

I hereby give notice that an ordinary meeting of the Policy and Planning Committee will be held on:

Date: Thursday, 20 February 2025
Time: 10.00am
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Te Komiti mō te Kaupapa Here me te Whakamahere / Policy and Planning Committee

OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Richard Hills	
Deputy Chairperson	Cr Angela Dalton	
Members	Houkura Member Edward Ashby	Cr Mike Lee
	Cr Andrew Baker	Cr Kerrin Leoni
	Cr Josephine Bartley	Cr Daniel Newman, JP
	Mayor Wayne Brown	Cr Greg Sayers
	Cr Chris Darby	Deputy Mayor Desley Simpson, JP
	Cr Julie Fairey	Cr Sharon Stewart, QSM
	Cr Alf Filipaina, MNZM	Cr Ken Turner
	Cr Christine Fletcher, QSO	Cr Wayne Walker
	Cr Lotu Fuli	Cr John Watson
	Houkura Member Hon Tau Henare	Cr Maurice Williamson
	Cr Shane Henderson	

(Quorum 11 members)

Sandra Gordon
Kaitohutohu Mana Whakahaere Matua / Senior
Governance Advisor

17 February 2025

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1 **Ngā Tamōtanga | Apologies**

2 **Te Whakapuaki i te Whai Pānga | Declaration of Interest**

3 **Te Whakaū i ngā Āmiki | Confirmation of Minutes**

Click the meeting date below to access the minutes.

That the Policy and Planning Committee:

- a) whakaū / confirm the ordinary minutes of its meeting, held on [Tuesday, 10 December 2024](#), including the confidential section, as a true and correct record.

4 **Ngā Petihana | Petitions**

5 **Ngā Kōrero a te Marea | Public Input**

5.1 Public Input: I Love Avondale

Te take mō te pūrongo
Purpose of the report

1. To hear from representatives of I Love Avondale regarding their organisation and recent works undertaken regarding the future use of the Avondale racecourse whenua.

Whakarāpopototanga matua
Executive summary

2. Jacklyn Bonnici, I Love Avondale team lead will address the committee.
3. I Love Auckland is a for-purpose Charitable Trust with three key offerings; Kai Avondale, Pātiki Hubs and Storytelling. Woven throughout their project work is their advocacy - listening and responding to community needs and aspirations.
4. They will also talk about:
 - a) a recent/current piece of community organising they have been undertaking, regarding the future use of the Avondale racecourse whenua - for which they are helping develop a community-led position and vision
 - b) avenues the committee might consider for a formal line of communication and/or relationship with our Avondale community reps so that the depth of local voice and expertise can be understood by committee members

Ngā tūtohunga
Recommendation/s

That the Policy and Planning Committee:

- a) whiwhi / receive the public input from Jacklyn Bonnici from I Love Avondale regarding their organisation and recent works undertaken regarding the future use of the Avondale racecourse whenua.

6 **Ngā Kōrero a te Poari ā-Rohe Pātata | Local Board Input**

7 **Ngā Pakihi Autaia | Extraordinary Business**

Aquatic network review: Key findings and next steps

File No.: CP2025/00576

Te take mō te pūrongo Purpose of the report

1. To receive the findings of the Auckland aquatic network review and seek approval to develop a programme business case to investigate a multi-pronged approach to delivering aquatic services to Aucklanders in the future.

Whakarāpopototanga matua Executive summary

2. Staff have completed a review of Auckland's aquatic network and investigated the demand for a regional competition facility in response to two priority actions in the Community Facilities Network Action Plan 2022.
3. The aquatic network review identifies that some Aucklanders are currently missing out on aquatic services, and that provision gaps will widen significantly as Auckland grows (refer Attachment A and recommendations). Delivering aquatic services requires a significant financial investment and council is not keeping up with expectations set in adopted policy.
4. To continue delivering aquatic services to Aucklanders in the future, we need to rethink the approach to planning and provision to balance meeting community needs and affordability. Initial insights from the review suggest that the council takes a multi-pronged approach to better align with its strategic and operational environment:
 - a) Auckland Council has a role when there is market failure, where goods and services that are needed to enable thriving communities are not readily provided by the market. As such, there is strong rationale for it to continue to be the main provider of aquatic facilities in Auckland, with a focus on lane swimming and leisure water services.
 - b) Reliance on council provision needs to be reduced through a proactive approach towards funding and delivery partnerships and by providing grants to secure community access to non-council owned swimming pools.
 - c) The council needs to make the most of its current network to meet demand. The capacity and utilisation of existing aquatic facilities needs to be maximised with options for aquatic facility extensions, additional leisure experiences, year-round use of outdoor pools and divestment of low performing pools.
 - d) Provision metrics need to be updated to better reflect affordability challenges and better consider community demand for different aquatic services, population growth and intensification and changing demographics. Future aquatic facilities could be "destination" only; serving a wide population catchment, meaning people will travel further to access them. Locating aquatic facilities near transport hubs will be critical for accessibility and the environment.
 - e) Investment in new facilities needs to be prioritised in areas with network gaps and communities of greatest need.
 - f) Delivering agreed priorities requires a focus on monitoring and reporting investment pipelines and budgeting in annual and long-term plans.
5. While the aquatic network review completes the two priority actions, staff suggest that further investigation of a multi-pronged approach is needed to provide both the Governing Body and local boards with a robust evidence base for future decisions.

6. Staff propose to build on the insights gained and develop an aquatic network programme business case (refer to Attachment B) to inform how we are best to continue delivering aquatic services to Aucklanders over the next 30 years and take a network view. The proposed programme business case form part of a broader suite of improvements to better align community policy and investment advice to council's strategic and operating environment ahead of the next Long-term Plan (refer paragraph 9).
7. This will enable staff to provide investment advice that reflects council's strategic and operating environment, including the "delivering differently" approach to community services and key directions from the Long-term Plan 2024-2034.
8. Matters recently considered as part of the separate review required under S17A of the Local Government Act, such as aquatic facility operating models, are out of scope.

Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) whiwhi / receive the key findings of the Auckland aquatic network review (refer Attachment A to the agenda report) as follows:
 - i) Swimming is in the top five most popular physical activities amongst Aucklanders.
 - ii) Council provision is crucial to ensure Aucklanders have access to a wide range of aquatic services. Private and school pools mainly deliver learn-to-swim services.
 - iii) Council aquatic facilities are highly valued by Aucklanders: they are the third most used type of community facility with a 95 per cent customer satisfaction rate.
 - iv) Performance varies across the council network, with many well-utilised aquatic facilities, and some ageing and low performing facilities (i.e. high cost and low visitation). Significant investment is required to maintain the existing network and to upgrade assets to be more sustainable.
 - v) There are current gaps in provision, resulting in some Aucklanders missing out on aquatic services. Communities in the following local board areas are identified as facing access barriers to aquatic services: Henderson-Massey, Franklin, Ōtara-Papatoetoe, Papakura and Whau. They are identified as the communities of greatest need; they do not always align with areas of highest deprivation.
 - vi) Provision gaps will widen as an additional 500,000 people are projected to live in Auckland over the next 30 years, leading to gaps in the Albert-Eden, Henderson-Massey, Howick, Manurewa, Ōrakei and Whau local board areas. A future provision gap is also expected in Drury (in the Franklin local board area).
 - vii) Demand is mainly driven by lane swimming and leisure water services. There are sufficient fit for purpose facilities (for example 50m pools) to meet demand for aquatic training and competition now and in the future. However, aquatic sport codes have identified that access improvements are required.
 - viii) Council provision is not keeping up with adopted provision metrics of 35,000 to 50,000 people per aquatic facility in the Community Facilities Network Plan 2015. Council only invested in two aquatic centres over the last 15 years, during which the population increased by 300,000. Four destination aquatic facilities are in the planning pipeline over the next 30 years for areas with existing provision gaps (i.e. Whau, Howick, Henderson-Massey and Drury).
 - ix) Given the significant investment required to continue delivering aquatic services to Aucklanders, the council's approach to planning and investment in the aquatic network needs to better align with its strategic and operational environment.
- b) whakaae / direct staff to develop an aquatic network programme business case to investigate a multi-pronged approach to delivering aquatic services in the future and report back to the local boards and the relevant committee of council in early 2026.

Horopaki Context

Community policy and investment advice are being up lifted

9. To better align community policy and investment advice to council's strategic and operating environment ahead of the next Long-term Plan, staff are undertaking or proposing to undertake a suite of improvements. The proposed programme business case detailed in this report is an element of that suite of improvements.



This work delivers two actions in the Community Facility Network Action Plan 2022

10. The aquatic network review delivers on the following two priority actions in the Community Facility Network Plan Action Plan 2022:
- **Action 13:** “Undertake a regional review of Auckland’s aquatic network to understand the impacts of growth, assess future gaps in relation to services and the lifespan of existing facilities. This should include the whole pool network (indoor, outdoor, non-council, council, learn to swim, school, etc)”.
 - **Action 89:** “Investigate the demand for regional competition facility to serve aquatic sports including deep-water, based on the findings of the national pools strategy. Consult with relevant regional sports organisations and recognise any regional sport code plans. Assess demand being met by the Millennium Centre and consider opportunities to improve existing facilities.”
11. It is timely to review the council’s aquatic network to reflect investment direction from the Long-term Plan 2024-2034 and new decision-making allocations. Sustained financial pressure has also placed higher emphasis on return on investment and network efficiency.

It takes a long-term, strategic view of council’s investment in the aquatic network

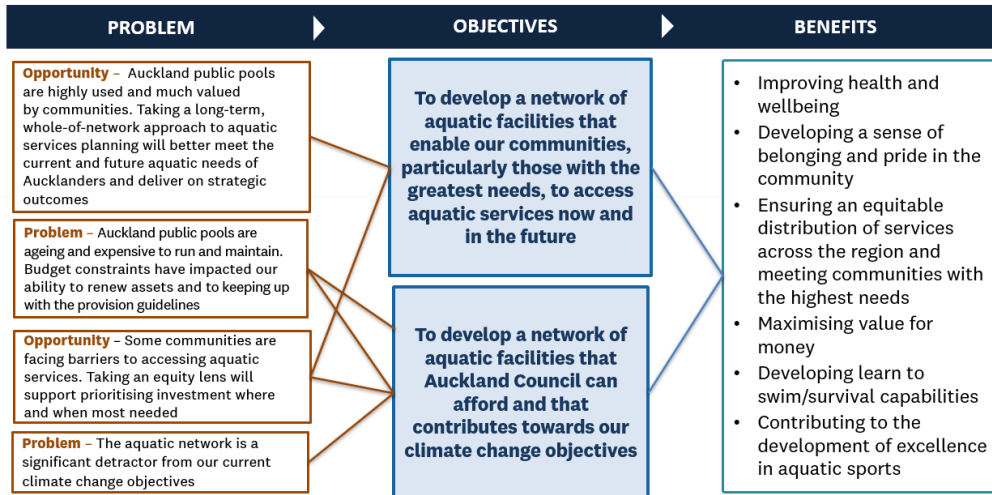
12. Council owns 27 aquatic facilities and has partnership arrangements in two additional facilities. This is a significant investment.

13. The aquatic network review seeks to answer the following key question:

What aquatic services are Aucklanders likely to need over the next 30 years, and what does this mean for council and how it invests in the aquatic network now and in the future?

14. The review takes a long-term, strategic view of investment in the aquatic network, considering key drivers such as growth, community needs, equity, affordability, value for money and environmental sustainability. It follows a clear logic map:

Figure 1: Investment logic mapping for the aquatic network review



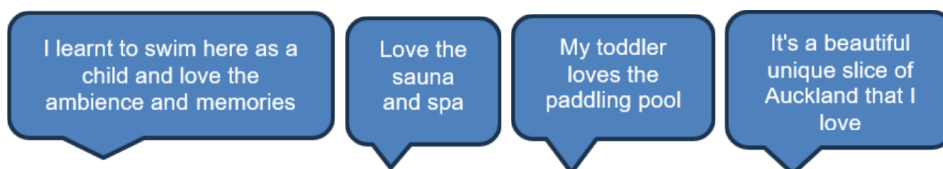
Tātaritanga me ngā tohutohu Analysis and advice

15. Staff undertook primary research, stakeholder engagement and demand modelling to understand the current state of the aquatic network and the needs of Aucklanders now and in the future.
16. The key findings are summarised in this report. More detailed information can be found in Attachment A.

Aucklanders love to participate in aquatic activities and value council pools

17. Swimming is in the top five most popular physical activities amongst Aucklanders. Around 14 per cent of Aucklanders swim weekly.¹ Participation is particularly high amongst school-age children: 45 per cent of primary and 23 per cent of secondary students swim weekly.²

Figure 2: Quotes from Peoples’ Panel survey



¹ According to Active New Zealand survey, which asked respondents what physical activities (including play, exercise, active recreation, or sport) they participated in at least once in the past seven days.

² Modelled participation data provided in Sport NZ Insight Tool, using combined data from 2019 and 2020 Active Surveys and Statistics New Zealand Census 2018.

18. Council aquatic facilities are the third most used council community facilities after parks and libraries, with 2.7 million visits in the 2022/23 financial year. They have a 95 per cent customer satisfaction rate.
19. Aucklanders value aquatic facilities, whether they use them or not, and are willing to pay³:
 - \$21.12 per month per household to access an aquatic facility
 - \$44.70 per month per household if the aquatic facility is combined with a leisure centre
 - \$11.14 per month per household to have an aquatic facility in the community.

The council fills a gap in the market

20. Aquatic services are a quasi-public good, with market (i.e. private and education) provision primarily delivering learn-to-swim services. This is because there is little or no financial return for other types of aquatic services.
21. Council is the main provider of aquatic services in Auckland through 29 public facilities⁴ where the community can access a wide range of services such as:
 - fitness and free play (lane swimming and aquatic fitness programmes etc.)
 - learning (water safety programmes and learn-to-swim lessons etc.)
 - leisure and therapy (spas, sauna, steam rooms etc.)
 - entertainment (hydro-slides, splash pads, wave pools, lazy rivers etc.)
 - sport training, competitions and events (swimming squad, water polo, cannoning, diving, synchronised swimming etc.).
22. Council provision and investment is crucial to Aucklanders: it fills a market gap and ensures accessible and affordable aquatic services are provided to all Aucklanders.

