

In the matter of: Proposed Auckland  
Unitary Plan

To: The Auckland Unitary Plan  
Independent Hearings  
Panel

Under the Resource Management Act  
1991

Submitters: Wainui: Ross Clark 6591,  
Quentin & Tracey  
Robinson & Allan Tonner  
4891  
Pine Valley: Pine Valley  
Landowners Assoc. 6519,  
Henry Ou 3008, Keith &  
Tania Dickson 5700

## **TOPIC 016 RUB NORTH**

### **Statement of Evidence by Dr Mark Bellingham, November 2015**

#### **Introduction**

##### Background

1. My name is Robert Mark Bellingham. I am a Senior Planner and Senior Ecologist with Terra Nova Planning Ltd.
2. I hold a PhD in Planning from Auckland University and I am a full member of the New Zealand Planning Institute. I have been a practicing planning and ecological consultant for over 25 years. I have also lectured in Environmental Planning at Auckland and Massey Universities. I have served on the Ministerial Advisory Committees for the Review of Protected Area Legislation (1989-90) Oceans Policy (2002-4), and as an Auckland Regional Councilor.
3. I have read and agree to comply with the Environment Court's Expert Witness Code of Conduct (Consolidated Practice Note 2006). This evidence is within my area of expertise, except where I state that I am relying on some other evidence. I have not

omitted to consider material facts known to me that might alter or detract from the opinions expressed.

### Submissions

4. The Submissions from Ross Clark (6591), Quentin & Tracey Robinson & Allan Tonner (4891), Pine Valley Landowners Assoc. 6519, Henry Ou 3008, Keith & Tania Dickson 5700.

