

Auckland Council
Joy Lanauze - Senior Policy Planner
Via email: joy.lanauze@aucklandcouncil.govt.nz

Jo Sunde - Senior Associate Planner
Woods

W-REF: P18-088
21 October 2024

PPC Lodgement Letter

Heights Road Private Plan Change - Clause 24 Response

9, 33 and 49 Heights Road, Pukekohe

Tēnā koe Joy,

We write on behalf of GBar Properties Ltd in relation to the Heights Road Proposed Plan Change (PPC) application. The PPC seeks to rezone the properties at 9, 33 and 49 Heights Road from Future Urban zone to Business Light Industry zone and apply the SMAF-1 control to the PPC land.

As you are aware, we lodged the PPC for consideration by Council in July 2023. Since that date, we have been involved in a Clause 23 Request for Further Information (RFI) process under Schedule 1 to the Resource Management Act (RMA). RFIs have been received in relation to transportation, ecology, development engineering, and stormwater management. No RFIs were raised in relation to geotech, contamination, landscape/visual or parks matters.

Clause 24 Response

Changes have been made to the PPC application under Clause 24 to address the Clause 23 RFI requests. These are set out as follows:

Transportation

We have received several RFIs dated 21/8/23, 25/9/23, 2/2/24, 22/2/24, and 8/4/24 relating to transportation matters associated with the PPC. The RFIs have all been addressed, and changes to the PPC request have been built in to the revised Integrated Transport Assessment prepared by Commute and dated August 2024. We understand that this revised document has been reviewed and accepted by Council's transportation expert. Therefore, all transportation RFIs have been resolved and closed out.

Ecology

Several ecology RFIs were raised by way of letters dated 21/8/23 and 25/9/23. The additional information sought has been incorporated into the revised Ecology Assessment prepared by RMA Ecology and dated July 2024. We understand that this revised document has been reviewed and accepted by Council's ecology expert. Therefore, all ecology RFIs have been resolved and closed out.

Economics

The Future Development Strategy (FDS) was adopted in August 2024. Council requested that the PPC application be updated to include commentary on the FDS. Insight Economics have prepared an updated Economics Assessment dated August 2024, and incorporated updates to the report to address the FDS. We understand that the revised economics document has been

reviewed and accepted by Council's economics expert. Therefore, all economics RFIs have been resolved and closed out.

Planning

We have updated the Woods' Planning Report (dated October 2024) to reflect the expert reporting changes, updated consultation advice, and provide additional RMA and strategic planning framework assessment, including a discussion on the FDS which has replaced the Future Urban Land Supply Strategy since the PPC application was first submitted to Council for review. Other sections of the report have also changed to refine the PPC request and provide additional context. Overall, these changes are principally related to ensuring consistency with the expert reporting, address the RFIs and provide a more robust planning assessment, rather than material changes to the PPC application itself.

Healthy Waters

The PPC application has been subject to a robust review process with Council's Healthy Waters (HW) team on the stormwater management and flooding solution for the site. RFIs were received on 25/9/23, 16/1/24, 22/5/24 and 11/10/24. Meetings were also held in July, August and September 2024.

A full and final RFI response prepared by Woods was provided to HW on 17/10/24 which included an updated RFI table outlining agreed positions and the provision of final additional information. The table also outlined where Woods intend to retain their position on some aspects of the proposed stormwater management solution. This is principally due to the level of design detail sought which is not material to the consideration of a plan change, and should be assessed at future consent stages.

Woods have taken into consideration HW's feedback around the design detail in the Stormwater Management Plan (SMP) from a catchment planning perspective. A revised SMP prepared by Woods and dated October 2024 has incorporated the majority of the requests sought by HW except for the matters outlined in the RFI table. By way of summary:

- The flood modelling undertaken to date (which is based on Council's flood model) shows all effects are contained within the PPC land extent, with no third-party effects predicted.
- Further details around overland flow path management, private drainage, and device design can be resolved through future consenting applications when the applicant has details around landform and site layout.
- In terms of climate change design, a conservative approach has been taken including adapting resilience into the SMP. Further, any future climate change codes of practice will be taken into account by future consent applications at the time of future consenting.

Overall, these are not considerations as part of a plan change process and it is our position that the work presented in the latest RFI table and revised SMP has demonstrated that stormwater can be adequately managed within the PPC without creating adverse effects on third parties, and wider effects on the environment will be suitably avoided, remedied or mitigated.

The PPC application proposes to apply the SMAF-1 control to the PPC land and rely on the existing AUP:OP provisions to manage stormwater. Together with other planning mechanisms such as codes of practice, it is our view that this approach will provide a robust and adequate planning framework to suitably manage the future use and development of the PPC land as demonstrated in the PPC application.

Therefore, it is our view that all stormwater and flooding RFIs have been addressed. We are happy to continue engagement with HW post notification to iron out any minor design details through the submission and hearing process.

Additional Consultation

Mana Whenua

Woods contacted Ngāti Tamaoho in July 2024 to advise of changes made to the SMP given that water had been highlighted as a key consideration in their initial memo. A copy of the revised SMP was provided to Ngāti Tamaoho for comment. No formal feedback has been received. It is noted that the proposal still achieves the water quality targets and water reuse on site in line with the initial recommendations. Woods will continue liaison with Ngāti Tamaoho.

Watercare Services Limited

In April 2024 Council advised Woods that the Isabella Pump Station construction timeframes would be pushed out from 2025 to 2028. Woods contacted Watercare to seek feedback on the timeframe changes in respect of the proposed infrastructure solution for the PPC. Watercare raised no objections in principle to the use of the existing pump station by way of email on 1/08/24.

Watercare also raised new concerns about on-site infrastructure solutions which differed from initial advice and agreements in principle already given by previous Watercare personnel to the PPC. They also raised concerns about the FDS infrastructure sequencing, however we note our expert reporting confirms that the PPC will not impact Watercare's ability to deliver their planned infrastructure programme. Woods will continue to liaise with Watercare on these matters in good faith and note that these discussions should not preclude acceptance and notification of the PPC.

Summary

In summary, it is our view that all outstanding RFIs have now been addressed in accordance with Clause 23 and 24 of Schedule 1 of the RMA. We have attached a full and final copy of the PPC application which has been amended to incorporate the RFIs requests that have been accepted and now form part of the revised PPC request.

Given the above, we kindly request that Council accept the application for processing and advancement of the PPC request to the forthcoming Planning, Environment and Parks Committee November / December 2024 Agenda for consideration. An assessment at section 4.3 (page 20) of the Woods' PPC Planning Report confirms that Council can accept the PPC request in accordance with Clause 25 of Schedule 1 of the RMA.

Thank you for your help to date in coordinating and managing this PPC process from Council's end. Please get in touch should you wish to discuss the above. Further, if there is anything I can do to help ready the information for Committee consideration, please let me know.

Ngā mihi nui



Jo Sunde

Senior Associate Planner

jo.sunde@woods.co.nz / 029 412 5420