Sports codes reported a sufficient supply of aquatic facilities for training and competition

23. Staff interviewed four aquatic sport codes (swimming, diving, water polo and synchronised swimming)⁵ who have a combined membership of around 3500 members in Auckland.
24. The codes reported enough fit for purpose facilities in Auckland to cater for training and competition, except dry land (for practicing choreography, lifts etc) and deep-water space for diving and synchronised swimming. The Sport New Zealand National Aquatic Facilities Strategy 2023 also confirms sufficient facilities exist to meet identified competition demand.
25. This means we do not anticipate an additional 50m pool will be needed in Auckland in the future. Staff will monitor and review any changes in demand.
26. All codes did note barriers in accessing facilities due to operational issues such as restrictions on timing of bookings, limited space at peak times and long travel distances. This has sometimes led codes to use alternative sub-optimal facilities instead.

Performance varies across the council network

27. Council aquatic facilities are ageing, with an average age of 33 years. This is reflected in their condition ratings and renewal requirements, making them expensive to maintain.

³ *Use and non-use values of Auckland Council amenities, 2020*, Nexus Consulting Limited

⁴ The 29 public facilities include 27 aquatic facilities owned by Auckland Council and two partnership agreements with AUT Millennium Pool and Sacred Heart College.

⁵ Underwater hockey was engaged and indicated their interest in providing feedback but were not in a position to participate in interviews at the time.

28. To operate the network, Council spends \$22 million in net annual operating costs (in 2022/23). Renewal cost is budgeted to be around \$70 million over ten years (financial year 2023-2032). In contrast, the required renewal for the same period is estimated to be over \$210 million. This is a significant ongoing and increasing cost to the council.
29. The average net cost to serve is around \$17 per visit but the figure varies across the network. Some aquatic facilities are low performing, with low visitor numbers and high costs to serve. Examples are Birkenhead, Franklin, Grey Lynn, Jubilee and Point Erin pools.
30. Some aquatic facilities can be underutilised for a large proportion of the day. Peak times are early morning, evening and weekends. Initiatives to drive off-peak use are in place.
31. The aquatic network is the council's biggest source of operational greenhouse gas emissions. Several steps have been taken in recent years to reduce emissions, including phasing out natural gas for heating and the installation of solar panels.

The current shortage in aquatic provision is widening as the population grows

32. Staff modelled current and future demand and supply to better understand the aquatic services Aucklanders are likely to need over the next 30 years. The model includes both council and non-council provision (discounted to reflect limited community use).
33. It considers demand for lap pools, leisure and programme space based on participation patterns and population growth. Supply is based on the distribution of these functions from existing aquatic facilities across the region.
34. The model estimates a current gap of four large destination aquatic facilities⁶ across the region. The gap in provision is likely to reach 13 destination facilities by 2052 as Auckland becomes home to an additional 500,000 people, taking the total population to 2.2 million.
35. Demand pressures will be most acute in the Ōrakei, Whau, Albert-Eden, Henderson-Massey, Manurewa and Howick local board areas, driven by a shortage in lap lanes and aquatic leisure spaces.

Equity also needs to be considered

36. Equity is a key priority in council's strategic documents such as the Auckland Plan and Thriving Communities Strategy Ngā Hapori Momoho. Targeting council investment in areas of greatest need means ensuring all Aucklanders have the same opportunity to participate in aquatic services, regardless of their barriers to access.
37. Communities of greatest need for aquatic services provision have been identified in the following five local board areas: Papakura, Ōtara-Papatoetoe, Franklin, Whau and Henderson-Massey. This is based on analysing traditional measures of deprivation, together with swimming participation rates, provision data, and users' profile and preferences.
38. Staff found that communities of greatest needs do not always align with areas of highest deprivation. For example, the Māngere-Ōtāhuhu local board area has one of highest deprivation indexes in the region. However, its residents have a higher swimming participation rate than the Auckland average and have access to two council pools and three school pools.

Council investment is not keeping up with adopted provision metrics

39. The current aquatic network is the result of legacy decisions. Since amalgamation in 2012, only two new aquatic facilities have been delivered: the Albany Stadium Pool and the Otahuhu Pool and Leisure Centre. Both are legacy projects, started by previous councils. During that period (2012-2023), Auckland's population grew by about 300,000.

⁶ For modelling purposes, a destination facility is defined as a facility with a 25-metre pool (16 lanes), one programme pool (120 m²) and one leisure pool (250 m²).

40. The Community Facilities Network Plan 2015 [REG/2015/57] sets the council's expectations for regional provision levels:

Local pools	Destination pools	Regional pools
<ul style="list-style-type: none"> • Network to serve local catchments of up to 5km • Target population thresholds of 35,000 to 50,000 • For rural areas: Within 30-minute drive of a satellite town, target population of 9,000 people or more 	<ul style="list-style-type: none"> • Limited number of facilities to serve catchments 10km plus • Utilise existing facilities • Assessed on case-by-case basis, based on clear evidence of demand and viable business case • Recognise national facility strategy 	<ul style="list-style-type: none"> • One to three facilities to serve the region • Assessed on case-by-case basis, based on clear evidence of demand and viable business case • Recognise national facility strategy

41. Council investment is not keeping up with the provision metrics of a local aquatic facility per 35,000 to 50,000 people. Provision metric requirements for destination pools are also not being met. The provision metric for regional pools is met by West Wave and the council's partnership with AUT Millenium Institute.
42. Council's community planning work has confirmed existing gaps in provision in Whau, Henderson-Massey and Howick, and anticipates a future gap in Drury. The following four aquatic facilities are in the planning pipeline but investment tends to be pushed in the latter years during successive budgetary processes:
- Whau – funding of \$89.0 million has been allocated with estimated delivery of an aquatic facility in 2033
 - Howick – funding of \$48.0 million has been allocated with estimated delivery of an aquatic and leisure facility in 2035
 - Henderson-Massey – funding of \$15.1 million has been allocated for land acquisition by 2032 for an aquatic facility; delivery in decade two.
 - Drury – indicated in the Infrastructure Strategy for decade two.

There is pressure on the council to continue delivering adequate and fit for purpose aquatic services

43. Delivering aquatic services require assets. The only option to move away from the provision of an asset-based service is to rely more on access to rivers, lakes and beaches. However, given our coastal environment and New Zealand's concerning statistic of having one of the highest drowning rates in the developed world⁷, council can help Aucklanders access a safe environment to build confidence and skills in the water as well as providing leisure and recreational opportunities for communities. The council is likely to remain the main provider of the aquatic network in the future. There will always be a significant financial investment required to develop and maintain the network.
44. Private provision is likely to continue to account for about two-thirds of the market for learn-to-swim services but unlikely to increase its market share in other types of aquatic services.
45. The school pool network is unlikely to grow much. There is no Ministry of Education funding for building or replacing a school pool. Schools can use board funding, grants and fundraising for this purpose. This will likely favour school pool provision in more affluent areas where the community is better able to contribute financially.

⁷ As outlined in the Water Safety New Zealand 2022 Annual Drowning Report

46. Most public pools are under council ownership and no new partnerships have been put in place in over a decade. The Community Facilities Network Plan 2015 identifies the importance of leveraging and supporting partnership opportunities for community facility provision. This includes investigating opportunities to partner with other providers, investing in non-council facilities to meet community needs and exploring alternative means of funding community facilities.
47. However, there is no deliberate strategic approach to the development of partnerships as an alternative option to council ownership. They tend to occur on a case-by-case basis and are usually reactive rather than the council proactively exploring these opportunities.
48. There is ongoing engagement with the Ministry of Education to seek greater community outcomes from shared facilities with schools. The Ministry of Education's Te Rautaki Rawa Kura: School Property Strategy 2030 includes a review of policies and guidelines to support increased community use of school property. The challenge is to ensure that access is managed to maximise use and ensure the long-term viability of the facilities.

A business case is needed to develop a long-term strategic approach to investment

49. The aquatic network review provides an opportunity to investigate how the council's approach to aquatic network planning and investment can better align with its strategic and operational environment. The challenge is to balance community needs and affordability.
50. Initial insights suggest that the council takes a multi-pronged approach to continuing delivering aquatic services to Aucklanders in the future:
 - a) The council has a role when there is market failure: it will continue to be the main provider of aquatic network in Auckland, with a focus on lane swimming and leisure water services.
 - b) Reliance on council provision needs to be reduced through a proactive approach towards funding and delivery partnership opportunities and by providing grants to secure community access to non-council owned swimming pools.
 - c) The council needs to make the most of its current network to meet demand: the capacity and utilisation of existing aquatic facilities needs to be maximised with options for aquatic facility extensions, additional leisure experiences, year-round use of outdoor pools and divestment of low performing pools.
 - d) Provision metrics need to be updated to help address affordability challenges and better consider community demand for different aquatic services, population growth and intensification and changing demographics. Future aquatic facilities could be "destination" only; serving a wide population catchment, meaning people will travel further to access them. Siting aquatic facilities near transport hubs will be critical for accessibility and the environment.
 - e) Investment in new facilities needs to be prioritised to areas with proven network gaps and communities of greatest need.
51. Delivering agreed priorities requires a focus on monitoring and reporting investment pipelines and budgeting in annual and long-term plans.
52. Staff propose to investigate these options to deliver differently as part of a programme business case. Options need to be fleshed out, assessed, and weighted to deliver a long-term investment plan.
53. The programme business case will explore a full set of options to recommend a 30-year pathway for future investment in the aquatic network. It will take into account key council strategic directions such as making the most of what we have, focusing on communities of greatest need, value for money and affordability (refer to Attachment B for further detail).
54. Future investment in specific facilities will continue to be supported by individual detailed business cases. The programme business case will provide a more strategic, coordinated and evidence-based framework for these to be developed and considered under.

55. In the absence of a long-term approach, there is a risk that investment will be ad hoc and reactive, with little or no network efficiencies achieved. Decision-makers will have difficulty knowing where to target investment to best meet the current and future needs of Aucklanders. Opportunities to use a greater range of investment options, including partnerships, will be missed.
56. Matters recently considered as part of the separate review required under S17A of the Local Government Act, such as aquatic facility operating models, would be out of scope.

Tauākī whakaaweawe āhuarangi

Climate impact statement

57. The aquatic network is the council's biggest source of operational greenhouse gas emissions. Several steps have been taken in recent years to reduce emissions, including phasing out natural gas for heating and the installation of renewable energy (solar panels).
58. A programme business case will explore how investment can support a more environmentally sustainable approach, aligned with council's Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan, Sustainable Asset Policy, Auckland Water Efficiency Strategy 2021-2024 and Waste Management and Minimisation Plan 2018.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

Council group impacts and views

59. The lead teams and subject matter experts across Pools and Leisure, Parks and Community Facilities, Community Wellbeing, Service Strategy and Partnerships, and Value for Money contributed views and expert input in the aquatic network review.
60. If approved, future work will be supported by a project working group with staff representation from aquatic policy, planning, partnerships, investment and operations.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe

Local impacts and local board views

61. Community insights helped inform the aquatic network review. Staff conducted three community surveys (customer satisfaction survey, users' profile and catchment survey and People's Panel survey) and investigated communities of greatest need for aquatic services.
62. While network planning is under the Governing Body's governance, local boards have decision-making allocation over individual community facilities, within agreed budget allocations.
63. Staff will ensure local boards are kept well informed as the work develops. We presented the key findings and insights of the aquatic network review at a local board members' briefing in February 2025. Pending approval to develop a programme business case, staff will engage with local boards at key stages of development.
64. Findings from the aquatic network review, as well as the future programme business case, will be useful inputs into the ongoing portfolio review process being undertaken with local boards. The portfolio review programme is a strategic initiative supporting local boards to make informed decisions about the sustainable and strategic management of their service assets and investment of capital budgets.
65. Partners such as Active and Sport New Zealand will also be kept engaged at key stages.

Tauākī whakaaweawe Māori Māori impact statement

66. The view of Māori users of council aquatic facilities was sought through the three surveys outlined at paragraph 61, showing:
- Māori have a similar weekly participation rate in swimming to the Auckland average (14 per cent)
 - Māori account for around 12 per cent of council pool users, on par with the percentage of Māori representation in the total Auckland population (approximately 12 per cent).
 - Māori have a higher percentage of users (21 per cent, compared to 10 per cent average for all ethnicities) involved in play and unstructured activities at council aquatic facilities.
 - Māori are over-represented in groups likely to have access barriers to aquatic services (e.g. higher proportion in high deprivation index areas, higher proportion of inactive population or with limited access to aquatic services).
67. Delivery of a fit for purpose aquatic network will help to achieve Māori outcomes, particularly in health and social wellbeing.

Ngā ritenga ā-pūtea Financial implications

68. There are no financial implications associated with the Policy and Planning Committee receiving the findings of the aquatic network review. The proposed programme business can also be delivered within existing departmental budgets.
69. The programme business case will provide elected members evidence-based advice as to how the council can best continue to provide aquatic services to Aucklanders. These include how we can make the most of what we have, moving away from council-owned assets in a constrained financial environment, and balancing community needs with affordability.
70. The programme business case will support consideration of budget priorities as part of discussions for the Long-term Plan 2027-2037. Investment could be funded through the “Developing Differently” budget line.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

If	Then	Possible mitigations
the development of an aquatic network programme business case is not supported	<p>investment decision-making is not informed by an evidence-based long-term approach at a network level, resulting in:</p> <ul style="list-style-type: none"> loss of opportunity to take a network view and achieve efficiencies difficulty knowing where to target investment to best meet the current and future needs of Aucklanders missed opportunities to use a greater range of investment options, including making the most of what we have and partnerships. <p>A medium strategic and delivery risk.</p>	<p>Programme business case to be guided by insights from completed aquatic network review, aligned to the council's strategic and operational environment and directions from the Long-term Plan 2024-2034.</p> <p>Staff will engage with the relevant Governing Body's committee and local boards at key stages of development to seek direction and input.</p>

Ngā koringa ā-muri Next steps

71. Pending approval, staff will development an aquatic network programme business case for reporting back to local boards and the relevant Governing Body's committee in early 2026.