Figure 1: Wainui North

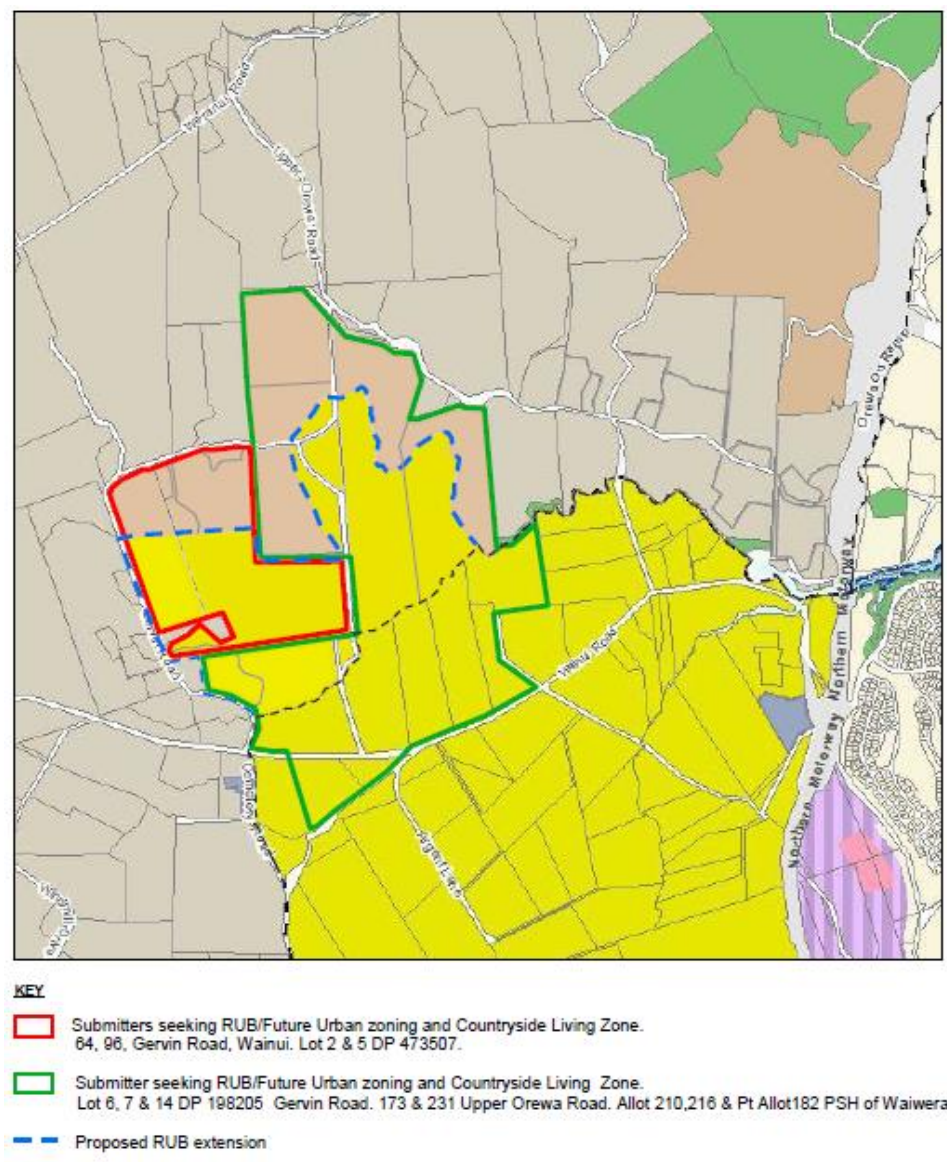
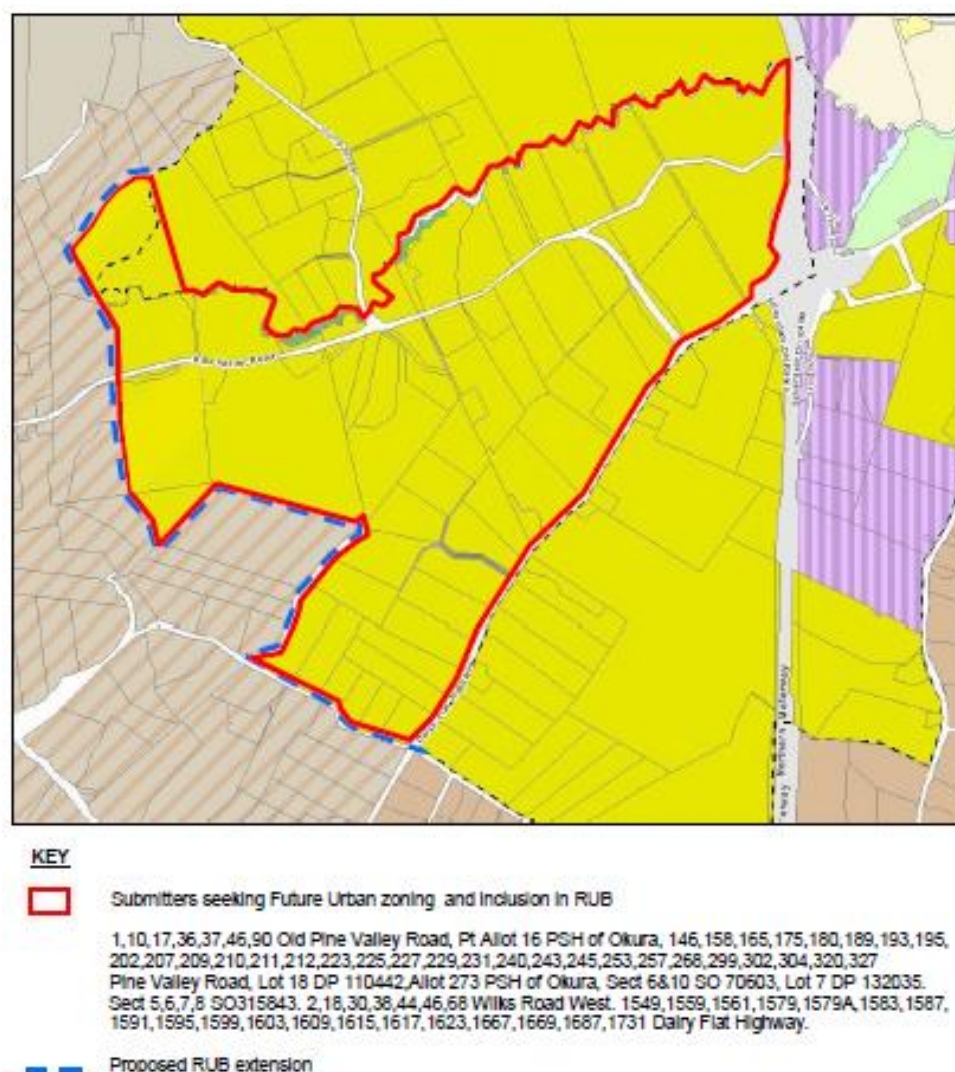


