent. Further,

[66] Ecological Impact Assessment; Viridis; Dated August 2024; Page 27.

[67] Ibid; Page 27.

[68] Ibid; Page 28.

[69] Ibid; Page 29.

[70] Ibid; Page 31.

the EIA confirms that stormwater management and erosion and sediment control can be appropriately designed and managed at resource consent stage to mitigate potential adverse effects on the ecological values of features in the PCA. The EIA confirms the various ecological-related provisions in the precinct are appropriate, including when applied in addition to the AUP and other policy documents (such as the NES-Freshwater). The EIA concludes:

Overall, it is considered that the outcomes of the proposed PPC and precinct provisions are consistent with the objectives and policies of the AUP-OP. The AUP-OP, NPS-IB, NPS-FM, NES-F and the Wildlife Act 1953 provide a framework that manage any proposed future development at the resource consenting phase, to ensure any development aligns with the relevant policies and regulations. Future subdivision and development in accordance with the proposed zoning and precinct provisions is anticipated to result in the appropriate protection and enhancement of indigenous terrestrial, freshwater and coastal biodiversity values of the site.[71]

For these reasons, and those further detailed in the accompanying expert report, the Plan Change is considered to result in less than minor adverse ecological effects.

7.10 Arboricultural Effects

The Arboricultural Assessment prepared by Arbor Connect at **Appendix 16** describes the quality of existing trees within the PCA and surrounding road network and considers the proposed arboricultural effects of the PPC on the quality and values of these trees. There are trees located within an SEA that runs along the coastal edge of 14 and 16 Sinton Road, and outside the SEA but proximate to coastal, riparian and wetland environments.

Firstly, the Assessment confirms that no existing trees in the PCA warrant scheduling under Chapter D13 Notable Trees Overlay of the AUP.

The Assessment goes on to advise there are existing provisions in the AUP that will apply at the time of resource consent which protect and manage the effects of development on trees in coastal, stream and wetland environments, namely Chapters D9 Significant Ecological Areas and E15 Vegetation Management and Biodiversity. The Arboricultural Assessment confirms these are suitable for the nature of proposed development, and that no further arboricultural provisions are required in the proposed precinct.

[71] Ecological Impact Assessment; Viridis; Dated August 2024; Page 34.

Likewise, in respect of the proposed transport and infrastructure upgrades, the AUP manages the effects of urbanisation on trees in the road network at Chapter E17 Trees in Roads and in relation to the construction of infrastructure at Chapter E26 Infrastructure. New development will be required to assess the relevant provisions listed above at the time of resource consent. Asset Owner Approval will also be required from Council prior to the removal, alteration, or works within the protected rootzone of any street trees.

In respect of the trees within the Historic Heritage Overlay Extent of Place in Clarks Lane (that are required to be removed for the construction of the footpath on the eastern side of the carriageway to provide connection with the Clarks Lane Footbridge), the Arbor Connect report confirms the trees do not have arboricultural value, and their removal will not require consent under Chapter D17 Historic Heritage Overlay, however consent will be required under Chapter E17 which will be addressed at the time of resource consent. The Arboricultural Assessment states in this regard:

"The street trees here comprise mainly of shrub species up to 5.0 m high. The species are not usually planted as street trees and are likely to have been planted by the owner of the adjacent property. The loquat and Japanese spindle trees are declared pest plants. The gum tree consists of sprouts from a stump that are not viable street trees in the long term. There are no significant trees that would require removal. The trees are not specifically referenced in the Historic Heritage Overlay Schedule 14.1 extent of place therefore their removal is a permitted activity under Rule D17.4.1 (A9B). The trees are still afforded protection under Chapter E17 Trees in roads."[72]

Overall, the Arboricultural Assessment considers that the provisions of the AUP will appropriately manage adverse effects of development on trees in a coastal, riparian or wetland environment, and within the road reserve. Potential adverse arboricultural effects can be addressed at the time of future resource consent applications, acknowledging that the comprehensive redevelopment of the PCA (including coastal and riparian planting) provides significant opportunity for mitigation planting and the implementation of tree protection measures where required. On this basis, I agree with Arbor Connect that the PPC is supported from an arboricultural perspective.

[72] Arboricultural Assessment; Arbor Connect Ltd; July 2024; Page 6.

7.11 Economic Effects

The Economic Assessment prepared by Formative (**Appendix 14**) sets out a range of positive effects (refer above). It concludes that while infrastructure upgrades are required to facilitate growth, these costs will be borne by the applicant and as/when development occurs within the PCA, such that the PPC will not generate financial burden on Council as the infrastructure costs will be borne by the applicant. The Economic Assessment also acknowledges that there may be a perceived loss of rural land availability, however given the Future Urban zone anticipates urbanisation and that the land is not currently being used for rural, horticultural or productive purposes (and has not for some time), there is *"no real cost of foregone agricultural production from allowing conversion of the PPC area to urban uses as proposed."*[73]

I adopt the conclusion of Formative therefore, that the *"net economic effects of the plan change are positive and the proposal will contribute to accommodating ongoing dwelling demand in a high growth part of Auckland"*.[74] I adopt the robust assessment at **Appendix 14** and conclude that there are no adverse economic effects arising from the Plan Change.

7.12 Reverse Sensitivity – RNZAF Base Auckland

As set out in section 8, the applicant has undertaken extensive and on-going consultation with representatives of the RNZAF in relation to the management and mitigation of reverse sensitivity effects on the safety and operation of their Auckland Base. The proposed precinct provisions and plans have been shared with Ms Rebecca Davies and incorporate input received accordingly.

7.12.1 Acoustic effects

As it stands today, the PCA is not subject to the Aircraft Noise Overlay in respect of the RNZAF Base Auckland in the AUP.

Background

As part of Plan Change 5, NZDF sought an additional aircraft noise overlay to manage the effects of aircraft engine testing within the surrounding environment. As notified, the proposed overlay

[73] Economic Assessment; Formative; Dated November 2024; Page 39.

[74] Ibid; Pages 40-41.

applying to the 57 dB Ldn noise contour skirted the PCA, running along the ridgeline of Sinton Road as shown on Page 14 of the Neighbourhood Plan. The following excerpt is provided from the Acoustic Report prepared on behalf of Council at that time (refer Appendix 17):

"We recommend that noise sensitive activities be prohibited within the 65 dB Ldn contour while the numbers of dwellings are controlled between the 57 dB Ldn contour and the 65 dB Ldn contour either by avoiding them or by limiting them using appropriate zoning mechanism. Noise Sensitive Activities within the 57 dB Ldn contour will be noise insulated and ventilated to allow windows to be kept closed against noise thus allowing reasonable internal noise limits to be met.

We consider that the zoning along Sinton Road where the 57 dB Ldn finger extends can remain as proposed in the Draft Whenuapai Plan Change. The slightly greater noise levels in this Precinct will be controlled by the Rules within the Plan which will accommodate the higher population density that the zoning will encourage."

On this basis, that Acoustic Assessment advised *"any noise sensitive activities within the 57 dB Ldn finger would need to comply with the D24.6.1 rule requirements for insulation and ventilation."*

Standard D24.6.1 of the AUP states:

D24.6.1. North Shore Airport, Kaipara Flats, and Whenuapai

(1) The following activities:

- D24.4.1(A1) New activities sensitive to aircraft noise; and
- D24.4.1(A3) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise

must provide sound attenuation and related ventilation and/or air conditioning measures:

(a) to ensure the internal noise environment of habitable rooms does not exceed a maximum noise level of 40dB L_{dn};

(b) that are certified by a person suitably qualified and experienced in acoustics to the Council's satisfaction prior to its construction; and

(c) so that the related ventilation and/or air conditioning system(s) satisfies the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.

Following notification, submitters were advised that the engine testing modelling would need to be revised owing to changes to the type of aircraft that will be based at Whenuapai. Council subsequently issued draft Variation 1 to PC5, however it was never formally notified. Draft Variation 1 instead shows the northern part of the PCA as being located within the 57 dB Ldn noise contour, as shown on Page 14 of the Neighbourhood Plan.

Plan Change 5 was subsequently withdrawn. As such, the AUP as it currently stands remains the default position in this regard, whereby the PCA is not subject to any noise overlays relating to the RNZAF Base Auckland.

However, the Applicant has consulted with RNZAF over a number of years and appreciates the strategic significance of its Auckland Base, and its need to ensure it can undertake maintenance, testing and training at the site. It is expected therefore, that at some time in the future, an acoustic overlay will be introduced to the AUP to address the effects of engine testing. The exact extent of that overlay is yet to be confirmed.

Proposed mitigation measures

For completeness and to futureproof a scenario whereby the overlay is applied across the PCA following the construction of dwellings, the Applicant agrees to integrate methods within the precinct provisions to address the effects of acoustic reverse sensitivity at the receiver, being the residential dwelling. The precinct therefore includes acoustic insulation and ventilation standards (refer standard IX.6.9 Residential dwelling construction and design) that generally replicate standard D24.6.1. Without including this standard in the precinct, it would not otherwise apply to future development (in the absence of the Aircraft Noise overlay within the PCA).

It is considered therefore that this approach will appropriately mitigate the potential acoustic effects of the operations of the Airbase on the amenity of residents within the PCA, and therefore reduce the likelihood of giving rise to reverse sensitivity effects on the operation and function of the Airbase in this regard.

However, the precinct plan proposes to take this one step further and require the introduction of a non-complaint covenant on the Record of Title of residential lots within the PCA (refer proposed standard IX.6.12 Noise). This will notify future residential owners that such covenant exists to *"waive all rights of complaint, submission, appeal or objection it may have under the Resource Management Act 1991 and successive legislation or otherwise in respect of any noise associated with the RNZAF Base Auckland."*

Together, proposed standards IX.6.9 and IX.6.12 work together to mitigate the reverse sensitivity effects of noise generated from the Airbase on the amenity of residents, and on the uninterrupted operation of the Airbase. Resource consent is required as a restricted discretionary activity to infringe either standard as per IX.4.1 Activity Table. With reference to rule IX.5 Notification, infringement of either standard will require particular consideration of reverse sensitivity effects

on the RNZAF when determining who is an affected person for the purpose of s92E of the RMA. It is considered that the plan change will generate less than minor adverse noise reverse sensitivity on the RNZAF therefore.