Ngā tāpirihanga Attachments

No.	Title	Page
A⇒	Aquatic Network Review	
B⇒	Programme Business Case proposed scope	

Ngā kaihaina Signatories

Author	Rachel O'Brien - Principal Policy Advisor
Authorisers	Carole Canler - Senior Policy Manager Louise Mason - General Manager Policy Megan Tyler - Director Policy, Planning and Governance

Auckland Unitary Plan - Private Plan Change Request - Heights Road (9, 33 and 49 Heights Road), Pukekohe

File No.: CP2025/00196

Item 9

Te take mō te pūrongo Purpose of the report

1. To decide how to process a private plan change request to the Auckland Unitary Plan (operative in part) (AUP) from GBar Properties Limited (the applicant) to rezone 5.35 hectares of land at 9, 33 and 49 Heights Road, Pukekohe (the subject land) from the Future Urban Zone (FUZ) to the Business - Light Industry Zone (BLIZ).

Whakarāpopototanga matua Executive summary

2. This report considers under clause 25 of Schedule 1 to the Resource Management Act 1991 (RMA), a private plan change request from GBar Properties Limited to:
 - a) Rezone 5.35 hectares of land at Pukekohe from Future Urban Zone to Business - Light Industry Zone,
 - b) And apply the Stormwater Management Area Flow 1 (SMAF-1) control to the plan change land.
3. Text amendments and precinct provisions are not proposed.
4. A copy of the private plan change request is provided as Attachments A, B and C and is summarised in this report.
5. Auckland Council must decide how a private plan change request is processed. Under clause 25 of Schedule 1 of the RMA, the council may either:
 - a) adopt the request as if it were a proposed plan made by the council, or
 - b) accept the request, in whole or in part, or
 - c) deal with the request as if it were an application for a resource consent, or
 - d) reject the request in whole or in part, if one of the limited grounds for rejection is satisfied.
6. The plan change land is on the northern edge of Pukekohe. It consists of three sites with frontage to Heights Road, totalling 5.35ha. There are existing industrial uses on approximately two thirds of the private plan change land.
7. The council's Pukekohe-Paerata Structure Plan was adopted in August 2019. As part of the Pukekohe-Paerata Structure Plan the land in the private plan change is proposed to be zoned Business - Light Industry Zone. The plan change request is consistent with the structure plan.
8. The plan change was lodged prior to council's Future Development Strategy (FDS) being published on 22 December 2023. The FDS replaced the Future Land Supply Strategy (FULSS) 2017 and resulted in amendments to various aspects of past planning directions and development timing. The FDS identifies the plan change land within an area identified as being "development ready" in 2040+, based on the time by which bulk infrastructure will be available. "Development ready" means that urban zoning and bulk infrastructure is provided. Under the council's FULSS, the land in Stage Two of the Pukekohe Future Urban zoned land which scheduled to be development ready in the second half of Decade One (2023 to 2027).

9. Having undertaken a coarse level assessment of the proposal at this time, it is considered that the proposal is likely to contribute to a well-functioning urban environment by providing more local employment options within the Pukekohe area, even if the development capacity is out of sequence with planned land release. Approximately two thirds of the land already contains light industrial activities. If the private plan change is accepted for processing, it will be subject to notification and further assessment.
10. It is recommended that the private plan change request is accepted for processing under clause 25(2)(b) of the RMA on the basis that, having regard to relevant caselaw, the request does not meet the criteria for rejection under clause 25(4) of Schedule 1 to the RMA, and it is more appropriate to accept the request than to adopt it or treat it as a resource consent.

Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) whakaae / agree not to reject the private plan change request under clause 25(4) of Schedule 1 of the RMA as there are no grounds of rejection available, on the basis that:
 - i) the private plan change request is not frivolous. The applicant has provided supporting technical information, and the private plan change has a resource management purpose
 - ii) the private plan change request is not vexatious, and the applicant is not acting in bad faith by lodging the private plan change request
 - iii) the substance of the private plan change request has not been considered within the last two years
 - iv) having regard to relevant caselaw, a coarse level of assessment of the private plan change request does not indicate that it is not in accordance with sound resource management practice
 - v) a preliminary assessment indicates the private plan change request will not make the Auckland Unitary Plan inconsistent with Part 5 of the Resource Management Act
 - vi) the provisions of the Auckland Unitary Plan subject to the private plan change request have been operative for at least two years.
- b) whakaae / accept the private plan change request by GBar Properties Limited to rezone 5.35 hectares of land at 9, 33 and 49 Heights Road, Pukekohe as detailed in Attachments A, B, and C to the agenda report, pursuant to clause 25(2)(b) of Schedule 1 to the Resource Management Act 1991 for the following reasons:
 - i) Accepting the private plan change request will enable a range of matters to be considered on their merits during a public participatory process.
 - ii) It is not appropriate to adopt the private plan change request as this is not an area the council has placed a high priority on in respect of pursuing urban zonings at this time.
 - iii) Following other plan changes that have recently been processed in this area there is an increasing base of knowledge about potential infrastructure timing and effects.
 - iv) It is not appropriate to deal with the private plan change as if it was a resource consent application. While zoned Future Urban Zone, part of the site is already used for industrial activities, and rezoning cannot occur by way of a resource consent.
- c) tautapa / delegate authority to the Manager Central South Planning to undertake the required notification and other statutory processes associated with processing the private plan change request.

Horopaki Context

Plan Change Land and Surrounding Area

- 11. The plan change land is on the northern edge of Pukekohe as shown in Figure 1. It consists of three sites with frontage to Heights Road, totalling 5.35ha as shown in Figure 2.

Figure 1: Site Context (Source: Auckland Council)

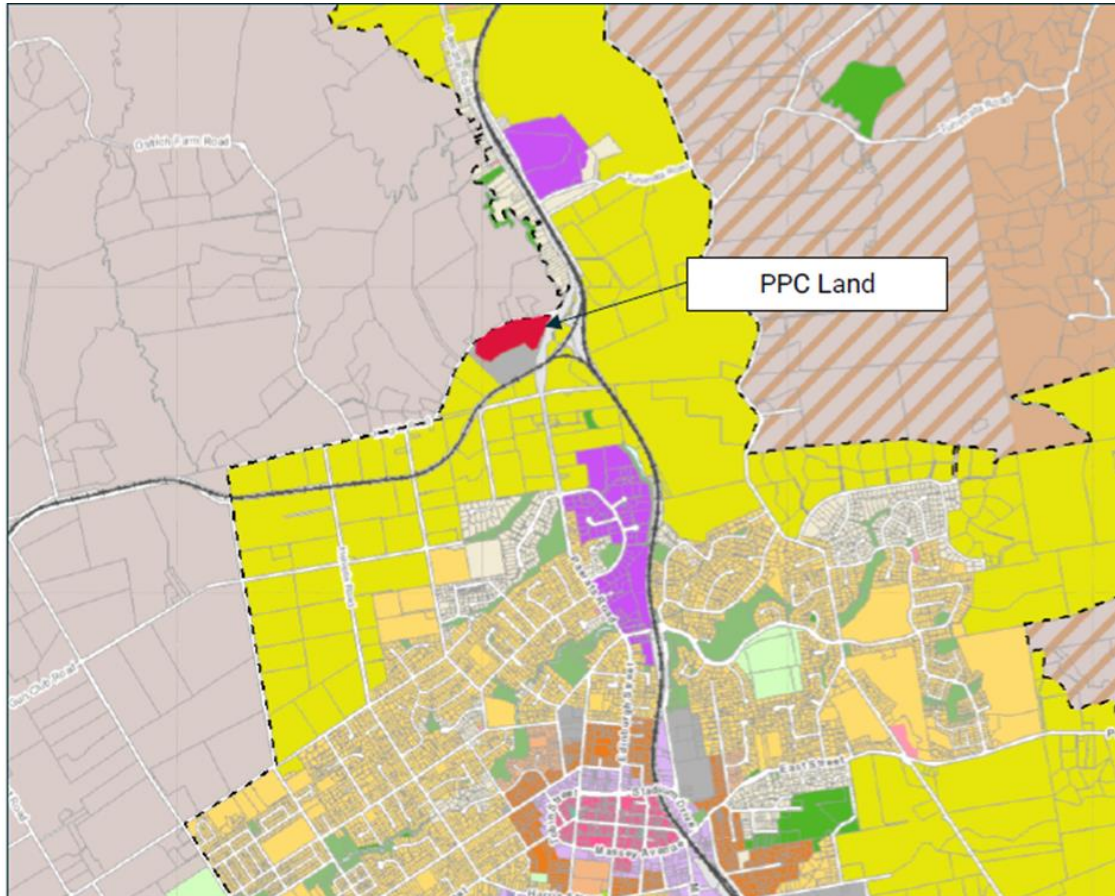


Figure 2: Location of PPC Land Extent over Aerial Photo (Source: Grip Map)



12. To the north, the land is bordered by Heights Road, which forms the Rural Urban Boundary (RUB). Land zoned Rural - General Rural is on the northern side of Heights Road. To the east, the land is bordered by the Paerata Road section of State Highway 22.
13. The council's Heights Park Cemetery borders the land to its west and south. The cemetery is zoned Special Purpose Cemetery Zone. The Glenbrook railway branch line borders the south of the cemetery.
14. The plan change area is roughly rectangular. It generally slopes downhill from Heights Road, with a drop of up to 15 metres, rising again to the cemetery site.
15. Two of the three sites subject to the plan change have a history of industrial use. Approximately 90 per cent of the area of the two eastern sites subject to the plan change is developed with buildings or storage and parking, as shown on the aerial photograph in Figure 2.
16. The eastern site, 9 Heights Road (1.62ha) was the site of a meat processing works from the 1970s to the 1990s. 9 Heights Road accommodates "The Tractor Centre". This was consented in 2001, partly in the former meat works building. "The Tractor Centre" has a showroom, and provides tractor hire, and agricultural machinery sales and service. "Totalspan" accessory buildings sales (consented 2005) are also on the site. The eastern site has frontage to Heights Road and to the Paerata Road section of State Highway 22.
17. Consent was granted in 2017 for expansion of activities from the eastern site onto the middle site, 33 Heights Road (2.28ha) and the construction of a large shed (approximately 2300m²). The majority of this site is developed with this building and light industrial storage and parking.
18. The western site, 49 Heights Road (1.45ha) contains a residential dwelling and cleared grass. Council records show there has been previous horticultural use on the site.
19. The proposed plan change also seeks to apply the SMAF-1 control over the plan change area. The AUP in Chapter E10 Stormwater management area describes the SMAF-1 control as seeking to protect and enhance Auckland's rivers, streams and aquatic biodiversity in urban areas.

Plan Change History

20. The original plan change request was lodged in July 2023. The applicant has provided documentation in support of the application.
21. The request includes an indicative concept plan for future further industrial development of the land.
22. Requests for further information were made in 2023 and 2024. Information has been progressively provided by the applicant, with an updated version of the plan change being received in October 2024, and final requested information was provided in November 2024.

Specialist Assessments

23. Council experts and consultants have evaluated the lodged information and information provided in response to requests for further information, this includes reports on: contaminated land, ecology, economics, engineering, geotechnical, landscape, open space, stormwater and flooding, transport, water and wastewater infrastructure.
24. Council experts and consultants conclude that the applicant has provided sufficient information under clause 23 of schedule 1 of the RMA so that this clause 25 assessment can occur.

National Directives

National Policy Statement on Urban Development 2020 (NPS-UD)

25. The NPS-UD aims to provide significantly more housing capacity, choice and jobs in well-functioning urban environments. The intensification plan change required under the NPS-UD was notified by council on 18 August 2022 as Plan Change 78.
26. The Assessment of Environmental Effects (AEE) lodged with the proposal considers the proposed plan change to be consistent with the NPS-UD for reasons including: that infrastructure provision has been addressed, business land will be made available for development, local employment opportunities will be created, and effects have been addressed.
27. If the proposed plan change request is accepted for processing, an assessment against the relevant objectives and policies of the NPS-UD will be undertaken.
28. The council's FDS has moved back the "development ready" timing for Pukekohe North West, which includes the plan change land, to 2040+. However, regard must still be given to Policy 8 of the NPS-UD which states:

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 planning documents; or
- (b) out-of-sequence with planned land release.

National Policy Statement for Freshwater Management 2020 (NPS-FM)

29. The NPS-FM endeavours to implement Te Mana o te Wai by prioritising first the health and well-being of water bodies and freshwater ecosystems followed by the health needs of people and then the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.
30. The relevant provisions of the NPS-FM are assessed in section 6.2 of the AEE. In summary, the applicant finds that the proposed plan change will give effect to the NPS-FM because:
 - it provides for a whole of catchment approach to stormwater treatment to mitigate adverse effects on the hydrology and quality of freshwater
 - the stormwater approach relies on flood modelling based on the entire catchment and takes into account the best available data with respect to climate change, including adopting a warming scenario of 3.8°C
 - a suite of stormwater and hydrology and flooding mitigations are proposed to manage the effects of increased impervious coverage on the surrounding area.

National Policy Statement for Highly Productive Land 2022 (NPS-HPL)

31. The NPS-HPL requires the protection of highly productive land that is zoned either general rural or rural production, and is predominantly Land Use Class 1, 2, or 3 land, and forms a large and geographically cohesive area. As the plan change area is zoned Future Urban Zone, it has already been specifically identified for urban development and therefore is not subject to protection under the NPS-HPL. The NPS-HPL is not considered relevant to the consideration of the proposed plan change.