7.12.2 Lighting and glare

Consultation with RNZAF has raised concerns regarding the potential adverse flight hazards and safety effects of lighting and glare on aircrafts from urban development proximate to the Airbase. It is proposed to mitigate such potential effects by managing the use of lighting within the PCA by introducing a new standard in this regard, being standard IX.6.10 Lighting. The RNZAF has confirmed this standard would appropriately mitigate potential lighting and glare effects on the operation of aircrafts and the Airbase, and I adopt this view accordingly.

7.12.3 Bird strike

The issue of bird strike is a known concern of the RNZAF, requiring the careful management of effects on the safe operation of the Auckland Base relative to delivering appropriate ecological and biodiversity outcomes as development occurs in a coastal and riparian environment.

The objectives and policies proposed within the precinct provisions seek to address this concern. This is to be achieved via the SMP which flags this concern, and intentionally does not list wetlands or stormwater ponds as suitable measures for stormwater management within the PCA given their ability to attract birds. As development occurs other alternative devices will be required to achieve SMAF-1 retention and detention requirements prior to the discharge of stormwater to streams.

7.12.4 Obstacle limitations

The PCA is located within Designation 4311 which restricts the use of structures above a stated height to prevent obstacles arising that may present a safety and operation risk to aircrafts. Out of an abundance of caution, proposed precinct standard IX.6.11 Temporary activities and construction makes reference to the designation and advises that written approval from the RNZAF must be obtained to exceed the designated height (either temporarily during construction, or for permanent structures).

Overall, it is considered that the above suite of measures in the form of precinct provisions/standards will appropriately mitigate potential adverse reverse sensitivity effects on the safety and operation of the RNZAF Base Auckland.

7.13 Archaeological Effects

The Auckland Council Cultural Heritage Inventory Maps identify the presence of two archaeological sites along the coastal edge of the PCA, and the Archaeological Assessment prepared by Hans-Deiter Bader (**Appendix 8**) has identified a further midden site on the coastal edge of the PCA.

These features are wholly contained within the first 20m of the MWHS, and will be encompassed therefore within a future esplanade reserve. Riparian planting is proposed within the coastal esplanade and as part of preparing the required riparian planting plan, regard will be given to the way in which the respective cultural site is to be treated, in respect of setbacks, and so on. The location of possible stormwater outfalls (as shown on the Precinct Plan) avoids the three identified midden locations, avoiding the discharge of stormwater from these known archaeological locations. This outcome was supported by Te Kawerau ā Maki at an on-site hui. The precinct provisions therefore mitigate potential adverse effects on these archaeological sites.

The proposed precinct provisions illustrate future development will occur outside of the three identified midden sites on the coast. It is considered that the plan change will result in less than minor adverse archaeological effects for these reasons.

7.14 Effects on Mana Whenua Values

In undertaking to assess the potential adverse effects of the PPC on the values of mana whenua values, the Applicant has undertaken extensive consultation with the iwi identified as having an interest in the area as set out in the Record of Engagement at **Appendix 18**,[75] and Te Kawerau ā Maki in particular, culminating in the receipt of the CIA enclosed at **Appendix 19**. Further, the pre-European activity on the PCA and its surrounds is set out in the Archaeological Assessment (**Appendix 8**), and the WSP[76] provides further analysis of the cultural values in the area.

[75] As discussed within the assessment of relevant iwi management plans at **Appendix 20**.

[76] The creation of which involved extensive consultation with mana whenua.

It is clear from this consultation and analysis that there is an interest in development of the land and its potential for adverse effects on mana whenua values.

The CIA prepared by Te Kawerau ā Maki undertakes to identify cultural sites, areas and resources of interest in the PCA and surrounding environment, consider the cultural values of the identified features (and categorise their value into high, medium and low), identify the potential impacts on the features that the PPC may give rise to, and define the significance of that effect (using the same high, medium and low categorisation).

The CIA identifies a range of features within the area that range from high to low value. While the detail of these is supplied on a confidential basis, the key 'themes' are summarised at Section 18 of the CIA. The CIA identifies a range of effects that may arise from the PPC, including direct impacts such as those arising from:[77]

"earthworks, stormwater, removal of vegetation, disturbance to fauna, light pollution and visual or setting impacts arising from bulk of structures within the landscape."

Direct adverse construction impacts will likely include bulk earthworks that will remove the productive topsoils and alter the contours of Papatūānuku, potentially require either the removal of soil from the site or importing of soil from elsewhere, and contribute to the risk of sediment runoff. Impacts will also arise from the removal of established trees and vegetation, the potential to harm native animals (e.g. birds, bats and lizards) during physical works, and works within or adjacent to Waitematā Harbour, Waiarohia ō Ngariki awa/inlet and its tributaries. Direct adverse operational impacts will likely include increased light pollution, noise pollution, stormwater discharge from impervious areas, and changes to the rural setting of Waiarohia ō Ngariki awa and kainga and potentially sight lines across the Waitematā Harbour."

Further, the CIA states that indirect construction and operational effects may arise as follows:[78]

"Indirect adverse construction impacts will likely include risk of sediment and erosion from vegetation clearance and topsoil stripping, potential impact if soil is removed from the takiwa (area) and deposited in a different takiwa, and temporary disturbance to birds.

[77] Cultural Impact Assessment; Te Kawerau ā Maki; Dated October 2024; Pages 28-29.

[78] Cultural Impact Assessment; Te Kawerau ā Maki; Dated October 2024; Pages 28-29.

Indirect adverse operational impacts could include the invasion of new weeds from residential (backyard) gardens, introduction of new pests (cats) from houses, impacts to Waiarohia ō Ngariki awa from contaminants (including heavy metals and microplastics) entering stormwater from residential areas, the mixing of different waters without the mediation of Papatūā nuku (via soil or bio filtration), downstream impacts to kāinga site from discharges, downstream impacts to Waitematā Harbour from discharges."

Cumulatively, these effects may arise from both construction and operation phases, and *"include the removal of further productive soils from the landscape (permanent adverse), loss of potential habitats for lizards and bats (permanent adverse), a net increase in urban discharges to Waiarohia ō Ngariki and eventually the harbour (permanent adverse), increase in net light pollution (permanent adverse), and slight changes to the character of the cultural landscape through further urbanisation (permanent adverse)."*[79]

The table at Section 18 identifies the potential significance of adverse effects that may arise from the PPC, however acknowledges there are a range of mitigation measures that can be employed to ensure that the adverse cultural effects are appropriately managed. Positively, the majority of these measures are indeed proposed as part of the PPC, either as required by rules within the precinct, or identified as being required at resource consent in technical reports accompanying the application. On this basis, it is considered that the PPC appropriately mitigates the potential adverse cultural effects identified by Te Kawerau ā Maki, to the extent that these are acceptable to mana whenua.

For completeness, I note that the recommended 30m setback from the coast and streams has not been incorporated into the requirements of the precinct. However, the Act requires a 20m esplanade at the time of subdivision, which will be vested to Council and protected by virtue of the Open Space zoning (albeit not covenanted). Rule IX.6.2.1 Yards of the precinct requires a further 5m building setback from the coastal boundary, and a 10m setback from the edge of all streams. As such, development is indeed intended to be setback by 25-30m from the coast and stream, however this is not the full depth of the land intended to be publicly vested, nor covenanted. We trust the overarching outcome is in line with the outcome sought by Te Kawerau ā Maki in this regard.

[79] Cultural Impact Assessment; Te Kawerau ā Maki; Dated October 2024; Pages 28-29.

Finally, given only mana whenua can provide a clear understanding of the effects on mana whenua values, this report cannot make any definitive conclusion until further consultation is undertaken with iwi and the Applicant invites further feedback through the submission process.

7.15 Effects conclusion

Overall, it is considered that the PPC will appropriately avoid, remedy and mitigate the actual and potential adverse effects on the environment as urbanisation of the PCA occurs, to the extent these are considered to be less than minor in nature.

8 Consultation

A detailed record of the consultation set out below is provided at **Appendix 18**, and where memorandums or email correspondence have been received from specialists at these organisations, they are appended to the respective report. For example, the memorandum from Watercare is attached to the Infrastructure Report for ease of reference.

8.1 Consultation with Auckland Council

The Applicant and its team attended a series of meetings with the Council throughout the pre-application period, seeking, and responding to feedback on the Plan Change. In addition, the Applicant undertook to supply draft Precinct Plan provisions and some expert memos to aide in processing and review of the application. Ultimately, this process has been fruitful and provided helpful consultation with the Council policy team.

The dates of these meetings and a summary of the discussions is set out in **Appendix 18**.

8.1.1 Auckland Transport

The Applicant team has met with Ms Katherine Dorofaeff on multiple occasions, provided preliminary transport memorandums, and has received feedback from Ms Dorofaeff on the draft precinct provisions. These comments have been incorporated where possible and suitable, again ensuring the consultation process has been effective. The overarching feedback from Auckland Transport is that they are in agreement with the principle established in the precinct that all transport upgrades as listed in the accompanying table are required to be delivered prior to residential subdivision and construction, and that the corresponding objectives, policies, non-complying activity status, and standards are supported as this will deliver an integrated transport network prior to traffic generated on that network.

The dates of these meetings and a summary of the discussions is set out in **Appendix 18**.

8.1.2 Healthy Waters

The Applicant's team has provided the draft SMP, and met with Healthy Waters as set out in **Appendix 18**, which confirmed the proposed stormwater discharge arrangements (to the CMA) are acceptable in principle. The location of possible outfalls is shown on the precinct plan, and the final location of each outfall is to be confirmed at resource consent stage.

The Healthy Waters team requested an Erosion Screening Assessment, which has been prepared by Engeo and is attached to the SMP at **Appendix 11**. This confirms that some minor stability works may be required to the eastern side of the stream embankment, in an isolated area, but that the future extent of erosion will not extend beyond the 20m esplanade reserve (and will not give rise to adverse instability effects of future development). A copy of this report has been supplied to Council to inform additional meetings and correspondence regarding the methodology and findings of that report.

Healthy Waters flagged the rationale for applying the SMAF-1 control across the entirety of the PCA; this is addressed in full within the s32 analysis, which confirms that there are three streams within the precinct whereby SMAF-1 provisions are applicable, and applying the control on a catchment-by-catchment approach would result in the piecemeal application of the control from a mapping perspective.

8.1.3 Watercare

The Applicant's engineering team has met with Mr Lars Fog of Watercare on multiple occasions as early as PC5, and later in respect of the Fast Track referral application, and most recently in respect of the proposed private plan change to discuss the associated upgrades that will be required to the wastewater and water supply network. The Applicant supplied a memo summarising the various servicing options that are available to support the proposal, and Watercare have supplied a memo confirming their agreement that future upgrades are required and available to unlock the PCA. Watercare agree with the approach as set out in the precinct provisions that these upgrades are required prior to residential subdivision and development.

Further consultation with Watercare has not been progressed following the incorporation of MDRS as the increase in potential yield remains within the realm of that originally estimated and assessed in the capacity/demand assessment as reviewed by Watercare.

8.2 Consultation with Mana Whenua

The Applicant, led by their consultation representative Mr Mathew Glanfield, has undertaken extensive consultation with iwi over the past 18 months, commencing in respect of the Fast Track referral application, and more recently, in respect of the subject plan change request, as detailed in **Appendix 18**. This process has confirmed that Te Kawerau ā Maki has taken a lead role in engaging with the Applicant, and various on-site meetings, phone calls and emails have occurred between Mr Glanfield and both Edward Ashby and Ashleigh McDonald. This process has

culminated in the provision of a CIA (**Appendix 19**) which demonstrates overarching support for the proposal, precinct provisions, and in particular, the special information requirement for applicants to consult with and demonstrate input from iwi, specifically Te Kawerau ā Maki in designing landscape plans within the coastal and riparian esplanade reserves. This process will provide mana whenua with input on species selection and design, proximity and management of the known midden sites, and the design of the pedestrian walkway (and any artistic input that can be provided to this coastal environment to recognise and convey cultural heritage and history).

8.3 Consultation with NZTA Waka Kotahi

The Applicant's team met with NZTA on various occasions in respect of the Fast Track referral application, and more recently in respect of the proposed plan change (specifically, 16 May 2024, 3 July 2024) and via email correspondence with Ms Sonya McCall and Mr Kevan Fleckney.

Following iterative discussions regarding the assumptions to be made as part of traffic generation analysis supplied by Commute, Mr Fleckney confirmed on 15 July 2024 that the proposal is supported relative to the capacity of the Brigham Creek Road roundabout, being the interchange with SH18. A copy of that correspondence is provided at **Appendix 18**.

8.4 Consultation with RNZAF

The Applicant has engaged with the RNZAF for a number of years and has met with Ms Rebecca Davies on a number of occasions. Most recently, Ms Davies was provided with a copy of the draft precinct provisions and plans, and Ms Davies has provided iterative comments and edits to the provisions. These have been largely adopted by the Applicant as per **Appendix 2**.

8.5 Consultation with Upper-Harbour Local Board

The Applicant contacted the Local Board Chair to request a meeting to present the plan change application, however the Chair declined the invitation to be updated and kept abreast of the forthcoming application.

8.6 Consultation with Local Community

The Applicant delivered a letter drop to all landowners and occupiers on the peninsula in June 2024 inviting residents to discuss the proposal. The Applicant subsequently met with five nearby

landowners, and three others have had phone discussions with Forme Planning and/or the Applicant. A member of the Ockletston Landing Residents Association advised that no residents within the development have raised concerns with the proposal. A detailed summary of all phone calls and meetings is provided at **Appendix 18**.

It is understood none have raised issue with the project and are positive about its future contribution to the neighbourhood.

9 Section 32 Analysis

Section 32(1)(a) requires the evaluation of the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act. The Plan Change provisions to consider include:

- The proposal to rezone the PCA from FUZ to MHS and MHU, and in respect of 17A Clarks Lane to rezone the land from FUZ to Open Space – Informal Recreation;
- The proposal to introduce the SMAF-1 control; and
- To introduce the Whenuapai East Precinct, including the proposed Precinct Plan.

Section 32(1)(a) states:

32 Requirements for preparing and publishing evaluation reports

(1) An evaluation report required under this Act must—

a. examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

b. examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions; and

c. contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

(2) An assessment under subsection (1)(b)(ii) must—

a. identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

(iv) economic growth that are anticipated to be provided or reduced; and

(v) employment that are anticipated to be provided or reduced; and

b. if practicable, quantify the benefits and costs referred to in paragraph (a); and

c. assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

As such and therefore, the following evaluation includes:

- The extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act (Section 9.1).
- An assessment of the efficiency and effectiveness of the provisions in achieving the objectives and a summary of the reasons for deciding on the provisions (Section 9.2).
- The identification and consideration of other reasonably practicable alternative options for achieving the objectives (Section 9.3).
- The identification and assessment of the environmental, economic, social and cultural benefits and costs that are anticipated from the implementation of the provisions (Section 9.4).
- An assessment of the risk of not acting (Section 9.5).

In accordance with the requirements of Section 32(1)(c) of the RMA, this evaluation is undertaken in a manner that contains a level of detail cognisant of the scale of environmental, economic, social, and cultural effects of the proposal.

9.1 Appropriateness of the Objectives

9.1.1 Objectives of the Plan Change

The overarching objective of the Plan Change is to unlock greenfield development within the PCA to deliver a well-functioning urban environment that recognises the importance of the coastal environment, the natural, physical and cultural features and character, and the integrated delivery of infrastructure, within and surrounding the PCA. Such an outcome aligns with the vision for Whenuapai as per the WSP.

This is proposed to be achieved by providing for the underlying zoning coupled with the proposed provisions of the Whenuapai East Precinct (and SMAF-1 control), namely as set out in the proposed Objectives at IX.2(1) – (7) which are considered in further detail below.

9.1.2 Evaluation of the Objectives against the Purpose of the Act

In accordance with Section 32(1)(a), the following table evaluates the extent to which the objectives of the plan change are the most appropriate way to achieve the purpose of the Act. The purpose of the Act is set out in section 5.

Objective of the Whenuapai East Precinct	Evaluation against Section 5 of the Act
(1) Subdivision and development within the Whenuapai East Precinct occur in a comprehensive and integrated manner in general accordance with Whenuapai East Precinct Plan 1 to facilitate the development of a well-functioning urban residential environment, enabling all people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, now and into the future.	This objective speaks to the overarching purpose of the precinct which is to unlock greenfield land for residential subdivision, use and development in a way that recognises the context and character of the eastern peninsula of Whenuapai, and delivers a well-functioning urban environment, drawing on the overarching theme of the NPS-UD. In doing so, the objective seeks to manage the use, development, and protection of natural and physical resources, therefore effectively and efficiently achieving the outcomes sought by s 5. The second pat of the objective incorporates wording as required by the RMA-EHS in respect of delivering medium density housing (as required by s6 of Schedule 1 of the RMA-EHS) – this will effectively and efficiently achieve the purpose of the Act. In this regard, the objective seeks to enable the social, economic and cultural wellbeing, health and safety of people and their communities, appropriately achieving the purpose of the Act.
(2) A variety of housing types and sizes are provided that respond to: (a) Housing needs and demand; and (b) The neighbourhood's planned built character.	Objective 2 seeks to enable housing supply as required by the RMA-EHS in respect of delivering medium density housing (as required by s6 of Schedule 1 of the RMA-EHS). Again, as this is a requirement of the Act itself, including this objective will effectively and efficiently achieve the purpose of s 5 as housing variety and choice will enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety.
(3) Subdivision and development	The objective will appropriately achieve the purpose of the Act as the provision of 'safe

	incorporate access to safe and attractive public spaces including parks, coastal esplanade, riparian and wetland margins, and roads.	and attractive' public spaces will enable people and communities to provide for their social and cultural well-being and for their health and safety.
(4)	Recognise, maintain, and where practicable, enhance the natural, coastal, ecological and cultural values of the Precinct.	Objective 4 is the most effective and efficient way to achieve s 5 as it will enable subdivision, use and development within the PCA while sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations, and while safeguarding the life-supporting capacity of the natural resources located within and adjacent to it. Such an outcome will also enable people and communities to provide for their social, economic and cultural well-being, and for the health and safety. The objective is therefore the most appropriate way to achieve this purpose.
(5)	Subdivision and development are integrated and sequenced with the upgrade and delivery of infrastructure, and do not occur in advance of operational transport infrastructure.	Objective 5 is the most appropriate way to achieve s 5 as it will deliver integrated infrastructure (specifically water supply, wastewater, stormwater and transport upgrades) with residential use and development which is critical to enabling people and communities to provide for their social, economic, and cultural well-being, and for their health and safety. Further, infrastructure is required to safeguard the life-supporting capacity of air, water, soil and ecosystems by avoiding, remedying or mitigating adverse effects on these natural and physical resources. The objective will effectively and efficiently achieve the purpose of the Act for these reasons.
(6)	Access to, from and within the Precinct for all modes of transport occurs in a safe, effective and efficient manner that mitigates the adverse effects of traffic	Objective 6 specifically seeks to enable residential use and development (and therein residents' social, economic and cultural well-being) in a manner that mitigates effects on

generation on the surrounding network.	the receiving transport network, effectively and efficiently achieving the purpose of the Act accordingly.
(7) Avoid, as far as practicable or otherwise remedy or mitigate the effects of subdivision, use and development, including stormwater management, on the operation and activities of RNZAF Base Auckland.	Objective 7 will enable the RNZAF to use and operate strategic infrastructure whilst enabling use and development that will enable the people within the PCA to provide for their social, economic, and cultural well-being. Importantly, this objective intends to avoid (as far as practicable), or remedy or mitigate, adverse revere sensitivity effects that may arise from the residential use and development of the PCA on the RNZAF. The objective has been discussed with and is supported by representatives of the RNZAF, therefore reflecting the most efficient and effective way to achieve the purpose of the Act.

The above assessment demonstrates that the proposed objectives are the most appropriate, effective and efficient way to promote the sustainable management of natural and physical resources and therefore achieve the purpose of the Act, as set out in section 5.

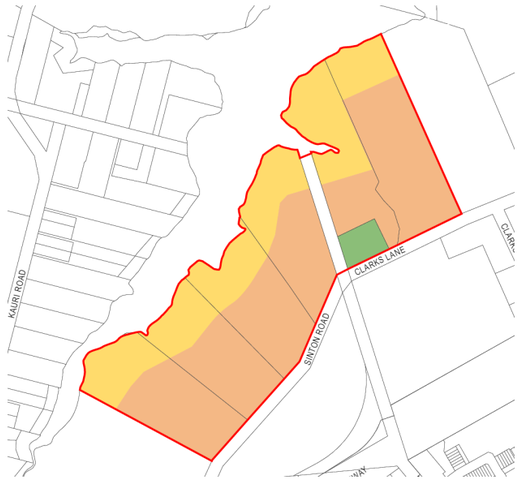
9.2 Efficiency and Effectiveness of the Provisions

In accordance with s 32(1)(b)(ii), the following table examines the extent to which the provisions (policies, rules, and other methods) are the most efficient and effective way to achieve the above stated objectives. Pursuant to s 32(2), this assessment must identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for economic growth and employment, and where practicable, these benefits and costs are to be quantified.