Local and Regional Planning Context

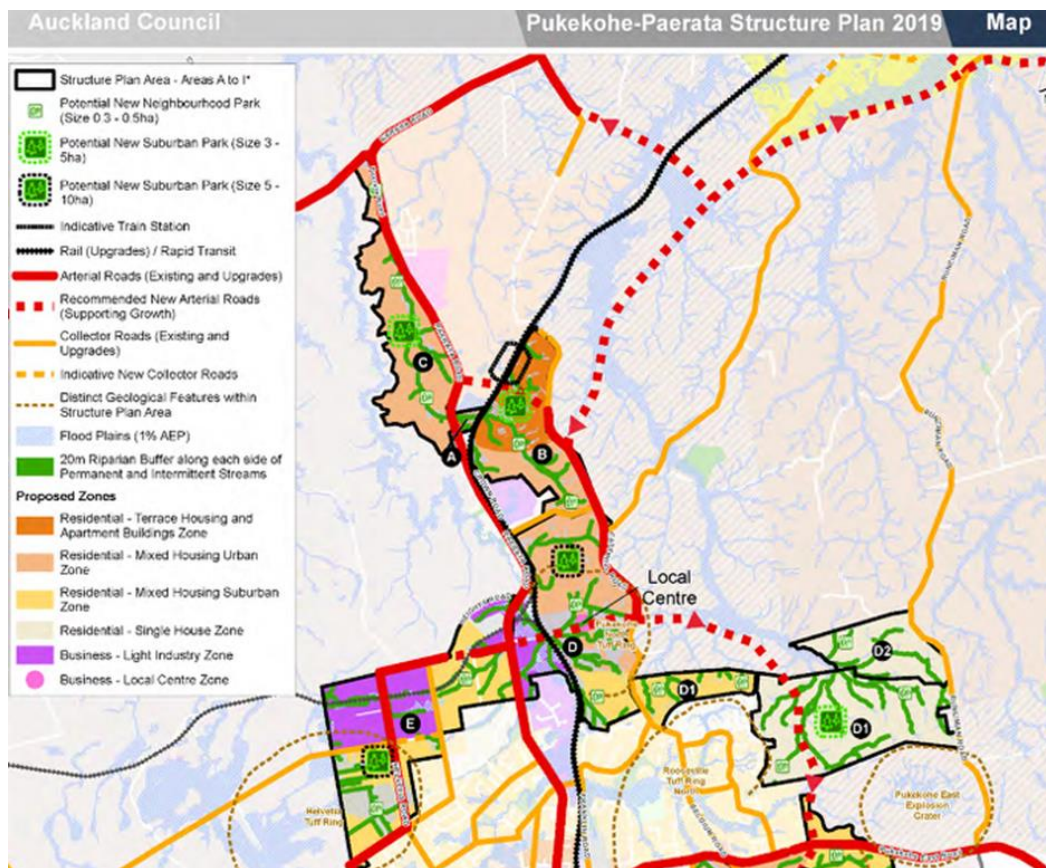
Auckland Plan 2050

32. The Auckland Plan 2050 is council’s spatial plan and contains a 30-year high level development strategy for the region based on a quality compact approach to accommodating growth. This approach anticipates most growth through intensification within existing urban areas, with managed expansion into the region’s future urban areas and limited growth in rural areas.
33. It sets out how Auckland will grow over the next 30 years to achieve a quality compact urban form, and anticipates growth focused in existing urban areas (62%) and future urban areas (32%) with some remaining growth in rural areas (6%).
34. Significant growth is anticipated in the Pukekohe area which is identified as a “satellite town” with the potential to accommodate up to 14,000 additional dwellings by 2050.

Pukekohe-Paerata Structure Plan 2019

35. The plan change land is in the north eastern corner of Area E in the Pukekohe-Paerata Structure Plan. The private plan change request is consistent with the proposed Structure Plan zoning of Business-Light Industry Zone for 9, 33 and 49 Heights Road as shown in **Figure 3**.

Figure 3: extract from Pukekohe-Paerata Structure Plan 2019: Structure Plan Map



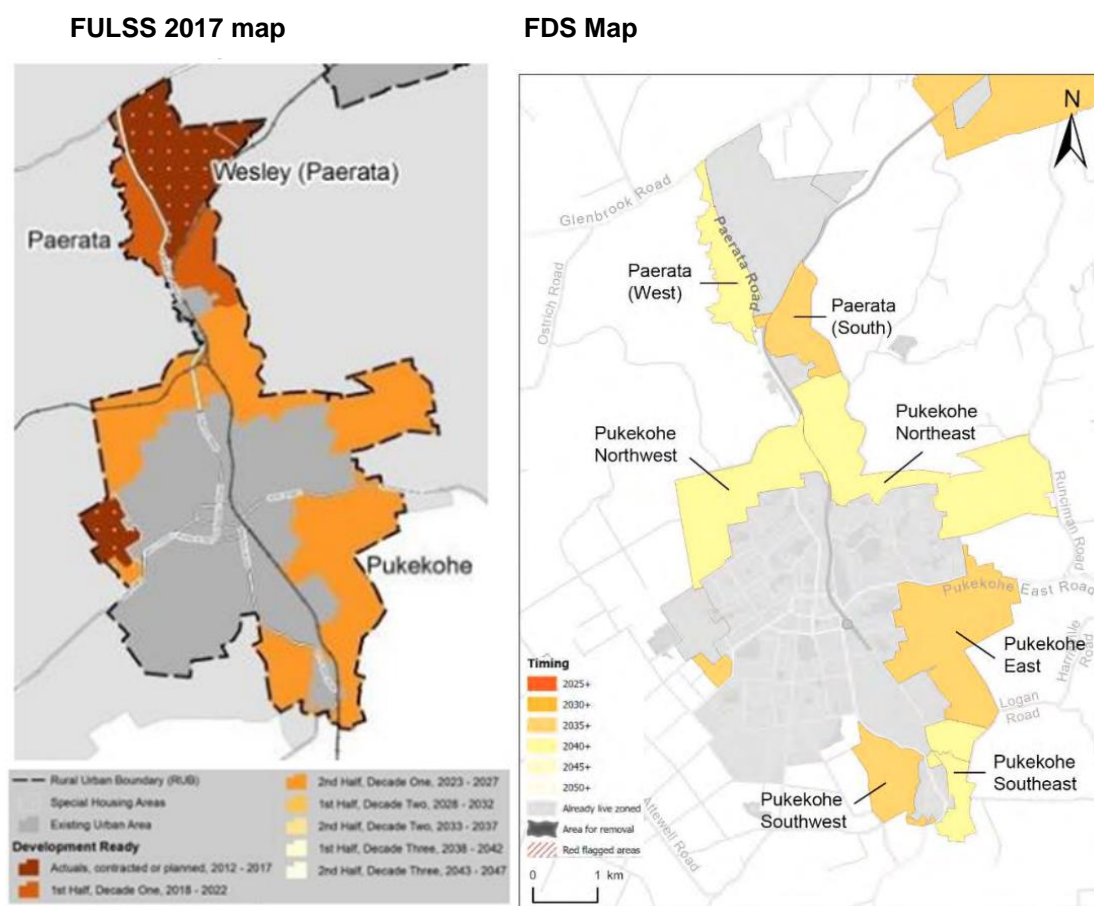
36. The Structure Plan proposes approximately 95 hectares (net developable) of land to be zoned Light Industry, including the plan change land. The plan change land is noted as an existing land use more suited to the Light Industry zone in the structure plan.
37. The Structure Plan shows the plan change land as subject to a 20 metre (subject to refinement) Riparian Buffer along each side of Permanent and Intermittent Streams, and shows part of the land subject to a 1 per cent Annual Exceedance Probability (AEP) flood. Stream and flooding matters are addressed in the Stormwater Management Plan.

38. The proposed plan change when lodged was prepared in accordance with the growth timings used in the Pukekohe-Paerata Structure Plan 2019.

Future Development Strategy 2023 (FDS)

39. The FDS was finalised and published on 22 December 2023 and replaced the Future Urban Land Supply Strategy 2017 (FULSS). The FDS expresses concern about the timing of development and the number and spread of areas being rezoned from future urban to urban, particularly as a result of private plan changes that have not followed the proposed FULSS sequence. Development in an increasing number of future urban areas has put more pressure on the council’s ability to obtain financing and provide funding to service development, especially when there are already severe affordability constraints.
40. There is no intention in the FDS to change the FUZ zoning of the subject land, however timing of its development has moved out to 2040+ (from the FULSS timing of the second half of Decade One (2023 to 2027) as shown in Figure 4 below. The proposed plan change proposes development about 16 years ahead of the “development ready” time horizon in the FDS.

Figure 4: Future Urban Land Supply Strategy and Future Development Strategy comparison maps



41. The FDS leaves open the possibility for the council to consider private sector initiatives which find practical ways to provide infrastructure either through direct provision, or funding council to accelerate its own infrastructure provision where that contributes significantly to housing and business capacity and meets the requirements of a well-functioning urban environment.
42. The infrastructure and funding concerns indicated as being a major issue in the FDS are arguably not as acute here as in other locations. The FDS lists several “infrastructure prerequisites” for Pukekohe North West, these being Pukekohe North West Arterial, Isabella Drive Pump Station, New Reservoir Adams Road South.

43. Considering that the infrastructure issues to be addressed appear to be possible to resolve by 2028, it is considered that the FDS should not be a reason for this proposed plan change not to proceed to notification.

Regional Land Transport Plan

44. The Regional Land Transport Plan 2021-2031 (RLTP) acknowledges KiwiRail's intentions within the current planning period for the electrification of train services between Papakura and Pukekohe and the construction of new railway station at Paerata. These works are currently underway with associated funding in the RLTP.

Auckland Unitary Plan (operative in part)

45. The proposed private plan change is generally consistent with the Regional Policy Statement (RPS) and will give effect to the relevant provisions of Part B2 of the RPS. Importantly, the council has prepared a structure plan for Pukekohe-Paerata and the subject land is within the structure planned area. As discussed, the plan change is generally consistent with the structure plan. The plan change area is with the Rural Urban Boundary.

Infrastructure

Stormwater and Flooding

46. Healthy Waters and Flood Resilience advise that stormwater drainage assets which support future development are proposed to be privately owned and operated under a private discharge consent i.e. authorisation of stormwater management and discharge is not being sought under Auckland Council's Regionwide Network Discharge Consent.
47. Healthy Waters and Flood Resilience comment that there is existing and extensive flooding across the plan change land during large storm events due to the undersized culvert under SH22. They advise that they are satisfied that sufficient information has been provided for the plan change to be notified and a more detailed analysis of the extent of the remaining flood risk to be undertaken.

Water Supply

48. Watercare advise that the existing bulk water supply network has sufficient capacity to service development of the plan change land.
49. Watercare also advise that local network upgrades required to support the development of the plan change land would be assessed at the time of resource consent application and engineering plan approval. Any upgrades/upsizing of the existing local network required to accommodate the demand created, would be required to be provided by the developer at their cost.

Wastewater

50. Watercare advise that further development within the plan change land cannot progress ahead of the delivery of the Isabella Transmission Wastewater Pump station and Pukekohe Transmission Trunk Sewer project. These are funded in the Watercare FY25 -FY34 [2025 to 2034] Asset Management Plan with completion currently forecast for mid-2028.
51. In terms of bulk wastewater infrastructure for the wider Pukekohe-Paerata area, Watercare advise that under current plans and population projections the Pukekohe Wastewater Treatment Plant has sufficient capacity to enable development of the plan change land. An upgrade of the Pukekohe Wastewater Treatment Plant, which will unlock further capacity for growth in Pukekohe and Paerata, is currently anticipated to be commissioned by 2032.
52. Watercare advise that local network upgrades required to support the development of the plan change land would be assessed at the time of resource consent application and engineering plan approval being submitted, and any upgrades/upsizing of the existing local network required to accommodate the demand created, would be required to be provided by the developer at their cost.

Transport

53. Council's transport expert considers that the lodged application contains sufficient information to enable the application to be assessed and has not identified any fundamental concerns.

Infrastructure and funding

54. Because the proposed plan change proposes to enable development ahead of the FDS sequencing, infrastructure and funding are important matters to be considered.
55. Auckland Transport have not raised any fundamental concerns with the plan change. They advise that if the plan change is accepted for processing by the council, Auckland Transport may make a submission to ensure the applicant upgrades/provides funding for the upgrade of Heights Road to an urban standard.
56. Watercare have not raised any fundamental concerns with the plan change. They have confirmed that it is feasible to service the plan change land for bulk water supply and bulk wastewater ahead of the 2040 timing in the FDS (i.e. immediately for bulk water supply and by 2028 for bulk wastewater supply), but that development must be staged to remain within available bulk infrastructure capacity, primarily the existing Pukekohe Wastewater Treatment Plant.
57. At a coarse level of assessment, it is therefore concluded that light industrial development on the land can feasibly be served by the necessary infrastructure required for urban development being either available (water), privately provided (stormwater), by staging development until public wastewater upgrades have been undertaken (due in 2028), and through local transport improvements.
58. Should the proposed plan change be accepted for processing, infrastructure issues will be assessed in greater detail prior to and during the hearing.

Tātaritanga me ngā tohutohu Analysis and advice

Statutory Context: Resource Management Act 1991

59. Any person may request a change to a district plan, a regional plan or a regional coastal plan.⁸ The procedure for private plan change requests is set out in Part 2 of Schedule 1, of the RMA. The process council follows as a plan maker is adapted⁹, and procedural steps added¹⁰ including the opportunity to request information.
60. Under clause 25, after receiving the request, receiving all required information, and modifying the request (where relevant), the local authority is required to make a decision to either:
- Adopt the request, in whole or part, as if it were a proposed plan made by the council, which must then be processed in accordance with the provisions of Part 1 of Schedule 1 (clause 25(2)(a)), or
 - Accept the request, in whole or in part, which then triggers a requirement to notify the request, or part of the request, under clause 25 (clause 25(2)(b)); or
 - Decide to deal with the request as if it were an application for a resource consent (clause 25(3)); or
 - Reject the request in whole or in part, in reliance on one (or more) of the limited grounds set out in clause 25(4).