The following assessment is grouped into seven themes in order to the assess the relevant and corresponding planning framework accordingly:

1. Proposed rezoning
2. Comprehensive use, development and subdivision
3. Integrated use, development and subdivision with infrastructure provision

4. Design of roads and transport upgrades
5. Housing supply and choice
6. Ecology, biodiversity and access to open spaces
7. Stormwater management
8. Reverse sensitivity effects on RNZAF.

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
1. Proposed rezoning			
It is proposed to rezone the PCA from FUZ to a mix of MHU, MHS and Open Space – Informal Recreation.  	The proposed rezoning will unlock the land for residential development, and deliver a mix of typologies and residential densities across the PCA. These outcomes will facilitate the construction of residential housing that will enable future residents to provide for their social, economic and cultural wellbeing, provide for a range of housing needs and demand, and provide for the residential planned built character. Rezoning the land therefore gives effect to Objectives IX.2(1) and (2). The proposed zoning pattern also provides for the qualifying matter to protect and enhance the coastal environment, and also give effect to Objective IX.2(4). The proposed Open Space – Informal Recreation zone will give effect to Objective IX.2(3) by providing opportunity for a safe and attractive public space to be delivered in the PCA.	Ultimately, rezoning the PCA will unlock greenfield land which is currently zoned Future Urban, increasing the supply of housing in the Auckland region in a way that will appropriately manage the adverse effects of development on the surrounding environment. Rezoning the land for residential use provides owners with certainty that residential development is considered to be suitable in this location, in principle, subject to obtaining resource consent. The zoning pattern manages the potential adverse effects of development on the coastal environment, and envisages the delivery of esplanade reserves that will benefit the biodiversity of the area and amenity of residents. The proposed zoning (and precinct) also provide certainty for future residential owners that new buildings or additions and alternations can be undertaken in accordance with the relevant planning framework. This is compared with, for example, a scenario whereby resource consent is obtained without rezoning the land. The provision of an open space zoned site provides residents certainty that a public space will be delivered, benefiting the community be providing open space amenity. The 'informal recreation' zoning was selected (as opposed to another form of open space zoning) as the size of the site aligns with the Auckland Council Open Space Provision Policy 2016 for a neighbourhood park that is 0.4ha in size and located within a 400m walk of land zoned MHU and MHS, thus benefiting the community be providing an appropriately sized and zoned site consistent with the future community's needs. The economic benefits arising from the proposed rezoning are set out in the Economic Assessment at **Appendix 14** (Pages 31-32):	The costs associated within opting not to rezone the site is described in further detail within the 'alternatives' analysis below. The costs associated with rezoning the land relate to the loss of semi-rural coastal character within the peninsula as the environment shifts towards an urban character and amenity. Growth in this location is not envisaged by the FDS until 2035+ and therefore bringing forward development ahead of sequence may have adverse effects on infrastructure. Urbanisation also enables development to occur in closer proximity to the coastal, wetland and riparian environments, which may generate adverse effects on these natural features both during construction and ongoing. That said, in my view, the costs associated with the change in character, timing of growth, and the proximity of development to these natural features have been mitigated by applying an appropriate framework for development to occur within, enshrined in the proposed precinct provisions.

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
		*"Together the direct, indirect and induced economic impact would support **$495m in GDP** and over 5,500 employment years in the Auckland economy, and additional activity elsewhere in New Zealand. Once the PPC area has been fully developed, PPC area households will support around $6.8m/year in GDP and approximately **94 jobs** in the Auckland economy on an ongoing basis."*	
2. Comprehensive use, development and subdivision			
Policy IX.3(1) Promote comprehensive and integrated subdivision and development of the Precinct in general accordance with Whenuapai East Precinct Plan 1.	This policy is both effective and efficient in achieving Objective IX.2(1) as it is an enabling policy that seeks to deliver subdivision and development in a manner that is consistent with Precinct Plan 1, thus reflecting the site-specific context and character of the PCA and its surrounds. It also promotes comprehensiveness and a requirement to demonstrate integrated outcomes, both with adjacent sites, and infrastructure.	This is an overarching 'outcomes' focused policy and supporting provisions, which seeks to achieve a range of inherent benefits which are addressed in further detail in the policies that follow. The Precinct and its corresponding Precinct Plan 1 provide a helpful framework for unlocking greenfield development consistent with the underlying zoning (as per above) whilst managing the adverse effects of urban development relative to the context, natural features and hazards within and adjacent to the PCA. The benefits arising from taking an integrated approach to enabling the use, development and subdivision are extensive as this approach enables the urbanisation of the PCA to be considered comprehensively having regard to the wider Whenuapai area, the peninsula, and within the plan change area itself. The findings obtained from the vast expert analysis accompanying this report have informed the precinct provisions and Precinct Plan 1, and detail the way in which the precinct will result in environmental benefits in respect of the value of biodiversity and ecology in and adjacent to the PCA, economic benefits arising from increasing housing supply, social benefits from creating a well-functioning urban environment, and cultural benefits from managing development within an area of cultural importance to iwi.	As discussed above, the environmental costs arising from unlocking growth (albeit comprehensively and integrally designed) within the PCA relate to the urbanisation of land proximate to the coast, wetland and streams, being natural features requiring appropriate management as urbanisation occurs. The character and amenity of the PCA will change as that urbanisation occurs, and for those residing elsewhere on the peninsula, this will result in a noticeable change from the semi-rural coastal environment today. Growth in this location is not envisaged by the FDS until 2035+ and therefore bringing forward development ahead of sequence may give rise to poorly integrated or isolated development. This can also lead to development that is not well integrated with infrastructure (the costs of which is further discussed below). There are economic costs that fall to the developer in order to mitigate these effects, including upfront infrastructure costs. As discussed above, it is considered that these costs have been appropriately managed by outcomes envisaged by the proposed precinct provisions.
Activity table – subdivision that complies with Standard IX.6.1.1 Precinct Plan requires consent as a restricted discretionary activity.	It is effective and efficient to require consent for subdivision that is compliant with Precinct Plan 1 as a restricted discretionary activity to ensure the masterplan or 'framework' for any site in the PCA gives effect to Objective IX.2(1). This provides a 'belts and braces' approach, providing opportunity to consider the appropriateness and quality of the layout against the intended framework illustrated at Precinct Plan 1. The consideration of effects therefore can be narrowed to the matters of discretion at IX.8.1(7) and the criteria at IX.8.2(7).		
Activity table – development and/or subdivision that does not comply with Standard IX.6.1.1 Precinct Plan requires consent as a discretionary activity.	The proposed discretionary activity status for development that does not comply with the Precinct Plan recognises that the way in which subdivision and development does not align with the Plan, and the associated effects, cannot be known at this point in time. It is most efficient therefore to maintain a broad scope		

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
	for assessing the potential effects of such an infringement at resource consent stage. There is no need for matters of discretion nor assessment criteria in this regard, owing to the discretionary activity status.	Precinct Plan 1 illustrates the key features of the plan change area, and methods of manging the effects of development in alignment with the provisions of the precinct accordingly. The benefits outlined above cannot readily be achieved without delivering on the framework illustrated on the Precinct Plan.	
3. Integrated use, development and subdivision with infrastructure			
Policy IX.3(3) Avoid land use and development prior to the delivery of bulk water and wastewater to service development in the Precinct. Policy IX.3(4) Require publicly reticulated stormwater, water and wastewater infrastructure to be available to service new residential lots. Policy IX.3(5) Avoid subdivision, development and land use prior to the delivery of road upgrades in accordance with IX.10.1 Appendix 1.	Policies IX.3(3) – (5) require the delivery of infrastructure prior to subdivision and construction of dwellings, ensuring bulk upgrades, servicing and transport upgrades are in place prior to residential activity, bringing forward infrastructure to avoid or mitigate effects when residents are on-site. Policies IX.3(3) and (5) specifically reference the phase 'avoid' as directive terminology to give effect to Objective IX.2(5). Bulk wastewater and water supply upgrades, and the transport upgrades listed at IX.10.1 Appendix 1 are located outside of the PCA and relate to third-party assets. These upgrades are required to be operational prior to subdivision and the commencement of construction of dwellings to avoid generating adverse effects on the assets owned and managed by Watercare and Auckland Transport respectively. These policies therefore relate to the one-off construction of these upgrades, as the first phase of enabling works to unlock development in the PCA thereafter. All stated upgrades are required on 'day 1' and there is no need for staging or triggers to unlock development over time. It would be ineffective to include a 'transport triggers' table in the standards, as all works listed in Appendix 1 are required before residential use and subdivision (rather than to 'unlock' stages of development as it occurs over time). Policy IX.3(4) relates to the iterative construction and delivery of infrastructure as development occurs within the PCA. In greenfield environments, this would typically	The benefits arising from delivering infrastructure that is integrated with use, development and subdivision relate to both the infrastructure provider, and future residents. For the infrastructure provider, economic benefits arise from developers footing the bill to enable the early delivery or upgrade to infrastructure which is otherwise not planned for some time (in line with the FDS). The benefit of up-front upgrades means infrastructure does not lag behind development which may have otherwise required short-term, temporary alternatives. Proposed transport upgrades will benefit all residents within the local community by providing separated footpath and cycle connection to the Clarks Lane Footbridge, and therefore, safe access to the open space and retail/commercial amenities and public transport connections at Hobsonville Town Centre. There are significant environmental benefits arising from the early delivery of infrastructure as this will minimise the risk of adverse effects on the receiving environment (e.g. untreated stormwater or wastewater entering the coastal or riparian environment).	As per above, growth in this location is not envisaged by the FDS until 2035+ and therefore bringing forward development ahead of sequence may give rise to adverse effects on infrastructure and servicing, and if not mitigated by the developer, those costs may otherwise fall to the future landowners, or Council and its subsidiaries. This can cause flow on effects diverting funding away from infrastructure that is otherwise planned to be funded, or result in dwellings that are constructed but either not able to be occupied, or are occupied but serviced by an inadequate temporary solution. It is considered that these costs have been avoided in the precinct by requiring wastewater, water supply and transport upgrades to be in place prior to subdivision or development. These costs (being the up-front delivery of infrastructure) instead fall to the developer. Once in place and publicly vested, there is an element of additional maintenance costs that will arise from infrastructure vested to Council.

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
	occur in stages or superlots, and therefore this policy will apply for the life of development within the PCA.		
Activity table – subdivision and/or development that does not comply with Standard IX.6.1.2 Transport Infrastructure Requirements and Standard IX.6.1.4 Water and Wastewater Infrastructure requires consent as a non-complying activity. Standard IX.6.1.2 Transport Infrastructure Requirements and IX.6.1.4 Water and Wastewater Infrastructure	The non-complying activity status to infringe either standard is consistent with the 'avoid' terminology of Policies IX.3(3) and (5), an effective and efficient means to strongly discourage an infringement to either standard, retaining broad scope of the assessment of effects, and triggering an assessment against s104D of the Act. There is no need for matters of discretion nor assessment criteria in this regard, owing to the non-complying activity status where infrastructure triggers are not met in advance of subdivision and/or development.		
4. Design of roads and transport upgrades			
Policy IX.3(7) Require streets to be attractively designed and to appropriately provide for all transport modes by: (a) providing upgrades to existing road frontages of the precinct to an urban standard, (b) providing safe connections for pedestrians and cyclists to the Clarks Road Footbridge, and (c) providing for the safe and efficient movement of vehicles.	Policy (3) will effectively and efficiently achieve Objective IX.2(6) by delivering a road network that is of a high quality, functional and safe, both within and in the vicinity of the PCA for all modes of transport, including the safe and efficient movement of vehicles (i.e. manage the potential effects of traffic generation on the surrounding network).	Significant social, economic and cultural benefits will arise from the provision of pedestrian and cycle connections to the Clarks Lane Footbridge as residents from within the peninsula (not only the PCA) will have a safe route to access the Footbridge, and therefore the open space amenities on the south eastern side of SH18, the retail/commercial facilities, and the transport connections to Hobsonville Point and Westgate. The ITA at **Appendix 12** confirms the traffic generated from within the PCA will not adversely affect the capacity, safety and operation of the interchange at Sinton Road/Brigham Creek/SH18. Environmental benefits are generated from the provision of street trees and the appropriate management and treatment of stormwater from roads when designed appropriately. Further, the reliance on private vehicles will reduce by providing quality, safe opportunities for active mode use, generating environmental and social benefits.	The costs associated with the PPC in this regard relate to the delivery of an appropriately designed roads, both within and nearby the PCA, and the effects of additional traffic that will be generated as growth occurs. Additional traffic can give rise to effects on the safety of pedestrians and cyclists, and result in poor connectivity for these active modes. In this case, there will be a period of time where a shared cycle path is provided on the northern side of Clarks Lane and Sinton Road, and while this does not strictly meet the AT TDM, it is considered to reflect an appropriate interim solution until development occurs on the southern side of the public road corridor. Upgrades within the road corridor may result in short-term effects on residents within the peninsula, however these are temporary and can be managed through erosion and sediment control, and traffic management measures.
Activity Table – development and/or subdivision that does not comply with Standard IX.1.3 Road design requires restricted discretionary activity consent Standard IX.6.1.3 Road Design	The road function and design elements of the required transport upgrades are specified at Table IX.10.1 Appendix 1 of the precinct in will deliver the outcomes sought by Policy (3) and therefore Objective IX.2(6). The potential effects that may arise from an infringement to the design requirements of the road upgrades are well-understood and can be narrowed to those matters listed at IX.8.1(8), and assessed against the criterion at IX.8.2(8). These provisions have been discussed with AT who are		

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
	generally supportive of the scope provided to them for assessment, should an infringement arise at resource consent stage.		Economically, the costs associated with the up-front delivery of infrastructure to mitigate these costs are significant for the developer, and in this case, owing to the nature of the peninsula, all identified transport upgrades (listed in the precinct) are required to unlock growth in the PCA.
IX.10.1 Appendix 1 – Road Function and Required Design Elements	Appendix 1 sets out the function and design elements for the roads that are required to be upgraded prior to residential subdivision or development, providing a general guide as to the form required to meet Policy (3). This is considered an effective and efficient method to achieve Objective IX.2(6) as it provides a framework for delivering an appropriate outcome, without prescribing a level of detail that will come at resource consent stage.		
5. Housing supply and choice			
Policy IX.3(2) Enable a variety of housing types with a mix of densities within the Precinct, including three-storey attached and detached dwellings, and low-rise apartments in the Mixed Housing Urban zone, while responding to the character and amenity of adjacent natural and coastal environments, and open space by reducing the scale and form of development in the Mixed Housing Suburban zone.	Policy IX.3(2) recognises the combination of zones that are proposed across the PCA, and the rationale for, and where the zones are proposed to apply. This will provide a mixture of housing typologies and densities that will effectively and efficiently deliver the outcomes sought by Objective IX.2(2).	Social and cultural benefits will arise from enabling a mix of housing densities and typologies by contributing to the creation of a well-functioning urban environment, including a mix of household types and sizes in response to the variety of typologies. Economic benefits arise as increasing housing supply will reduce demand and therefore the price of housing, as discussed in detail within the Economic Assessment at **Appendix 14**. Benefits arise for the natural and physical environment by ensuring development also responds to the character and amenity of adjacent natural and coastal environments. In particular, the qualifying matter, as spatially expressed by the MHS zone, is intended to benefit the quality and amenity of the adjacent coastal environment.	As discussed above, there is an inherent cost arising from greenfield development, particularly in a coastal setting. Despite the zoning of the land anticipating future development, the loss of coastal character and amenity and the change in character to a moderate density of urban development will be noticeable in a coastal character sense, and for those residing within the peninsula. However, it is considered that the accompanying analysis and proposed precinct provisions ensure this change will occur appropriately relative to the context of the PCA. While economic costs arise from providing the MHS zone along the coastal edge (and therefore reducing the developable yield), this cost falls to the developer, and it is considered that the unique coastal environment will attract higher land prices in this location. The corollary to this however, is that housing choice and variety in typologies will arise, as sought by Objective IX.2(2).
<u>MHS zone framework</u> ▪ Development of up to two dwellings per site is a permitted activity ▪ Development of three or more dwellings per site is a restricted discretionary activity ▪ Buildings that do not comply with Standard IX.2.1 Yards is a restricted discretionary activity ▪ Standard IX.6.2.1 Yards – the side and rear yard setbacks are greater than otherwise required in the MHS zone	In particular, the qualifying matter that is applied along edge of the coastal environment is spatially recognised by the extent of the MHS zone, reducing the scale and density of development at the interface accordingly. This approach is both effective and efficient as it delivers on the anticipated outcomes of both Objectives IX.2(2) and (4), as this arrangement also recognises the natural, coastal, ecological and cultural values where the PCA interfaces with the coastal environment. This is achieved two-fold: a) by 'downzoning' to MHS and relying on the underlying rules and standards of the zone to deliver a two-storey suburban built character, and b) by altering some MHS provisions in the Precinct by further reducing the permitted number of dwellings		

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
	to two per site (rather than three) and by requiring deeper side and rear yard standards (than otherwise required by the underlying zone). The permitted activity status for up to two dwellings per side encourages standalone and duplex buildings that can more readily adapt to the changing shape and topography along the coastal edge of the PCA, providing for more frequent breaks between buildings to enable sightlines and visual connectivity with the coastal environment, creating a sense of place. Greater building setbacks from the rear (coastal) boundary and between buildings also gives rise to a sense of openness and opportunity for vegetation along the coastal edge. These are outcomes which are considered appropriate in this coastal environment having regard to the narrow width of the estuary in places, consistent with the NZCPS. The potential effects arising from these infringements on the character and amenity of the coastal environment are reasonably well-understood, and it is efficient and effective therefore to restrict the assessment of effects to these matters. The scope of that assessment is set out at IX.8.1(1) and (4) and the criteria at IX.8.2(1) and (5). The MHS zone standards are otherwise appropriate, and therefore it is effective and efficient to otherwise default to Chapter H4 of the AUP.		
<u>MHU zone framework</u> ▪ Development of up to three dwellings per site is a permitted activity ▪ Development of four or more dwellings requires consent as a restricted discretionary activity ▪ Specific provision for non-notification when 1, 2 or 3 dwellings are proposed that infringe Standards IX.6.3.1 – 8	The private plan change is required to incorporate the planning framework set out in Schedule 1 of the RMA-EHS, where no qualifying matters exist. This is spatially recognised within the precinct as the MHU zone. As such, the most effective and efficient means to achieve Objectives IX.2(1) and (2) is the adoption of the rules, notification requirements and standards as set out in and required by the RMA-EHS.		