⁸ Clause 21, Schedule 1, Resource Management Act 1991 – appended as Attachment D to this report

⁹ Part 1 Schedule 1 applies, as modified by clause 29 part 2, Schedule 1, Resource Management Act 1991

¹⁰ Part 2, Schedule 1, Resource Management Act 1991

61. Additional information has been received from the applicant following formal requests for information under clause 23 of Schedule 1. It is considered that the applicant has provided sufficient information for the request to be considered. It is therefore considered that the insufficient information ground for rejection in clause 23(6) of Schedule 1 is not available in this instance.
62. The council must decide under clause 25 of Schedule 1 of the Resource Management Act 1991 which is the most appropriate processing option for each private plan change request. In making this decision the council must have particular regard to the applicant's section 32 evaluation report when deciding.
63. Having regard to the principles established by the relevant case law, the consideration of private plan change requests under clause 25 involves a "threshold test" and a coarse assessment of the merits of the private plan change request – noting that if the request is accepted or adopted the full merits assessment will be undertaken when the private plan change is determined.
64. Case law has also established that "Where there is doubt as to whether the threshold has been reached, the cautious approach would suggest the matter go through to the public and participatory process envisaged by a notified plan change" (*Malory Corporation Ltd v Rodney District Council [2010] NZRMA 1 (ENC)*, at para 22, applied in *Orakei Point Trustee Limited v Auckland Council [2019] NZEnvC 117*).

Options available to the council

65. Attachment D to this report contains a detailed assessment of the options available to the council under clause 25 of Schedule 1 of the Resource Management Act 1991

Conclusion: options assessment

66. The private plan change has been assessed against the options available and the relevant matters. These include clause 25, Schedule 1 matters, having particular regard to the applicant's section 32 evaluation report, and case law that provides guidance on the statutory criteria for rejection of a private plan change request. It is recommended that the private plan change is accepted for processing.

Tauākī whakaaweawe āhuarangi Climate impact statement

67. It is noted that the decision whether to adopt, accept, reject or deal with the private plan change request is a decision relative to those procedural options, rather than a substantive decision on the plan change request itself.
68. The subject land is in an area identified by the council for urban development. The proximity of the proposed light industrial zoning to the residences of potential employees and customers, other light industrial land in northern Pukekohe, proposed public transport networks and upgraded roads will assist in reducing transport emissions.
69. Should the council accept the private plan change request for processing, climate impacts can be considered in greater detail in a future hearing report on the private plan change request. At that time the potential impacts of the plan change on Auckland's overall greenhouse gas emissions may be considered (whether it encourages car dependency, enhances connections to public transport, walking and cycling or supports quality compact urban form and more employment opportunities in a part of the region with limited employment opportunities). And whether the request elevates or alleviates climate risks (such as flooding).

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

70. The applicant has held discussions with Auckland Transport staff who have provided the applicant with detailed comments.
71. Auckland Transport staff have not raised any fundamental concerns with the plan change. They advise that if the plan change is accepted for processing by the council, Auckland Transport may make a submission to ensure the applicant upgrades/provides funding for the upgrade of Heights Road to an urban standard.
72. Healthy Waters and Flood Resilience advise that they are satisfied that sufficient information has been provided for the plan change to be notified.
73. Watercare have been consulted and have advised that it is feasible to service the plan change land for bulk water supply and bulk wastewater ahead of the 2040 timing in the FDS (i.e. immediately for bulk water supply and by 2028 for bulk wastewater supply), but development must be staged to remain within available bulk infrastructure capacity, primarily the existing Pukekohe Wastewater Treatment Plant. If the plan change is accepted for processing by the council, Watercare may make a submission on the private plan change.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

74. Local board views have not been sought on the clause 25 decision as it does not affect the Franklin Local Board's responsibilities or operation, nor the well-being of local communities.
75. However, if the private plan change is accepted, staff will prepare a summary of any submissions received and provide the opportunity for the local board to give feedback on the private plan change. Any feedback received must be taken into account by the independent hearing commissioners appointed to hear and make the council's decision on the private plan change.

Tauākī whakaaweawe Māori Māori impact statement

76. An important objective in part B.6 of the AUP's Regional Policy Statement is that the principles of Te Tiriti o Waitangi are recognised through mana whenua participation in resource management processes. This in turn recognises mana whenua as specialists in the tikanga of their hapū or iwi and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga.
77. Appendix 12 of the application AEE provides a summary of the consultation that has been conducted by the applicant. Emails were sent to Ngāi Tai Ki Tāmaki, Ngāti Maru, Ngāti Tamaoho, Ngāti Te Ata, Te Ahiwaru Waiohua, Te Ākitai Waiohua, and Waikato-Tainui. A cultural report was prepared by Ngāti Tamaoho in May 2023. Te Ahiwaru Waiohua advised that they supported submissions by Ngāti Tamaoho.
78. The applicant advises that they provided a revised Stormwater Management Plan to Ngāti Tamaoho for comment in July 2024. The May 2023 cultural report by Ngāti Tamaoho emphasised the necessity to retroactively improve the stormwater system for the entire site to protect waterways. The report listed cultural and sustainable recommendations and requirements relating to water tanks for the reuse of rainwater off roofs, accidental discovery protocols, sediment and silt controls, and planting palette. The recommendations and requirements in that report are matters that would need to be considered at the resource consent stage.
79. If the plan change is accepted by council, all iwi authorities with an interest in the plan change area will be notified and provided with the opportunity to make a submission.

Ngā ritenga ā-pūtea Financial implications

80. If accepted, costs for processing the private plan change will be recoverable from the applicant up until any appeals to the Environment Court.
81. Accepting the plan change does not present any risks in terms of the council having to provide new funding for infrastructure (or re-allocate existing funding) for the following reasons:
 - a) relevant funding is identified in the Watercare FY25 - FY34 Asset Management Plan
 - b) the limited scale of improvements required to the local transport network, and viable mechanisms that exist to ensure the improvements occur at the applicant's cost (e.g. specific plan change provisions (if necessary) coupled with infrastructure funding agreements)
 - c) the opportunity that exists for more detailed analysis to occur in conjunction with Auckland Transport and Watercare, and for the plan change to be declined if that analysis demonstrates a lack of integration between development and the funding and financing for the necessary infrastructure.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

82. There are legal risks in either accepting or rejecting the private plan change request. If the request is rejected, the requestor may appeal the clause 25 decision to the Environment Court.
83. It is recommended that the private plan change request is accepted in whole for processing. The applicant has requested that the private plan change be accepted, and the risk of legal challenge by the applicant using clause 27 appeal rights is therefore not high.
84. The FDS notes that growth in North West Pukekohe should not occur before 2040. Risks associated with the plan change requiring council funding to be allocated to the area ahead of the timing in the FDS are addressed throughout this report. A coarse-grained assessment of the request indicates that any risks can be addressed, for instance by limiting development until wastewater upgrades scheduled for 2028 have occurred.

Ngā koringa ā-muri Next steps

85. The private plan change request requires decision making pursuant to clause 25 of Part 2 of Schedule 1 of the RMA to determine whether it will be adopted, accepted, rejected, or dealt with as if it were a resource consent application.
86. If the private plan change is accepted, the council will publicly notify the plan change and hold a hearing to consider any submissions and any local board views, and a decision would then be made in accordance with Schedule 1 of the RMA.
87. If the private plan change request is rejected, the applicant could appeal the council's decision to the Environment Court, and an Environment Court hearing would be held in due course.

Ngā tāpirihanga Attachments

No.	Title	Page
A⇒	Heights Road Private Plan Change Request Zoning Plan and SMAF1 Plan	
B⇒	Heights Road Private Plan Change Request Application Letter	
C⇒	Heights Road Private Plan Change Request Planning Report	
D⇒	Council Detailed Assessment of options under Clause 25 of the First Schedule, Resource Management Act 1991	

Ngā kaihaina Signatories

Author	Joy LaNauze - Senior Policy Planner
Authorisers	John Duguid - General Manager Planning and Resource Consents Megan Tyler - Director Policy, Planning and Governance

Auckland Unitary Plan - Private Plan Change Application 84-100 Hobsonville Road - Hobsonville Grove

File No.: CP2025/00765

Item 10

Te take mō te pūrongo Purpose of the report

1. To decide how to process the private plan change request to the Auckland Unitary Plan (Operative in Part) (AUP) from Austino New Zealand Limited (the applicant) to rezone 10.7 hectares of land at 84 and 100 Hobsonville Road from Future Urban Zone (FUZ) and Open Space – Informal Recreation zone to a mix of Business – Light Industry Zone (LIZ) and Residential – Mixed Housing Urban (MHU) and Terrace Housing and Apartment Buildings Zone (THAB) zones.

Whakarāpopototanga matua Executive summary

2. This report considers under clause 25 of Schedule 1 of the Resource Management Act 1991 (RMA), a private plan change request from Austino New Zealand Limited (the applicant) which seeks:
 - a) To rezone 1.36ha of land at 84 Hobsonville Road, Hobsonville (Block 1) from FUZ and Open Space – Informal Recreation Zone to LIZ
 - b) To rezone 9.3413ha of land at 100 Hobsonville Road, Hobsonville (Block 2) from FUZ to MHU and THAB, providing opportunity for the development of up to 335 dwellings.
 - c) Extend the operative Hobsonville Corridor Precinct – Sub-precinct C to include Block 1
 - d) Apply the Stormwater Management Area – Flow 1 (SMAF-1) control across the plan change land
 - e) Introduce a new precinct, 'Hobsonville Grove', that will apply to Block 2.
3. No amendments are proposed to the existing AUP provisions as part of this plan change request. The precinct provisions have been drafted to ensure that the land is not developed without the provision or guarantee of wastewater, water and transport infrastructure, and network connections in place. The precinct will also enable the establishment of a small-scale neighbourhood centre to cater to the day-to-day retail needs of future residents of the precinct. The precinct provisions incorporate the Medium Density Residential Standards (MDRS) as required by s77G(1) of the RMA.
4. A copy of the private plan change request is provided in Attachment A, which includes a copy of the Section 32 Evaluation Report, an Assessment of Environmental Effects, the Hobsonville Grove Precinct provisions and a detailed assessment of the private plan change request against the relevant Regional Policy Statement (RPS) provisions.
5. The plan change land is in West Harbour - in between Hobsonville Road to the south and the Upper Harbour Highway to the north. The plan change land comprises five sites across two separate areas referred to as Blocks 1 and 2 and providing a total area of 10.7 hectares.
6. Block 1 has a direct frontage to Hobsonville Road and Westpoint Drive. Approximately 3,851m² of Block 1 is owned by council and zoned for open space purposes to provide an esplanade link to Rawiri Stream. This land was approved for disposal by the council's Finance and Performance Committee on 19 May 2022 - subject to required statutory requirements.
7. Block 2 has no direct frontage to a public road, instead being bounded by Rawiri Stream to the east, Trig Stream to the west, Council owned land (Rawiri Place Stormwater Pond and Reserve) to the north and vacant, privately owned rural lifestyle blocks to the south.

8. The council's Future Development Strategy (**FDS**) identifies the plan change land in the Whenuapai East area that has been identified as being "development ready" in 2035+ once the bulk infrastructure will be available. "Development ready" refers to the stage at which urban zoning and the bulk infrastructure pre-requisites are provided.
9. Having undertaken a coarse level assessment of the proposal at this time, it is considered that the proposal is likely to contribute to a well-functioning urban environment by providing more housing and local employment options within the West Harbour area, even if the development capacity is out of sequence with planned land release.
10. Through the specialist reviews by council and council-controlled organisations (**CCOs**), such as, Auckland Transport and Watercare, some issues have been identified. These issues relate to transport, stormwater management, flooding, reverse sensitivity effects between the proposed light industrial zone and adjoining residential land (existing and anticipated), the feasibility of a neighbourhood centre and aural amenity. While these issues have been identified, it is considered that these can be managed and addressed through the submission and hearings process.
11. It is recommended that the private plan change request is accepted under clause 25(2)(b) of Schedule 1 of the RMA. A copy of the private plan change request (including the precinct provisions, maps, the Section 32 Assessment and the Assessment of Environmental Effects) is included as **Attachment A**.

Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) whakaae / agree not to reject the private plan change request under clause 25(4) of Schedule 1 of the Resource Management Act 1991 on the basis that:
 - i) the private plan change request is not frivolous. The applicant has provided sufficient supporting technical information, and the private plan change request has a resource management purpose
 - ii) the private plan change request is not vexatious, and the applicant is not acting in bad faith by lodging the private plan change request
 - iii) the substance of the private plan change request has not been considered within the last two years and no fast-track applications have been made with respect to the land
 - iv) having regard to relevant case law, a coarse level of assessment of the private plan change request (see Attachment B) does not indicate that it is not in accordance with sound resource management practice. Whether the objectives of the private plan change request are the most appropriate way of achieving the promotion of sustainable resource management can be tested through the submissions and hearings process
 - v) a preliminary assessment indicates that the private plan change request will not make the AUP inconsistent with Part 5 of the RMA
 - vi) the provisions of the AUP subject to the private plan change request have been operative for at least two years.
- b) whakaae / accept the private plan change request from Austino New Zealand Limited to rezone 10.7 hectares of land at 84 and 100 Hobsonville Road, West Harbour, as detailed in Attachment A of this agenda report, and pursuant to clause 25(2)(b) of Schedule 1 to the Resource Management Act 1991 ('RMA') for the following reasons:
 - i) accepting the private plan change request will enable a range of matters to be considered on their merits during a public participatory process.

- ii) it is inappropriate to adopt the private plan change request. The council has no immediate intentions to rezone this area for urban development. A council plan change is not currently on the work programme. However, council staff are preparing an update to the Whenuapai Structure Plan. This is not yet completed, nor is it a statutory document
 - iii) following other plan changes that have recently been processed in this area, there is an increasing base of knowledge about potential infrastructure timing and effects
 - iv) the grounds to reject a private plan change request under clauses 25(4) and (4A) are limited and no ground is met by this plan change request
 - v) it is not appropriate to deal with the private plan change as if it was a resource consent application. This is because the current Future Urban and Open Space – Informal Recreation zones that apply to the land are not suitable for residential and business – light industry subdivision and development.
- c) tautapa / delegate authority to the Manager Planning – Regional, North, West and Islands to undertake the required notification and other statutory processes associated with processing the private plan change request.