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
▪ Buildings that do not comply with Standards IX.6.3.1 – 8 is a restricted discretionary activity ▪ Standards IX.6.3.1 – 8	The potential adverse effects that may arise from these standards are generally well-known, and it is effective and efficient therefore to restrict the scope of the effects assessment to the matters set out at IX.8.1(6) and the criteria at IX.8.2(6), deferring to the underlying MHU zone at Chapter H5 of the AUP where relevant.		
6. Ecology, biodiversity and access to open spaces			
Policy IX.3(3) Require riparian planting and the provision of public access to and along the edge of the intermittent and permanent streams, wetland and the coastal environment within an esplanade reserve.	Policy (3) is effective and efficient as it delivers on the anticipated outcome of both Objectives IX.2(3) and (4). It requires riparian planting and therefore the enhancement of the natural, coastal, ecological and cultural values sought by Objective IX.2(4), as well as public access to the open spaces intended to be delivered along the coast and riparian environments via esplanade reserves, as sought by Objective IX.2(3).	Significant environmental benefits arise from weed management and the planting of native species along the coastal and riparian edges of the PCA. Biodiversity and ecology benefits will arise from the enhancement of native vegetation, in addition to cliff and stream stability and the enhancement of water quality. Socially and culturally, the provision of access to the coastal environment is of significant benefit, as the public are currently excluded from accessing the PCA. The provision of a pedestrian access along the coast will provide social and cultural opportunities to engage with the coastal environment, benefiting the health and wellbeing of the community. Lower fence heights will benefit the safety of public spaces by providing opportunity for passive surveillance and avoid dominance effects. Cultural benefits arise from the management of known midden sites, and the requirement to consult iwi at resource consent stage to input to the design of hard and soft landscaping, providing opportunity for cultural heritage to be displayed or incorporated along the esplanade.	Economically, the costs associated with riparian planting and the construction of a pedestrian walkway fall to the developer, and are over and above that required by s 230 of the RMA. That said, these features are typical of coastal subdivision and generally anticipated by developers in such locations, in order to mitigate the adverse effects of development in coastal greenfield environments. Socially, lower fence heights may give rise to a lack of privacy in private lots, however it is considered that the standard provides an appropriate balance of privacy for residents and passive surveillance of adjoining open spaces. Short-term ecological impacts/costs may arise while revegetation occurs in coastal and riparian locations, however it is considered such costs can be mitigated by implementing careful management techniques.
Activity Table – ▪ Buildings (fences) that do not comply with Standard IX.6.1.7 requires consent as a restricted discretionary activity ▪ Subdivision that does not comply with Standards IX.6.1.5 Coastal esplanade planting and public access and IX.6.1.6 Riparian and wetland planting and public requires consent as a restricted discretionary activity	Standards relating to the design of fencing, planting and pedestrian access at the interface with open spaces and within esplanade reserves will effectively deliver the anticipated outcomes of Policy (3). The effects that may arise from infringements to these standards are well-understood to relate to the quality and amenity of the relevant open space, and it is efficient therefore to restrict the scope of assessment to those matters listed at IX.8.1(3) and (9), and considered against those criteria at IX.8.2(3) and (9).		
Standards IX.6.1.5, IX.6.1.6 and IX.6.1.7 – fencing, coastal and riparian planting and walkways			
IX.9 Special information requirement – Riparian landscape plan	IX.9 requires the preparation of a landscape plan in respect of any work in the coastal or riparian esplanade, specifically the design of the 10m native planting and public pedestrian walkway to be contained within the 20m setback. The standard sets out the general design requirements, restoration and weed management, and maintenance requirements for the landscaped area and		

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
	walkway, enhancing the quality and amenity of public spaces and the natural environment, consistent with Objectives IX.2(3) and (4). The Archaeological Assessment at **Appendix 8** confirms the presence of three midden sites along the coastal edge. Consultation with iwi, specifically Te Kawerau ā Maki, identified a preference that middens remain undisturbed, and that future revegetation avoid these areas. IX.9(1) Special Information Requirement requires demonstration that engagement with Te Kawerau ā Maki and any other interested iwi has occurred in developing the landscape plan. That engagement process will provide iwi the opportunity to, as mentioned above, confirm middens are avoided, and provide input to the landscape and shared path design, and to incorporate cultural heritage, storytelling and public art in the landscape plan. This provides an effective and efficient process for ensuring iwi has meaningful opportunity to input as the detailed design of the landscape plan is developed, ensuring cultural values are enshrined in the landscape, consistent with Objective IX.2(4). The CIA supports such an outcome.		
7. Stormwater management			
Policy IX.3(8) Require subdivision and development to be consistent with any approved stormwater management plan including by: (a) requiring management of runoff from all impervious surfaces to minimise effects on water quality and protect the health of the receiving environment; (b) promoting treatment at-source to achieve water quality and hydrology mitigation; and (c) requiring appropriate design, sizing and location	Policy (8) will effectively and efficiently deliver the Objectives IX.2(4) and IX.2(5), as the appropriate management of stormwater, and its discharge to the coast/streams, reflects the need to recognise and maintain (and where practicable, enhance) the natural, coastal, ecological and cultural values of the Precinct, and will ensure infrastructure is integrated and sequenced with residential subdivision and development.	Significant environmental and cultural benefits arise for the receiving waterbody from the appropriate design and delivery of stormwater management, particularly in respect of the treatment of stormwater, managing the rate and volume of discharge, and the design of stormwater outfalls and stabilisation measures. Cultural benefits arise from the requirement to consider the location of stormwater outfalls relative to known midden sites along the coastal edge.	The delivery of stormwater infrastructure coincident with development is a significant economic cost to the developer, however in greenfield locations, these costs are anticipated. The construction of stormwater outfalls and associated stabilisation may cause short-term environmental impact/costs arising from vegetation removal and land disturbance. The requirement to provide centralised or communal infrastructure may result in the loss of developable land,

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
of all stormwater outfalls, including having regard to the location of archaeological sites in the coastal environment.		Social benefits arise from the delivery of infrastructure that unlocks residential housing, and managing stormwater to avoid, remedy or mitigate adverse effects on property and people.	and therefore a loss in residential dwellings/yield contrary to the desire to increasing housing supply. When vested to Council, infrastructure gives rise to on-going maintenance costs for the infrastructure provider. Relocating stormwater to avoid archaeological sites in the coastal environment may give rise to longer and/or more costly infrastructure design/construction methodology. These costs are considered to be outweighed by the potential environmental, cultural and social costs of not requiring the provision of adequate stormwater to service greenfield development, including the discharge of untreated / contaminated water to the receiving waterbody, coastal and stream bank erosion, damage to property and health and safety effects on the community.
Activity Table – development and subdivision that does not comply with standard IX.6.1.8 Stormwater management requires consent as a discretionary activity	The effects arising from inappropriate stormwater management, treatment and discharge can be wide-spread, and it is most effective therefore to retain broad scope of assessment of effects should an infringement arise (rather than utilising the restricted discretionary activity status). Standard IX.6.1.8 requires the preparation of a Stormwater Management Plan (**SMP**). A draft of that plan is provided at **Appendix 11**, and it is intended that Healthy Waters approve (at least in principle) the SMP. It is intended that on this basis, the design and consenting pathway in respect of stormwater management will be streamlined at resource consent stage, assuming the design is consistent with the adopted SMP. The standard requires appropriate infrastructure to be in place prior to discharge, including treatment prior to discharge, again, consistent with the draft SMP enclosed. The environmental outcomes that will be delivered by way of the SMP and treatment standards are wholly consistent with, and will effectively and efficiently deliver, the anticipated outcomes of Objectives IX.2(4) and IX.2(5).		
Standard IX.6.1.8 Stormwater management			
IX.1.9 Special information requirement – SMP	IX.1.9 requires demonstration of compliance with the approved SMP at the time of resource consent, again, ensuring the proposal effectively achieves Objectives IX.2(4) and IX.2(5).		
SMAF-1 Control	It is considered appropriate to apply the SMAF-1 control across the PCA as some (but not all) stormwater catchments will discharge to an intermittent or permanent stream, via a stabilised outfall. The volume and rate of flow of that discharge is to be managed by		

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
	the requirements of Chapter E10 in order to deliver the anticipated outcomes of Policy IX.3(8)(a) and (b). Rather than duplicate or restate the requirements of Chapter E10 within the precinct provisions, it is considered more efficient and effective to apply the control to the PCA. Despite some catchments discharging to the coast rather than a stream, E10.4.1(A1) provides a permitted activity pathway for the discharge of stormwater not diverted to a stream, therefore not resulting in an otherwise more onerous consenting requirement in those catchments. It is not inefficient or ineffective to apply the control to the entirety of the PCA therefore.		
8. Reverse sensitivity effects on RNZAF			
Policy (9) requires subdivision, use and development including stormwater management to avoid, remedy or mitigate adverse effects, including reverse sensitivity effects and safety risks relating to bird strike, lighting and glare on the operation and activities of RNZAF Base Auckland.	This policy requires the appropriate management of potential effects on the Airbase, enabling it to undertake its operations and activities therefore giving effect to Objective (6).	The benefits of incorporating provisions that manage reverse sensitivity of the RNZAF Base Auckland relate to ensuring the on-going operation of this strategic infrastructure and defence facility. These benefits are board reaching for all aspects of society (socially, culturally, economically and environmentally), and more specifically for the internal amenity of future residents within the PCA.	The construction costs associated with meeting the required internal amenity standards will exceed the standard cost of construction, however we understand these amenity requirements are not significant when compared to the requirements of the Building Code. Close consideration is required in respect of lighting and stormwater design, and construction processes, however the additional economic costs on the developer are outweighed by the benefits to the Airbase operator. These costs may however be passed on to the house buyer, resulting in economic and social costs accordingly. More broadly, the costs on the Airbase arising from not including these provisions may mean that operations and the safety of the Airbase are compromised.
The Activity Table requires restricted discretionary activity consent to construct buildings that infringe standards IX.6.9 Residential dwelling construction and design, IX.6.10 Lighting, IX.6.11 Temporary activities and construction	It is most effective to apply these standards at the time of land use and development (as opposed to subdivision) as they relate to the design and construction of buildings, namely dwellings. The potential effects that may arise from an infringement to these standards relate solely to the operation of the Airbase, being reasonably concise and defined therefore. Further, suitable conditions of consent may be imposed to appropriately mitigate the potential adverse effects under s 104C of the Act. It would be inefficient to require a more onerous activity status on this basis, triggering an 'unrestricted' assessment of all potential adverse effects arising from the proposal. It is most efficient to apply the restricted discretionary		

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
	activity status in the event of an infringement for these reasons.		
Rule (AX) requires restricted discretionary activity consent for subdivision that infringes standard IX.6.12 Noise.	It is most effective to only apply this standard at the time of subdivision as the rule requires the creation of a consent notice (which cannot be created via the land use process). Again, it is most efficient to apply the restricted discretionary activity status in the event of an infringement for the reasons set out above.		
In respect of determining who is an affected person, clause IX.5 requires Council to give specific consideration to the effects on the NZDF when infringements to standards IX.6.9 – 12 arise.	This approach is efficient as it specifically relates to the standards that may give rise to effects on the one 'person' the standards are intended to protect, the NZDF. The infrastructure providers listed at Rule C1.13(4) are also required to be given specific regard by clause IX.5(3)(a), however it would be ineffective to rely on this clause to trigger particularly consideration of the potential effects on the NZDF as Rule C1.13(4) does not capture or include the Defence Force. A separate clause at IX.5(3)(b) is required accordingly, recognising the unique operational and safety effects that may arise on the Airbase from an infringement to standards IX.6.9 – 12. Clause IX.5(3)(b) is considered to be most effective and efficient way to give effect to Objective (7) therefore.		
Standard IX.6.9 requires new buildings that are designed to accommodate activities that are sensitive to noise to be constructed with additional sound attenuation and ventilation and/or air conditioning measures to manage reverse sensitivity effects, including the internal amenity for nearby residents. Standard IX.6.10 applies standards for managing lighting design and glare to avoid effects on the safe operation	These standards have been drafted in consultation with the NZDF and therefore are the most effective and efficient way to manage potential reverse sensitivity effects on the Airbase. The acoustic standards are not dissimilar to those which may be applied across the PCA at a future date if / when an engine testing is provided for via an overlay in the AUP, and the incorporation of this standard within the Precinct ensures consistency with future provisions that		