Horopaki Context

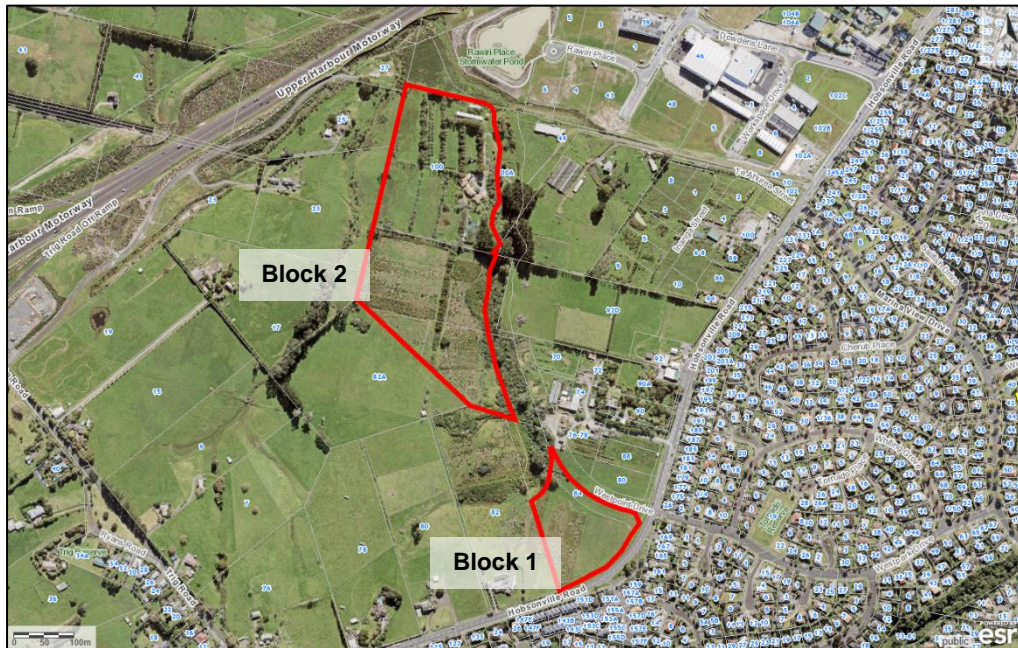
12. The Applicant's private plan change request is seeking the following:
- a) to rezone 1.36ha of land at 84 Hobsonville Road, Hobsonville (Block 1) from FUZ and Open Space – Informal Recreation Zone to LIZ
 - b) to rezone 9.3413ha of land at 100 Hobsonville Road, Hobsonville (Block 2) from FUZ to MHU and THAB, providing opportunity for the development of up to 335 dwellings.
 - c) extend the operative Hobsonville Corridor Precinct – Sub-precinct C to include Block 1
 - d) apply the Stormwater Management Area – Flow 1 (SMAF-1) control across the plan change land
 - e) introduce a new precinct, 'Hobsonville Grove', that will apply to Block 2.
13. No amendments are proposed to the existing AUP provisions as part of this plan change request. The precinct provisions have been drafted to ensure that the land is not developed without the provision or guarantee of wastewater, water and transport infrastructure, and network connections in place. The precinct will also enable the establishment of a small-scale neighbourhood centre to cater to the day-to-day retail needs of future residents of the precinct. The precinct provisions incorporate the MDRS as required by s77G(1) of the RMA.
14. A copy of the private plan change request is provided in Attachment A, which includes a copy of the Section 32 Evaluation Report, an AEE, the Hobsonville Grove Precinct provisions and a detailed assessment of the private plan change request against the relevant RPS provisions.

Plan Change Land and Surrounding Area

15. The private plan change land is in West Harbour – situated in between Hobsonville Road to the south and the Upper Harbour Motorway to the north, as illustrated in red on Figure 1 below. It is comprised of five sites across two separate areas referred to as 84 Hobsonville Road (Block 1) and 100 Hobsonville Road (Block 2). The positions of Block 1 and 2 have also been annotated on Figure 1.

Figure 1: Site context, with the private plan change area (84 and 100 Hobsonville Road, West Harbour) outlined in red (Source: Auckland Council GIS - Please note that the underlying aerial is out of date – with Westpoint Drive having been formed in 2022)

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16. Both blocks mainly consist of open pasture with some vegetation. Block 2 contains a dwelling, sheds, and an effluent disposal field. Historically, both sites have been used for agricultural and horticultural purposes and subsequently, may have some underlying contaminants in the soil. may have soil contamination. The applicant supplied a Detailed Site Investigation (DSI) to address the potential contamination concerns, which confirmed that there was no evidence of elevated levels of contaminants that could not otherwise be mitigated nor prevent the use, development and subdivision of the plan change land for business and residential purposes.
17. Block 1 (1.36 hectares) fronts Hobsonville Road (identified as an arterial road under the AUP) and Westpoint Drive and includes a new road entrance off Westpoint Drive. It is affected by the Notice of Requirement - W5, which provides for road widening and improvements (e.g. separated cycle lanes) along Hobsonville Road. The NoR-W5 will amend the existing Auckland Transport designation 1437. Block 2 (9.3 hectares) has no public road frontage and is accessed via a track off Rawiri Place and a new driveway located at the end of the cul-de-sac head of Westpoint Drive. Block 2 is bounded by Rawiri and Trig Streams, with some wetlands and native vegetation planting identified along the margins of both streams. Both Blocks 1 and 2 are subject to the airspace restrictions under the designation 4311 for the Whenuapai Air Base.
18. Currently, under the AUP, Block 1 is zoned FUZ, Open Space – Informal Recreation, and LIZ, while Block 2 is zoned FUZ. The LIZ on Block 1 has been excluded from the application and the applicant considers that its current zoning will complement what is proposed in this plan change request. A copy of the existing AUP zone map with the private plan change area outlined is included in Attachment C of this report.
19. An area of 3,851m² located within Block 1 (and legally described as SECT 2 SO 509537), is presently owned by the council and zoned for open space purposes. This open space area has since been approved for disposal by the Upper Harbour local board and council's Finance and Performance Committee has been approved for disposal due to an alternative entrance to the Rawiri Stream greenway.

20. Originally, this open space area was planned as the entrance to a proposed greenway beside Rawiri Stream, formally being zoned Open Space – Informal Recreation in 2019 as part of council's Plan Change 13: Open Space. However, an alternative entrance to the Rawiri Stream greenway has since been formed via Westpoint Drive, which includes a separated walkway and cycleway along its entire length to facilitate access from Hobsonville Road to the start of the greenway.
21. Because of this alternative entrance to the Rawiri Stream greenway, the open space has been recognised as being surplus to requirements by council's Parks and Community Facilities team, Community Investment team and Healthy Waters and Flood Resilience (HW).
22. With respect to the wider context, the private plan change area is identified in a 'transitional landscape' - with emerging business and industrial development to the east, well-established housing to the south, peri-rural lifestyle blocks to the west (also zoned FUZ) and a motorway (State Highway 18 / Upper Harbour Highway) to the north.

Plan Change History

23. The original plan change request was lodged on the 17 April 2024. The applicant provided documentation in support of the application. Requests for further information were made in May, August, September and November 2024. Information has been progressively provided by the applicant, with an updated version of the plan change and final responses to the requested information being provided in December 2024.

Specialist Assessments

24. The applicant has provided the following information to support the plan change request:
 - a plan change request, which includes proposed rezoning, overlay, control and precinct plans and the proposed precinct provisions
 - an Assessment of Environmental Effects (AEE) and a Section 32 Evaluation report
 - Specialist reports and information including:
 - an Urban Design Statement prepared by Harrison Grierson
 - an Integrated Transport Assessment (ITA) prepared by Harrison Grierson
 - a SMP prepared by Harrison Grierson
 - a Detailed Site Investigation (DSI) and Site Management Plan prepared by Geosciences Limited
 - a Civil Infrastructure Reports for Blocks 1 and 2 prepared by Harrison Grierson
 - a Geotechnical Assessment Report prepared by CMW Geosciences
 - an Assessment of Ecological Effects prepared by Bioresearches
 - an Archaeological Assessment prepared by CFG Heritage
 - an Economic Assessment prepared by Insight Economics Ltd
 - a Landscape and Visual Effects Assessment prepared by LA4
 - records of the correspondence with Auckland Council (regarding the disposal of SECT 2 SO 509537)
 - records of the correspondence with iwi, neighbouring landowners, council departments and CCOs
 - a Cultural Impact Assessment and supplementary letter prepared by Te Kawerau ā Maki
 - Clause 23 responses to further information requested.

25. The council and CCO experts have evaluated the lodged and updated information, and their assessments conclude that the applicant has provided sufficient information under clause 23 of schedule 1 of the RMA so that this clause 25 assessment can occur.

Assessment against relevant Policies and Plans

26. An assessment of the private plan change request against relevant national directives and regional and local plans and policies is set out in Attachment D.

Infrastructure Provision

27. The private plan change request seeks to ensure that development and subdivision are serviced by publicly available water and wastewater networks. They must also be integrated with the provision of transport infrastructure to deliver a safe and efficient transport network for all modes.
28. The applicant has considered that the supporting Integrated Transport Assessment (ITA) and the water and wastewater servicing strategy prepared for the request have confirmed that capacity, or an infrastructure solution exists, to enable the development proposed within the area to commence ahead of the 2035+ sequencing identified under the FDS. The applicant considers that the precinct provisions include rules and requirements to ensure that the Council maintains the ability to control development in the area if the necessary infrastructure and infrastructure upgrades are not in place.
29. The coarse merits assessment included in Attachment B provides a full analysis of the infrastructure provision, challenges of the private plan change request and other matters concerning the feasibility of the proposed neighbourhood centre and acoustic effects.

Tātaritanga me ngā tohutohu Analysis and advice

Statutory Context: Resource Management Act 1991

30. Any person may request a change to a district plan, a regional plan or a regional coastal plan.¹¹ The procedure for private plan change requests is set out in Part 2 of Schedule 1, of the RMA. The process council follows as a plan maker is adapted¹², and procedural steps added¹³ including the opportunity to request information.
31. Under clause 25, after receiving the request, receiving all required information, and modifying the request (where relevant), the local authority is required to make a decision to either:
- Adopt the request, in whole or part, as if it were a proposed plan made by the council, which must then be processed in accordance with the provisions of Part 1 of Schedule 1 (clause 25(2)(a)), or
 - Accept the request, in whole or in part, which then triggers a requirement to notify the request, or part of the request, under clause 25 (clause 25(2)(b)); or
 - Decide to deal with the request as if it were an application for a resource consent (clause 25(3)); or
 - Reject the request in whole or in part, in reliance on one (or more) of the limited grounds set out in clause 25(4).
32. It is considered that the applicant has provided sufficient information for the request to be considered. Therefore, the 'insufficient information' ground for rejection in clause 23(6) of Schedule 1 of the RMA is not available in this instance.

¹¹ Clause 21, Schedule 1, Resource Management Act 1991 – appended as Attachment D to this report

¹² Part 1 Schedule 1 applies, as modified by clause 29 part 2, Schedule 1, Resource Management Act 1991

¹³ Part 2, Schedule 1, Resource Management Act 1991

33. The council must decide under clause 25 of Schedule 1 of the Resource Management Act 1991 what the most appropriate processing option for each private plan change request is. In making this decision, the council must have particular regard to the applicant's section 32 evaluation report when deciding.

Options available to the council

Option 1: Adopt the request, or part of the request, as if it were a proposed plan change made by the council itself

34. The request is a site-specific proposal, and the most immediate or direct benefit, if any, is that in favour of the applicant. The applicant did not request that council adopt the private plan change request.
35. It is recommended that the private plan change request not be adopted by council as its own plan change.

Option 2: reject the request, in whole or in part

36. The council has the power to reject a private plan change request, in whole or in part, in reliance on one of the limited grounds set out in clause 25(4) of Schedule 1 of the RMA.
37. The grounds for rejection under clause 25(4) are as follows:
- the request or part of the request is frivolous or vexatious; or
 - within the last two years, the substance of the request or part of the request:
 - has been considered, and given effect to, or rejected by, the local authority or the Environment Court; or
 - has been given effect to by regulations made under section 360A; or
 - the request or part of the request is not in accordance with sound resource management practice; or
 - the request or part of the request would make the policy statement or plan inconsistent with Part 5; or
 - in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than two years.
38. The council can only reject a private plan change request if one or more of the limited grounds of rejection in clause 25(4) of Schedule 1 are available. The council does not have to reject the private plan change request in those circumstances and can exercise its discretion not to reject the request. If there are no grounds of rejection available, the council cannot reject the private plan change request.

Is the request frivolous or vexatious?

39. The private plan change request includes an Assessment of Environmental Effects and a Section 32 Evaluation. These are supported by several specialist assessments including transport, infrastructure, stormwater and flooding, geotechnical, contamination, ecological, urban design, landscape and visual, archaeological, cultural and economic effects, together with records of consultation undertaken by the applicant.
40. It is considered that the private plan change request is not frivolous as the request:
- was considered thoroughly in the application materials
 - is supported by expert independent opinion, and a Section 32 Evaluation
 - cannot be said to have no reasonable chance of succeeding.

41. The applicant is not acting in bad faith by lodging a request and has not sought a Covid-Fast Track Consent prior to the request. The applicant is not requiring council to consider matters in this process that have already been decided or been the subject of extensive community engagement or investment. Accordingly, it is not considered that the request is vexatious.

42. It is recommended that the private plan change request **not** be rejected on this ground.

Has the substance of the request been considered and been given effect, or rejected by the council within the last two years?

43. The substance of this private plan change request has not been considered within the last two years by Auckland Council. It is recommended that the private plan change request **not** be rejected on this basis.

Has the substance of the request been given effect to by regulations made under section 360A?

44. Section 360A relates to regulations amending regional coastal plans pertaining to aquaculture activities. Therefore, section 360A regulations are not relevant.

45. It is recommended that the private plan change request **not** be rejected on this basis.

Is the request in accordance with sound resource management?

46. The term 'sound resource management practice' is not defined in the RMA.

47. In the Environment Court's decision – *Orakei Point Trustee v Auckland Council* [2019] NZEnvC 117, the Court stated:

"[13] What *not in accordance with sound resource management practice* means has been discussed by both the Environment Court and High Court in cases such as *Malory Corporation Limited v Rodney District Council* (CIV-2009-404-005572, dated 17 May 2010), *Malory Corporation Limited v Rodney District Council (Malory Corporation Ltd v Rodney District Council* [2010] NZRMA 1 (ENC)) and *Kerikeri Falls Investments Limited v Far North District Council (Kerikeri Falls Investments Limited v Far North District Council*, Decision No. A068/2009)

[14] Priestley J said in *Malory Corporation Limited v Rodney District Council* (CIV-2009-404-005572, dated 17 May 2010, at 95) that the words sound resource management practice should, if they are to be given any coherent meaning, be tied to the Act's purpose and principles. He agreed with the Environment Court's observation that the words should be limited to only a coarse scale merits assessment, and that a private plan change which does not accord with the Act's purposes and principles will not cross the threshold for acceptance or adoption (CIV-2009-404-005572, dated 17 May 2010, at 95)

[15] Where there is doubt as to whether the threshold has been reached, the cautious approach would suggest that the matter go through to the public and participatory process envisaged by a notified plan change (*Malory Corporation Ltd v Rodney District Council* [2010] NZRMA 1 (ENC), at para 22.)"

48. The consideration of this ground for rejection should involve a coarse assessment of the merits of the private plan change request - "at a threshold level". It should take into account the purpose and principles of the RMA – noting that if the request is accepted or adopted the full merits assessment will be undertaken when the plan change is determined.

49. The courts have also accepted that "sound resource management practice" can include issues of timing and process. For example, the Environment Court in *Malory Corporation Ltd v Rodney District Council* [2010] NZRMA 1 stated:

"[60] We conclude that the question of sound resource management practice goes well beyond questions of planning merit to include fundamental issues as to appropriate process, timing and the like. It can include non-planning matters such as engineering, cultural, and other issues."

50. A coarse merits assessment on the private plan change request has been carried out and is included in Attachment B of this report.
51. The Section 32 Evaluation report from the applicant has also been referred to as part of the coarse merits assessment, which concluded that:
- The objectives of the proposal are appropriate in achieving the purpose of the RMA
 - The provisions of the request are an appropriate way of achieving the objective of the private plan change, having considered alternative options
 - The overall benefits of the proposal outweigh the costs on the community, the economy and the environment
 - The provisions are an efficient and effective way of achieving the objectives.¹⁴
52. Overall, while there are issues that will need to be worked through, the private plan change request is considered to be in accordance with sound resource management practice for the purposes of consideration under Clause 25(4)(c), Schedule 1. This is based on the review of all planning and specialist reports supplied by the applicant, the coarse scale merits assessment of the request that has been undertaken (Attachment B) and in taking into account the purpose and principles of RMA.
53. It is recommended the private plan change request is **not** rejected on this basis.

Will the plan change undermine sustainable management of natural and physical resources?

54. The coarse merits assessment (see **Attachment B**) indicates that sustainable management of natural and physical resources can be achieved.

Will the plan change enable people and communities across the region to provide for their social, economic and cultural wellbeing?

55. The land within the private plan change request is within the Rural Urban Boundary and within an area that has been subject to a structure planning process (e.g. the 2016 Whenuapai Structure Plan – see **Attachment E** for a map with the private plan change area outlined in red). The plan change request would provide a mix of Business - Light Industry and Residential – Mixed Housing Urban and Terrace Housing and Apartment Building land in an area that has generally been identified for such development.
56. Necessary infrastructure upgrading and funding mechanisms for that upgrading will need to be adequately addressed, including whether they need to be included in the final plan change provisions. The coarse merits assessment (see **Attachment B**) has not indicated any issue that suggests the proposal can be considered contrary to sound resource management or significant enough to justify rejection of this private plan change request.
57. The zoning pattern, precinct and provisions proposed through the private plan change request are subject to review through the plan change process. Most importantly, by council accepting the plan change as it is currently proposed, it does not necessarily indicate that council agrees with all parts of the plan change content. The council itself, for instance, may make a submission on the plan change.

Section 32 is another important aspect of sound practice – is there sufficient justification of the proposed provisions, at a coarse level?

58. An adequate Section 32 Evaluation Report has been provided with the application and updated since the original lodgement in response to the further information requests made by council. At a coarse level, sufficient justification has been given for the proposed provisions.

¹⁴ Extract sourced from page 28 of the Requestor's Section 32 Evaluation, prepared by Harrison Grierson, and dated November 2024

The plan change preparation process and the nature and extent of consultation expected under Schedule 1 is important. Has best practice been followed?

59. The applicant supplied evidence to demonstrate that iwi consultation had been carried out, along with records from those council departments the applicant had worked with during the preparation of the private plan change request.
60. Based on the above reasoning, it is considered that the plan change should not be rejected on the grounds that it is not in accordance with sound resource management practice.

Would the request or part of the request make the policy statement or plan inconsistent with Part 5 of the RMA?

61. Part 5 of the RMA sets out the role and purpose of planning documents created under the RMA, including that they must assist a local authority to give effect to the sustainable management purpose of the RMA. Regional and district plan provisions must give effect to the regional policy statement and higher order RMA documents, plus not be inconsistent with any (other) regional plan.
62. These matters are addressed in Attachment B (Assessment against relevant Policies and Plans). It has been concluded that a coarse-grained assessment does not indicate that on balance, the private plan change request would make the AUP inconsistent with Part 5 of the RMA. It is considered that the conclusions in the request documentation would be best evaluated via the submissions and hearing processes so that these matters can be considered in full.
63. It is therefore recommended that the private plan change request **not** be rejected on this ground.

Has the plan to which the request relates been operative for less than two years?

64. The regional and district plan provisions of the AUP relevant to this request were made operative on 15 November 2016. The provisions have therefore been operative for more than two years. It is recommended that the private plan change request **not** be rejected on this ground.

Option 3: Decide to deal with the request as if it were an application for a resource consent

65. The council may decide to deal with the request as if it were an application for a resource consent and the provisions of Part 6 would then apply.
66. The plan change process is considered the most appropriate in this instance as the request seeks to rezone land from FUZ and Open Space – Informal Recreation to a mix of LIZ, MHU and THAB and provide for development and activities not otherwise anticipated or provided for currently. Such a proposal would be too complex to manage by way of resource consent and could create undesirable effects in terms of plan and policy integrity. In addition, the AUP anticipates that a plan change (either Council initiated or private) is the correct means to provide for the urbanisation of the land.
67. It is recommended that the private plan change request **not** be dealt with as if it were an application for a resource consent.

Option 4: Accept the private plan change request, in whole or in part

68. The council can decide to accept the request in whole, or in part. If accepted, the plan change cannot have legal effect until it is operative (provided that the private plan change request is approved or approved with modifications). It is considered that the private plan change request can be accepted and there is no demonstrable need for any rule to have immediate legal effect. Therefore, adoption is not required.
69. The private plan change mechanism in the RMA is an opportunity for the Requestor to have their proposal considered between a council's ten-yearly plan review cycle. The next review of the AUP is scheduled to commence in late 2026.

70. The subject matter of this private plan change request is not a priority matter in the Planning and Resource Consent Department's work programme and is not currently being considered. The private plan change process is a means by which this matter can be considered before the next AUP review.
71. If the private plan change is accepted, the matters raised by the applicant can be considered on their merits, during a public participatory planning process.

Conclusion: Options Assessment

72. The private plan change has been assessed against the options available and the relevant matters. These include clause 25, Schedule 1 matters, having particular regard to the applicant's section 32 evaluation report, and case law that provides guidance on the statutory criteria for rejection of a private plan change request.
73. It is recommended that the private plan change is accepted for processing and any outstanding issues or concerns be addressed through the submission and hearing process.
74. It is therefore recommended the private plan change request is **accepted**.

Tauākī whakaaweawe āhuarangi Climate impact statement

75. Auckland Council declared a climate emergency in Auckland in 2019. The decision included a commitment for all decision makers to consider the climate implications of their decisions. In particular, consideration needs to be given in two key ways:
 - a) how the proposed decision will impact on greenhouse gas emissions and the approach to reduce emissions
 - b) what effect climate change could have over the lifetime of a proposed decision and how these effects are being taken into account
76. The coarse merits assessment of the request indicates that the request would have benefits in increasing land available for industrial activities and housing and provide a valuable contribution to address shortfalls, demand and provide increased choice.
77. The proposed rezoning is located close to emerging employment areas (e.g. Westgate / Northwest Metropolitan Centre and light industrial areas in Whenuapai and along Hobsonville Road). This will encourage the uptake of active modes and the public transport network available along Hobsonville Road. Climate related natural hazards (such as flooding) have also been considered and mitigated as much as reasonably possible without design details.
78. It is also noted that the clause 25 decision is unrelated to any greenhouse gas emissions. Climate impacts can be considered in the future hearing report on the private plan change request, and any submissions received. At that time the potential impacts on Auckland's overall greenhouse gas emissions may be considered in more detail. That includes assessments of whether the request encourages vehicular dependency, enhances connections to public transport, walking and cycling or supports quality compact urban form, and sufficiently alleviates climate risks (such as, flooding and stress on infrastructure).

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

79. Discussions have been held between the applicant, council departments including HW, Parks and Community Facilities, and the Infrastructure Funding and Development Strategy team, as well as specialists from the council-controlled organisations (CCOs) of Watercare and AT. These discussions have considered the request and have requested additional information under clause 23 of Schedule 1 of the RMA.

80. Most of the views expressed from these different council and CCO groups have been considered in the 'Infrastructure Provision' section of this Report. To summarise:
- a) Watercare have been directly consulted by both the applicant and council and discussions will continue through the design and construction phase if the request is ultimately approved by independent commissioners.

Watercare have also provided a letter for the purpose of this clause 25 report at Attachment G, which confirms that the subdivision and/or development of the private plan change area can be supported by the existing bulk wastewater and water supply networks without any of the infrastructure pre-requisites identified in the FDS needing to be completed.
 - b) AT have reviewed the request and sought further information under clause 23. AT continue to have concerns, particularly with respect to the delivery a comprehensive and integrated road network through the precinct provisions, the capacity and efficiency of the Westpoint Drive / Hobsonville Road intersection and achieving connections to Trig Road. This is outlined in the memorandum included in Attachment F. These are also matters of detail that can be resolved during the submission and hearing process. AT are satisfied that the applicant's ITA has provided sufficient information for the request to proceed to notification.

The applicant recognises that it is up to developers to build collector roads to allow development to occur. It has asked the council to assist with a funding model to recover costs related to the construction of a collector road from Hobsonville Road through to Trig Road. The draft Development Contribution (DC) Policy does include projects related to some collector roads or portions of collector roads where it is unlikely they will be provided by a developer. The roads suggested by the applicant are not included in the draft DC Policy.
 - c) Healthy Waters have advised that they are satisfied that sufficient information has been provided for the plan change to be notified, but maintain a few concerns around the stormwater management plan, the precinct provisions and downstream flooding effects.
 - d) Eke Panuku have confirmed that the divestment of 3,851m² of public open space at 84 Hobsonville Road (legally described as SECT 2 SO 509537) has been endorsed by both the Upper Harbour local board and the Finance and Performance Committee. A record of the minutes from the meetings with the Upper Harbour local board and the Finance and Performance Committee are included in **Attachment H**.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

81. The views of local boards are important in Auckland Council's co-governance framework. The views of the Upper Harbour local board will be sought on the content of the private plan change request after the submission period closes. All formal local board feedback will be included in the hearing report and the local board will present its views to hearing commissioners, if the local board chooses to do so. These actions support the local board in its responsibility to identify and communicate the interests and preferences of people in its area, in relation to the content of Auckland Council plans.
82. Local board views have not been sought on the options to adopt, accept, reject or deal with the private plan change request as a resource consent application. Although the council is required to consider local board views prior to making a regulatory decision, that requirement applies when the decision affects, or may affect, the responsibilities or operation of the local board or the well-being of communities within its local board area. The clause 25 decision does not affect the Upper Harbour local board's responsibilities or operation, nor the well-being of local communities.

Tauākī whakaaweawe Māori Māori impact statement

83. An important objective in part B6 of the AUP's Regional Policy Statement is that the principles of Te Tiriti o Waitangi are recognised through mana whenua participation in resource management processes. This in turn recognises mana whenua as specialists in the tikanga of their hapū or iwi and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga.
84. An applicant should therefore engage with iwi authorities in preparing a private plan change request, as a matter of best practice. It is also best practice for an applicant to document changes to the private plan change request and/or supporting technical information arising from iwi engagement.
85. Section 9.1 and Appendix 13 of the applicant's AEE provides a summary of the consultation with iwi that was conducted by the applicant. Emails were sent to Ngāti Manuhiri, Ngāti Maru, Ngāti Pāoa Iwi Trust, Ngāti Pāoa Trust Board, Ngāti Te Ata, Ngāti Whātua o Kaipara, Ngāti Whātua Ōrākei, Te Ākitai Waiohua, Te Kawerau ā Maki and Te Rūnanga o Ngāti Whātua in April 2024.
86. The applicant states that many of the iwi did not require any further consultation or respond to the invite to engage from the applicant. Ngāti Pāoa Iwi Trust and the Ngāti Pāoa Trust Board deferred to Kawerau ā Maki and did not require any further engagement. Te Rūnanga o Ngāti Whātua deferred to Ngāti Whātua o Kaipara and did not require any further engagement. Te Kawerau ā Maki expressed interest in being engaged to assess the request – noting how the area sits in a highly significant cultural landscape.
87. The applicant commissioned Te Kawerau ā Maki to prepare a Cultural Impact Assessment (CIA). The CIA concluded that Te Kawerau ā Maki do not oppose the proposal where the mitigations discussed in the CIA are incorporated into the request.
88. A supplementary memo from Te Kawerau ā Maki was provided on 7 October 2024. This memo outlined the views held by Te Kawerau ā Maki following a review of the application details, and confirmed the adequacy of the proposed strategies to mitigate stormwater runoff effects, and acceptance that other recommendations outlined in the CIA (e.g. monitoring of earthworks, accidental discovery protocols, native restoration planting, incorporation of Te Kawerau ā Maki wāhi tapu and so on) could be addressed through future resource consent applications.
89. The applicant has advised that where they cannot clearly integrate a recommendation from Te Kawerau ā Maki as part of the request, these will be provided as part of any future consent and development process enabled by the plan change. The applicant has also advised that they are committed to ongoing collaboration with Mana Whenua and will continue to engage throughout the plan change process and beyond.
90. Council will notify iwi authorities about the request if the request is accepted. The notified iwi authorities will then be able to make submissions that will be addressed through the hearing process.