Provisions (policies, rules and other methods)	Effectiveness and efficiency in achieving the objectives	Environmental, economic, social and cultural benefits	Environmental, economic, social and cultural costs
of aircraft, particularly when departing and landing, and the operation of the Airbase. Standard IX.6.11 requires temporary buildings or cranes that breach the OLS to obtain written approval from the RNZAF. Standard IX.6.1.12 requires a no-complaints covenant on new residential lots.	may apply to some or all of the PCA in the future. Lighting is required to be managed via the Precinct as the proposed standard is more onerous than the relevant standards in E24 Lighting of the AUP. Temporary infringements to the OLS are not *specifically* managed under Designation 4311 and this 'gap' is proposed to be captured via the Precinct standard. If buildings, lighting or temporary buildings/cranes infringe these standards, the effects on the Airbase can be reasonably contained to the Airbase; the matter of discretion and criterion at XI.8.1(4) and IX.8.2(4) respectively are effective and efficient in achieving Objective IX.2(7) therefore. The no-complaints covenant applies a 'belts and braces' approach to the management of effects on the Airbase, in addition to managing the internal amenity for residents via Standard IX.6.1.9. This approach was most recently adopted in Plan Change 86 Brigham Creek Road, and the same approach is taken here. If at the time of subdivision, the no-complaints covenant is not imposed, it is effective and efficient to restrict the assessment of effects arising from this infringement to those arising on the RNZAF, and the matters of discretion and assessment criteria at IX.8.1(10) and IX.8.2(10) reflect this accordingly. The above rationale confirms the proposed standards reflect the most effective and efficient measures of managing reverse sensitivity effects on the Airbase.		

9.3 Assessment of Alternative Options

The above section demonstrates that the proposed provisions (policies, rules or other methods) are an efficient and effective way to achieve the proposed objectives. As required by s 32(1)(b)(i), the following other reasonably practicable alternatives for achieving the objectives have been considered:

1. Maintain the status quo
2. Increase the extent of the plan change area
3. Rezone without Precinct and SMAF Control
4. Rezone to MHU zone only, no MHS zone.

These are considered in turn.

9.3.1 Option 1: Status quo (Future Urban Zone)

This do-nothing option would retain the existing Future Urban zoning which would imply that the site is suitable for urban development and any intention to deliver on the WSP's expectation of the site being developed in the future would still require either a plan change or a non-complying resource consent application – the latter being a very inefficient approach and likely resulting in piecemeal rather than comprehensive and masterplanned re-development.

The status quo would also see the site remain underutilised (except for Rural Production purposes, which are not intended by the Applicant) and represent an inefficient use of land that has been identified in principle, and following the detailed expert analysis that accompanies this application, as suitable for more sustainable use and urbanisation.

The opportunity cost from an economic perspective of maintaining the status quo are described in detail within the Economic Assessment at **Appendix 14**, namely the absence of contributing residential zoned land supply to the Auckland region, and the subsequent increase in residential dwellings, and the lost contribution to GDP arising from the consenting, construction and household spending associated with the PPC.

Council will be required to pay for the rezoning of its land at 17A Clarks Lane to provide future open space amenity.

Without re-zoning, any development of the site for urban use would be challenging in respect of a non-complying consent process and is not considered an efficient or effective outcome.

Alternative consenting pathways, such as utilising a Fast Track process, would remain unviable owing to the underlying Future Urban zone.

The status quo is not considered to be the most appropriate method as there is a willingness to develop the site for residential purposes and the Applicant's proposal delivers this with limited costs to the Council and community and earlier than would otherwise be anticipated by the Council (following the WSP and FDS).

Maintaining the status quo would result in the inefficient use of a scarce resource, the land, to deliver additional housing supply to the Auckland region. It will also prevent public access to and enjoyment of the coastal environment as the properties adjoining the CMA would remain in private ownership.

9.3.2 Option 2: Increased or decreased extent of plan change area

Option 2 considers whether the proposed extent of the PCA is appropriate, specifically whether it could be broadened (either to include the immediate properties, or the entirety of the peninsula), or indeed reduced in spatial extent. The Neighbourhood Plan at **Appendix 4** considers future development across the wider peninsula, and indeed was prepared to inform the appropriate extent of the plan change area.

This process identified that the coastal environment to the north west, and the Sinton Road and Clarks Lane road reserves to the south east serve as appropriate 'defensible boundaries' accordingly. In considering the eastern and western extent of the plan change, at the time of drafting the Neighbourhood Plan, it was determined that while the extent of the plan change could expand, these properties were not in the ownership of the Applicant. It was considered that Cabra's landholdings reflected an appropriate eastern and western edge, as they will have control over, and indeed the ability to deliver a roading framework that can be extended in each direction (as shown on Precinct Plan 1), and on that basis, there no real need to extend beyond Cabra's ownership as the future connectivity and integration can be delivered without those adjoining properties forming part of the plan change.

Further, it was considered that having undertaken the Neighbourhood Plan, other landowners within the peninsula can utilise the document to promote private plan changes elsewhere on the peninsula, thereby assisting future integrated and comprehensive development in the local area, without broadening the extent of the PCA itself.

The plan change application incorporates two properties that are not held in the ownership of the Applicant, and these could have reasonably been excluded from the plan change application. Preparation of the Neighbourhood Plan, and best planning and urban design practice, informed the decision that comprehensive and integrated development would be best be delivered by including the two intervening properties. This has required iterative and on-going consultation with landowners within the plan change area, however it is considered to have delivered the most appropriate outcome, accordingly.

The proposed extent of the PCA is considered to be the most appropriate outcome.

9.3.3 Option 3: Rezone without Precinct and SMAF Control

The option to rezone the PCA (in a combination of MHS and MHU zone outcomes) without a Precinct or SMAF-1 control would result in residential development that would not otherwise deliver the integrated infrastructure outcomes necessary for development to come ahead of the FDS, nor achieve the coastal, natural, biodiversity or ecological outcomes that will otherwise be achieved by the proposed provisions and Precinct Plan 1.

From a planning 'mechanics' perspective, the site would sit outside of PC78, and would not incorporate MDRS as required by the RMA-EHS. This option would be ineffective for this reason alone.

The absence of the SMAF-1 control would result in development and stormwater discharge that does not meet the hydrology mitigation requirements of Chapter E10, and stormwater runoff from the new urban areas would be reduced to protect the aquatic biodiversity of the permanent and two intermittent streams within the PCA. While the SMP identifies that three catchments within the precinct will discharge to these stream environments, while others will be discharged directly to the CMA, it would be inappropriate to reduce the extent of the SMAF-1 control to only the extent of these particular catchments. In considering the AUP maps, the SMAF-1 control typically follows property boundary lines rather than stormwater catchments, and as such the same approach is taken here, to avoid small pockets of the control applying to some catchments but not others. The SMP differentiates between those catchments where hydrology mitigation requirements apply under Chapter E10, and where they do not (i.e. those catchments discharging directly to the coast). The extent of the control can be readily extended across the peninsula if and/or when adjoining plan change applications deem it appropriate.

It would be inappropriate therefore to progress with rezoning the PCA, without a precinct nor SMAF-1 control. Similarly, the option of including one but not the other has also been considered,

however such an outcome would remain deficient in respect of the planning 'mechanism' that was not adopted.

9.3.4 Option 4: Rezone to MHU zone only; no MHS

Option 4 considers a scenario whereby the MHU zone extends across the entirety of the PCA, and the MHS zone is removed. The purpose of this would be to remove a zone (MHS) that PC78 does not envisage, except in coastal settlements where the population is less than 5,000 people. The precinct and SMAF-1 control are assumed to be proposed in this scenario.

At this stage, the future of PC78 is unclear, and may well be varied or withdrawn in part over the course of 2025 to respond to signalled forthcoming changes to the RMA. It may be that the MHS zone is retained elsewhere across the Isthmus; the future application of the MHS zone as a result of PC78 cannot be foreshadowed at this stage. At this point in time, the MHS zone is a live-zone under the AUP and can be sought by a private plan change accordingly. The Applicant recognises that PC78, or a later variation or replacement publicly-led plan change, or the second generation AUP, may bring through a scenario whereby the MHS zone is indeed not utilised in larger urban areas, and any one of those processes could, if required, amend the underlying zoning along the coastal edge as proposed within the PCA.

Until that time, it is considered that the MHS zone, as proposed to be amended by the precinct, is the most appropriate mechanism to respond to and deliver lower density development to the extent that the coastal character qualifying matter applies.

Other qualifying matters such as the wetland, flood plain and SEA can be more readily spatially mapped, without applying the MHS zone across those locations.

9.4 Risk of Not Acting

Section 32(2)(c) requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the Plan Change. This PPC includes numerous technical reports that have been prepared to understand the effects of the PPC. These reports assess matters relating to urban design, landscape visual and coastal character, transport, economics, stormwater and other infrastructural matters, ecology, archaeology, coastal hazards, contamination, and geotechnical.

Based on the above, it is considered that sufficient information has been gathered to justify proceeding with the PPC and that the risk of acting on this information is less than not acting and adopting a reactive stance to unplanned development within Whenuapai.

9.5 Section 77J of the RMA-EHS

In addition to the matters at s32 of the RMA, s77J of the RMA-EHS states that ss 77J(3) and (4) must be considered when qualifying matters are proposed, as follows.

Subsections 77J(3) and (4) of the RMA-EHS states:

(3) The evaluation report must, in relation to the proposed amendment to accommodate a qualifying matter, —

- *(a) demonstrate why the territorial authority considers—*
  - *(i) that the area is subject to a qualifying matter; and*
  - *(ii) that the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area; and*
- *(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and*
- *(c) assess the costs and broader impacts of imposing those limits.*

(4) The evaluation report must include, in relation to the provisions implementing the MDRS, —

- *(a) a description of how the provisions of the district plan allow the same or a greater level of development than the MDRS:*
- *(b) a description of how modifications to the MDRS as applied to the relevant residential zones are limited to only those modifications necessary to accommodate qualifying matters and, in particular, how they apply to any spatial layers relating to overlays, precincts, specific controls, and development areas, including—*
  - *(i) any operative district plan spatial layers; and*
  - *(ii) any new spatial layers proposed for the district plan.*

Section 6.1.2 of this report identifies the presence of the following qualifying matters:

Character of the coastal environment

It is considered that a qualifying matter applies to the extent of land spatially illustrated by the MHS zone because the density and form of development enabled by the MDRS in this coastal

location would be incompatible with the overarching outcomes sought by the NZCPS. Section 77I(b) of the RMA-EHS provides for less enabling development, to the extent necessary, where it is necessary in order to give effect to the NZCPS.

In this case, the MHS zone enables a minimum vacant site subdivision of 400m^2 under Chapter E38 of the AUP, whereas the MHU zone enables a minimum vacant site subdivision of 300m^2. Applying the MHS zone along the coastal edge of the PCA will result in a reduction of around 100 dwellings in the PCA[80].

By way of analysis and for the purpose of exploring the application of MDRS along the coastal edge, Section 6.1.2 of the UDA (**Appendix 9**) considers the built form outcome were MDRS enabled along the coast, finding such an outcome to be inappropriate:[81]

"The MDRS permits 3 three storey attached houses. This, combined with the MDRS minimal yard depth (1m side and rear yards) and high building coverage (50 percent) enables larger scale, bulkier built form with less space around buildings. This is not consistent with the Site's existing natural coastal character."

The preceding assessment canvasses the analysis of the LVA in this regard, which sets out the rationale for finding an MDRS-enabled form, scale and density along the coastal interface as inappropriate outcome from a landscape character, natural character and visual amenity perspective with respect to the coastal environment, contrary to the NZCPS.

While estuary environments are not uncommon in Auckland, these above expert analysis confirms the coastal character of the estuary, and its narrow form and meandering shape, deem the MDRS density and form of development to be inappropriate along the length of the coastal interface of the PCA, and would not give effect to the anticipated outcomes of the NZCPS therefore.

Conversely, it is not considered that MDRS enabled development is inappropriate across the entirety of the PCA. The above expert reports confirm that beyond the 'front row' of coastal edge development, greater height and density is indeed supported, and the precinct provisions incorporate MDRS across the full extent of the MHU zone accordingly. This approach will create a tiered density and form as development steps away from the coastal environment. The MHS

[80] Refer to yield study prepared by Boffa Miskell at Appendix 9.

[81] Urban Design Assessment; Boffa Miskell; Dated November 2024; Page 31.

zone parallel to the coast will provide an appropriate interface with the coastal character and transition between the coast and the MHU zone beyond / behind.

The MHS zone anticipates an altogether lower density of development, including when comparing building height and coverage calculations. The difference in character is well-established in the AUP, noting that the two-storey building height and more generous landscape requirements of the MHU zone are considered to be more appropriate at the coastal interface. These more 'suburban' features serve to create a 'buffer' of lower intensity development along the coast, creating a terracing or stepping of intensity and height terracing away from the coast.

The AUP enables up to three dwellings per site as a permitted activity in the MHS zone, enabling rows of short terraces. This building typology is described in the LA4 report as being inappropriate in this particular coastal context, as the building platform may not appropriately respond to the meandering curvilinear shape of the north western boundary, and varying topography along the coast. Rather, it is considered that standalone or duplex typologies are more flexible in shape and design to respond to the specific coastal context as development occurs. These typologies create more frequent gaps between buildings (particularly when applying the increased side yard standard in the precinct), providing additional opportunities for sightlines through to the estuary, positively contributing to a sense of place, appreciation of the coastal environment and amenity, therefore. The precinct introduces a deeper rear yard setback than otherwise required in the MHS zone, as a 5m rear yard will reduce development and increase landscaping at the coastal interface, providing for development that enhances the character of the coastal environment therefore. The provision of some standalone and duplex developments within the PCA also provides housing choice and variety, as required by the NPS-UD.

The LVA states that a 'less enabling' form of development (than MDRS) along the coastal interface will deliver an appropriate outcome from a landscape character, natural character and visual amenity perspective in the coastal setting. The introduction of greater setbacks and additional rule permitted up to two dwellings per site along the coastal edge (to avoid terraced rows) are supported within the LVA, which states:[82]

"The rules reduce the permitted dwellings from three to two in the MHS zone to discourage terraced dwellings along the coastal edge and streams resulting in lower density and finer grained buildings considered more appropriate to respond to the natural environment and the proximity

[82] Assessment of Landscape and Visual Effects; LA4; Dated Oct 2024; Page 11.

to existing residential on the western side of the Waiarohia Inlet. The provision of side yards in the form of 1m from one side boundary and 2m from the other side boundary will provide good opportunities for views between the buildings through to the coastal environment and sufficient space for landscaping. In addition, the 5m rear yards will create a greater setback from the coastal edge and esplanade reserve."

As set out above, applying the MHS zone along the coastal edge of the PCA will result in a reduction of around 100 dwellings in the PCA[83]. Section 7.3.1 of the Economic Assessment considers the economic opportunity cost arising from applying the qualifying matter to the extent illustrated in the MHS zone:[84]

"The costs of applying the qualifying matters, and therefore of reducing potential yield of the PPC area by around 100 dwellings to around 550 dwellings, is primarily the opportunity cost of not enabling those dwellings to be built, and would be foregone (potential) direct impacts of:

- *$200,000 in the consenting phase, reducing from $1.2m to the $1.0m [by applying the MHS zone].*
- *$13m in the land development phase, reducing from $84m to the $71m [by applying the MHS zone].*
- *$81m in the building development phase, reducing from $525m to the $444m [by applying the MHS zone].*
- *$3m of resident spending in the period until 2028, reducing from $19m to the $16m [by applying the MHS zone], and then an ongoing reduction subsequently.*
- *$121m in total direct, indirect and induced economic impact in the NZ economy, reducing from $792m to the $670m [by applying the MHS zone].*
- *1,269 employment years in the Auckland economy, reducing from 8,248 to the 6,979 [by applying the MHS zone]."*

On this basis, it is considered necessary to provide for 'less enabling' development parallel with the coastal edge in order to enhance the character of the coastal environment and avoid inappropriate development, as required to give effect to the NZCPS.

[83] Refer to yield study prepared by Boffa Miskell at Appendix 9.

[84] Economic Assessment; Formative; Dated November 2024; Page 38.

Coastal erosion, Significant Ecological Area, flood plain and wetland

- The presence of coastal erosion along the north western edge is illustrated Auckland Council Geomaps (ASCIE). This natural hazard is examined in further detail within the CHA at **Appendix 7**, which confirms that the (conservative) spatial extent of the natural hazard measures 14m – 18m from the MHWS.
- The extent of the SEA overlay is spatially identified by the overlay illustrated on the AUP maps.
- The indicative extent of the flood plain is illustrated on the Auckland Council Geomaps, situated coincidentally with the permanent stream at the eastern end of the PCA (albeit the extent of the 1% AEP flood plain is to be confirmed by flood analysis at resource consent stage). The flood plain varies in width on Council's Geomaps from 8m to 21m in width.
- The presence of the wetland situated within the permanent stream is identified on the proposed precinct plan, which will be enshrined in the AUP upon approval.
- Development within any of the above listed features is deemed inappropriate having regard to the nature and location of the feature.
- Coincidentally, the SEA overlay and coastal erosion hazard are located within 20m of the MHWS and therefore are contained within the esplanade reserve required by s230 of the RMA.
- Further, the flood plain and wetland are located within 20m from the top of each side of the bank of the permanent stream (total 40m in width) and is therefore situated within the esplanade reserve required by s230 of the RMA.
- Regardless of these features or hazards, development is not anticipated within either esplanade reserve and therefore the actual loss of development capacity is limited / none.

Overall, while costs arise from applying the above stated qualifying matters (i.e. reducing the yield and in economic contribution overall), it is considered appropriate to do so having regard to the accompanying technical reports in order to give effect to the NZCPS, and s 77I(b) of the RMA-EHS accordingly.

9.6 Conclusion of Section 32 Analysis

Having regard to the above analysis, it is concluded that the proposed objectives in the Whenuapai East Precinct are considered to be the most appropriate way to achieve the purpose

of the Act, the proposed provisions are considered to be the most appropriate way to achieve the objectives of the proposed precinct and the AUP, including when regard is had to their effectiveness and efficiency and the costs and benefits anticipated from the implementation of the provisions.

10 Conclusion

It is my opinion that the Plan Change should be accepted and granted for the following reasons:

1. The purpose of the Plan Change is to re-zone approximately 16ha of land from FUZ to a facilitate a mix of residential and open space development in accordance with a new Precinct Plan.

2. The Plan Change process has been identified as being the most appropriate resource management technique to enable future sustainable development of the site and is consistent with the outcomes identified in the WSP, FDS and as inferred by the underlying Future Urban zone.

3. The Plan Change provisions give effect to higher order policy documents as elaborated upon in this assessment.

4. The Plan Change will give effect to the purpose and principles of the RMA for the reasons outlined in Section 6 of this AEE.

5. The adverse effects of the proposal will be no more than minor and with the mitigation proposed in the preceding assessment (and therefore forming part of the Plan Change) are considered to be acceptable.

6. The proposal is considered to result in positive effects as follows:

    - The community benefit resulting from the provision of a significant and varied supply of new housing in a mix of typologies;

    - The community and social benefits arising from the provision of new open spaces, including high quality esplanade reserves;

    - The environmental, community and social benefits from enhancements to the coastal and riparian vegetation within the PCA;

    - The community and social benefits arising from the provision of high-quality public realm spaces, including walking and cycling links through the site, and to the Clarks Lane Footbridge and Hobsonville Town Centre to the south;

- The Plan Change incorporates, celebrates and enhances natural coastal and stream features that are currently inaccessible by the community and which could otherwise have been lost through piecemeal, alternative development of the site;
- Direct, indirect and induced economic impact of around $495m in GDP, the creation nearly 5,500 employment years in the Auckland economy, household spending of around $6.8m/year in GDP upon occupation of all dwellings (assuming 500-600 dwellings constructed at approximately 50% uptake of MDRS), and approximately 94 jobs in the Auckland economy on an ongoing basis.
- The overall nature of the proposal and high quality of the anticipated design outcomes will set a positive precedent in terms of the quality of public realm and environmental outcomes as development occurs elsewhere across the peninsula.

Based on the above, it is my opinion that the proposed Plan Change is worthy of being approved.

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