Ngā ritenga ā-pūtea Financial implications

91. If the private plan change request is adopted, the council would pay for all costs associated with processing it. The Planning and Resource Consents department would be required to cover this unbudgeted expenditure; there would be less funding available to progress the department's work programme.
92. If the private plan change request is accepted or, if the request is dealt with as a resource consent application, the applicant would pay all reasonable costs associated with processing it on a user-pays basis.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

93. An applicant may appeal to the Environment Court a decision to:
- adopt the private plan change request in part only under clause 25(2)
 - accept the private plan change request in part only under clause 25(2)
 - reject the private plan change in whole or in part under clause 23(6)
 - deal with the private plan change request as if it were an application for a resource consent.
94. It is recommended that the request is accepted. The applicant has requested that the private plan change be accepted. The risk of a legal challenge by the applicant utilising the clause 27 appeal rights is negligible if the recommendation is accepted.

Ngā koringa ā-muri Next steps

95. The council's clause 25 decision must be communicated to the applicant.
96. If accepted, the private plan change request must be notified within four months of its acceptance.
97. If the private plan change request is accepted and publicly notified, when submissions close on it, council officers will seek the views and preferences of the Upper Harbour local board, for inclusion in the section 42A hearing report.
98. The council will need to hold a hearing to consider any submissions, and local board views, and a decision would then be made on the private plan change request (by a panel of Independent Hearing Commissioners) in accordance with Schedule 1 of the RMA.

Ngā tāpirihanga Attachments

No.	Title	Page
A⇒	Application Documentation (Section 32 Evaluation Report, AEE, Precinct Provision, and RPS Assessment)	
B⇒	Coarse Merits Assessment	
C⇒	Existing AUP Zone Map of the Private Plan Change Area	
D⇒	Assessment of the PPC request against relevant Policies and Plans	
E⇒	2016 Whenuapai Structure Plan Map	
F⇒	Auckland Transport Memorandum	
G⇒	Watercare Memorandum	
H⇒	Eke Panuku, Upper Harbour local board and Finance and Performance Committee Records	
I⇒	Clause 25 of the First Schedule, Resource Management Act 1991	

Ngā kaihaina Signatories

Authors	Jess Dingle, Senior Policy Planner Eryn Shields - Team Leader - Planning
Authorisers	John Duguid - General Manager Planning and Resource Consents Megan Tyler - Director Policy, Planning and Governance

Status Update on Action Decisions from Policy and Planning Committee – 10 December 2024

File No.: CP2024/20748

Item 11

Te take mō te pūrongo Purpose of the report

- To update the committee on action decisions made at the last meeting.

Whakarāpopototanga matua Executive summary

- The information provided below is a status update on action decisions only that were made at the Policy and Planning Committee meeting on 10 December 2024:

Resolution Number	Item	Status
PEPCC/2024/128	Principles of the Treaty of Waitangi Bill - Auckland Council's submission	A submission was lodged with the Justice Committee on 7 January 2025.
PEPCC/2024/129	Auckland Council submission on the Resource Management Act (Amendment) Bill	A workshop was held on Wednesday, 5 February 2025.
PEPCC/2024/130	Thriving Rangatahi - council's plan to support thriving children and young people	Staff are now working on implementation plan rollout.
PEPCC/2024/134	Waitākere Ranges Heritage Area Deed of Acknowledgement with Te Kawerau ā Maki: Agreement in principle on key elements	Staff are working with Te Kawerau ā Maki and the Department of Conservation to plan the public engagement on the Deed, due to start in mid-late February 2025. Engagement results and advice for the final Deed will be workshopped with elected members in April/May 2025. Staff intend to seek final decisions on the Te Kawerau ā Maki Deed from elected members in June/July 2025.

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Resolution Number	Item	Status
PEPCC/2024/131 PEPCC/2024/132	Draft Auckland Open Space, Sport and Recreation Strategy - Part One/Part Two	Staff are undertaking public consultation from 10 February 2025 to 10 March 2025 on the draft of Manaaki Tāmaki Makaurau: Auckland Open Space, Sport and Recreation Strategy. This includes seeking public feedback on two options to update the open space provision standards in high- and medium-density areas. Staff are also working with Governance and Engagement to scope the advice and support local boards will need to implement the strategy at a local level.
PEPCC/2024/135	Auckland Unitary Plan - Private Plan Change Request from Harbour View Heights Ltd to Rezone Land at Papakura from Rural Countryside Living Zone to Residential Mixed Housing Urban Zone	This private plan change (108) was publicly notified on 23 January 2025. Submissions close on 21 February 2025. It seeks to rezone approximately 2 hectares of Rural -Countryside Living Zone to Residential – Mixed Housing Urban Zone at Crestview Rise, Papakura. It also seeks to insert a new precinct and shift the Rural Urban Boundary.
PEPCC/2024/136	Auckland Unitary Plan - Private Plan Change Request - Whenuapai Green	This private plan change (109) was publicly notified on 23 January 2025. Submissions close on 21 February 2025. It aims to rezone 16.36 hectares of land at 98-100 and 102 Totara Road, Whenuapai from Future Urban Zone to Residential – Mixed Housing Urban Zone, to apply a new Precinct (the 'Whenuapai Green' Precinct), and apply the Stormwater Management Area Flow control to the land. The removal of an Historic Heritage Overlay – Extent of Place is also proposed from a small portion of the land.
PEPCC/2024/137	Auckland Unitary Plan - Making private plan change operative - Plan Change 88 (Beachlands South)	The plan change was made operative 24 January 2025, and the Auckland Unitary Plan was updated. The background information may be viewed at the following link .
PEPCC/2024/138	Auckland Unitary Plan - Making operative Private Plan Change 90 - 8 Sparky Road, Ōtara	The plan change was made operative 24 January 2025, and the Auckland Unitary Plan was updated. The background information may be viewed at the following link .

Resolution Number	Item	Status
PEPCC/2024/139	Auckland Unitary Plan - Making Operative Private Plan Change 95 - Lot 3 DP 185893 Golding Road, Pukekohe	The plan change was made operative 24 January 2025, and the Auckland Unitary Plan was updated. The background information may be viewed at the following link .
PEPCC/2024/140	Auckland Unitary Plan - Making Operative Private Plan Change 97 - Redwood Park Golf Club	The plan change was made operative 24 January 2025, and the Auckland Unitary Plan was updated. The background information may be viewed at the following link .
PEPCC/2024/146	CONFIDENTIAL: Regional parks acquisition opportunity	Staff are progressing the confidential resolutions and will update the committee at the appropriate time.

Item 11

Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) tuhi ā-taipitopito / note the status of decisions made at the 10 December 2024 meeting.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Sandra Gordon - Kaitohutohu Mana Whakahaere Matua / Senior Governance Advisor
Authoriser	Megan Tyler - Director Policy, Planning and Governance

Summary of Policy and Planning Committee information memoranda, workshops and briefings (including the Forward Work Programme) – 20 February 2025

File No.: CP2024/20749

Item 12

Te take mō te pūrongo Purpose of the report

1. To tuhi ā-taipitopito / note the progress on the forward work programme appended as Attachment A.
2. To whiwhi / receive a summary and provide a public record of memoranda, workshop and briefing papers that may have been held or been distributed to committee members.

Whakarāpopototanga matua Executive summary

3. This is a regular information-only report which aims to provide greater visibility of information circulated to committee members via memoranda/workshops and briefings or other means, where no decisions are required.
4. The following memoranda/information have been sent:

Date	Subject
1/11/2024	Letter from Hon Louise Upston relating to food insecurity and ministry of Social Development funding for the community food sector in response to an Auckland Council letter to the minister dated 19 September 2024 (noting the minister's letter contains an incorrect date).
11/12/2024	Auckland Council's submission on Proposed amendments to the Biosecurity Act
12/12/2024	Memorandum – Update on the Safeswim programme 2024/2025
16/12/2024	Chair's Report - City Centre Advisory Panel
16/12/2024	Memorandum - Natural Hazards Risk Management Action Plan progress report: January – June 2024
16/12/2024	Letter – Auckland Urban Heat Assessment, Arup Technical Report
7/1/2025	Auckland Council's submission on the Principles of the Treaty of Waitangi Bill
13/01/2025	Memorandum – Resource Management (Consenting and Other System changes) Amendment Bill
16/01/2025	Memorandum - Te Mahere Whanake Ōhanga: Economic Development Action Plan progress report 2024
23/1/2025	Memorandum - Te Tupu Ngātahi – Update on North Auckland projects, 23 January 2025
28/1/2025	Memorandum - Update on the Future Development Strategy 2023-2053 Implementation Plan and Future Development Strategy 2023-2053 Monitoring Report 2023/2024

Date	Subject
28/1/2025	Auckland Submission on the Review of Sustainability Measures for Spiny Rock Lobster (CRA 2) for 2025/26
30/1/2025	Memorandum - Takaanini Level Crossings and South Frequent Transit Network future transport projects – Auckland Transport Decision on Notices of Requirement
4/2/2025	Memorandum - Impacts of reduced Government co-funding of Auckland climate action transport projects
10/2/2025	Auckland Council's submission on the RMA Phase 2 Bill
11/2/2025	Memorandum - Upcoming public consultation on Manaaki Tāmaki Makaurau: the draft Auckland Open Space, Sport and Recreation Strategy

5. The following workshops/briefings have taken place for the committee:

Date	Subject
11/12/2024	Workshop: Strengthening the Auckland Unitary Plan to increase resilience to natural hazards – engagement and risk tolerance Documents available on the Auckland Council website here Recording of the workshop available here
16/12/2024	National Policy Statement: Freshwater Management Political Working Group
5/2/2025	Workshop: Auckland Council's submission on the RMA Phase 2 Bill Documents available on the Auckland Council website here Recording of the workshop available here
12/2/2025	Workshop: Watercare Draft Metro Servicing Strategy (Water Supply and Wastewater) Documents available on the Auckland Council website here Recording of the workshop available here

These documents can be found on the Auckland Council website, at the following link:
<http://infocouncil.aucklandcouncil.govt.nz/>

- at the top left of the page, select meeting/te hui “Policy and Planning Committee” from the drop-down tab and click “View”;
 - under ‘Attachments’, select either the HTML or PDF version of the document entitled ‘Extra Attachments’.
6. Note that, unlike an agenda report, **staff will not be present to answer questions about the items referred to in this summary.** Members should direct any questions to the authors.

Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) tuhi ā-taipitopito / note the progress on the forward work programme appended as Attachment A of the agenda report
- b) whiwhi / receive the Summary of Policy and Planning Committee information memoranda, workshops and briefings – 20 February 2025.

Ngā tāpirihanga Attachments

No.	Title	Page
A⇒	Forward Work Programme	
B⇒	Letter from Hon Louise Upston relating to food insecurity and ministry of Social Development funding for the community food sector, 1 November 2024 (<i>Under Separate Cover</i>)	
C⇒	Auckland Council's submission on Proposed amendments to the Biosecurity Act, 11 December 2024 (<i>Under Separate Cover</i>)	
D⇒	Memorandum – Update on the Safeswim programme 2024/2025, 12 December 2025 (<i>Under Separate Cover</i>)	
E⇒	Chair's Report - City Centre Advisory Panel, 16 December 2024 (<i>Under Separate Cover</i>)	
F⇒	Memorandum - Natural Hazards Risk Management Action Plan progress report: January – June 2024, 16 December 2024 (<i>Under Separate Cover</i>)	
G⇒	Letter – Auckland Urban Heat Assessment, Arup Technical Report, 16 December 2024 (<i>Under Separate Cover</i>)	
H⇒	Auckland Council's submission on the Principles of the Treaty of Waitangi Bill, 7 January 2025 (<i>Under Separate Cover</i>)	
I⇒	Memorandum – Resource Management (Consenting and Other System changes) Amendment Bill, 13 January 2025 (<i>Under Separate Cover</i>)	
J⇒	Memorandum - Te Mahere Whanake Ōhanga: Economic Development Action Plan progress report 2024, 16 January 2025 (<i>Under Separate Cover</i>)	
K⇒	Memorandum - Te Tupu Ngātahi – Update on North Auckland projects, 23 January 2025 (<i>Under Separate Cover</i>)	
L⇒	Memorandum - Update on the Future Development Strategy 2023-2053 Implementation Plan and Future Development Strategy 2023-2053 Monitoring Report 2023/2024, 28 January 2025 (<i>Under Separate Cover</i>)	
M⇒	Auckland Submission on the Review of Sustainability Measures for Spiny Rock Lobster (CRA 2) for 2025/26, 28 January 2025 (<i>Under Separate Cover</i>)	
N⇒	Memorandum - Takaanini Level Crossings and South Frequent Transit Network future transport projects – Auckland Transport Decision on Notices of Requirement, 30 July 2025 (<i>Under Separate Cover</i>)	
O⇒	Memorandum - Impacts of reduced Government co-funding of Auckland climate action transport projects, 4 February 2025 (<i>Under Separate Cover</i>)	

No.	Title	Page
P⇒	Auckland Council's submission on the RMA Phase 2 Bill, 10 February 2025 (<i>Under Separate Cover</i>)	
Q⇒	Memorandum - Upcoming public consultation on Manaaki Tāmaki Makaurau: the draft Auckland Open Space, Sport and Recreation Strategy, 11 February 2025 (<i>Under Separate Cover</i>)	
R⇒	Auckland Council's submission on the RMA Phase 2 Bill, 10 February 2025 (<i>Under Separate Cover</i>)	
S⇒	National Policy Statement: Freshwater Management Political Working Group, 16 December 2024 (<i>Under Separate Cover</i>)	

Ngā kaihaina Signatories

Author	Sandra Gordon - Kaitohutohu Mana Whakahaere Matua / Senior Governance Advisor
Authoriser	Megan Tyler - Director Policy, Planning and Governance

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Policy and Planning Committee

- a) whakaae / agree to exclude the public from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

C1 CONFIDENTIAL: Delegation of authority to the Chief Executive (Covering report)

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	<p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>In particular, the report contains sensitive information regarding a potential land acquisition opportunity.</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>