Figure 2: Pine Valley



## Summary Statement

5. The areas proposed for inclusion in the Rural Urban Boundary (RUB) and Future Urban Zoning (FUZ) at Wainui North and Pine Valley have relatively limited development constraints and are similar to other areas currently proposed to be within the RUB (Appendix A), and those additions to the RUB/FUZ proposed in Council's evidence at Dairy Flat (Postman Road and Dairy Flat South), in terms of earthworks, stormwater management, water supply and wastewater<sup>1</sup> (Appendix D).
6. The proposed extensions of RUB areas at Wainui North/Pine Valley provides additional land for Future Urban development with gentle slopes adjacent to the flatter areas of the PAUP Wainui Future Urban Zone. Both proposed extensions are logical and complementary to the existing

<sup>1</sup> Riley Consultants Ltd 2015 Engineering Assessment PAUP Submission Pine Valley and Wainui North. Appendix D

RUB areas.

7. The inclusion of the additional combined area of 455ha at WainuiNorth/Pine Valley will provide better integrated planning opportunities and economies of scale for infrastructure provision in the Wainui FUZ, although the detailed urban layout can likely in only be determined during structure planning, potentially in the first half of Decade Three (2027-31)<sup>2</sup>.
8. I am unable to comment on whether these areas are not necessary to meet growth demand to 2040, as the Panel will be the only body with sufficient overview to assess growth predictions, regional capacity and the veracity and suitability of specific locations to accommodate future urban growth provided under the Unitary Plan.

### **Assessment of Wainui North /RUB Extension**

9. I have undertaken the assessment of the two areas proposed for inclusion within the RUB under the structure of the Panel's interim guidelines.<sup>3</sup>

### **The change enables the efficient provision of development capacity and land supply for residential, commercial and industrial growth.**

10. The proposed extension of RUB areas at Wainui North- is an important and valid area in regard to this Guidance matter. These have a combined area of 125 hectares, which would be in addition to the PAUP Wainui/Silverdale/Dairy Flat FUZ area of 2,600ha (or a 4.8% increase in area).
11. These additional areas could provide capacity for approximately 1,250 dwellings at an average gross density of 10 dwellings per hectare, and 3,125 people at 2.5 per dwelling.
12. Earthworks across the area would be required, but these would not be dissimilar to that required across the Wainui and Dairy Flat FUZ areas. The engineering assessment is that sediment and erosion controls following Council's TP90 guidelines would ensure any adverse effects were minor<sup>4</sup>.
13. A Network Discharge consent and Catchment Management Plan would be initiated during structure planning for the Wainui FUZ, and the requirements for this proposed RUB extension would be similar to that for the PAUP Wainui FUZ area (Jennins p.7, 3.3.7)<sup>5</sup>.
14. If the land is included in the RUB, Watercare Services will be able to include these areas as part of the necessary infrastructure planning required for wastewater and water supply in the medium and long-term, as identified in the Future Urban Land Supply Strategy (FULSS).
15. It is of course important to acknowledge that not all the land within the RUB / FUZ will be used

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<sup>2</sup> Auckland Development Committee, Thursday, 12 November 2015: Item 12, Adoption of the Future Urban Land Supply Strategy

<sup>3</sup> Independent Hearing Panel Interim Guidelines July 2015

<sup>4</sup> Riley Consultants Engineering Assessment, Appendix D

<sup>5</sup> Riley Consultants Engineering Assessment, Appendix D

for dwellings, with such extensive areas typically including neighbourhood centres, schools, technical institutes, and universities, recreational facilities, open space, parks and sports fields. There will potentially be commercial and even light industrial activities within such areas, particularly in terms of where they provide local services.

16. The specific use of this land on the northern periphery of the Wainui RUB would be decided during structure planning although in this location, I consider it would likely be suitable for low or medium density residential.
17. The area for RUB extension in this evidence satisfies all of the issues raised in Mr Paul's evidence Ch. 9.8 Wainui North summary response, in that:
  - a. It has defensible boundaries.
  - b. The land has limited constraints.
  - c. It is contiguous to the existing urban area.
  - d. Is of a scale to enable a mix of uses and comprehensive development.
  - e. Is close to the existing transport network.

**The change promotes the achievement of a quality compact urban form.**

18. The proposed additional areas enhance opportunities to achieve a quality compact urban form. The proposed RUB boundary at Wainui North essentially sits where the land contour, land character and existing road layout provides a reasonably sensible northern RUB boundary in this location. The North West boundary is defined by Girven Road, to the West of which are countryside living subdivisions with significant restoration planting now well-established, and providing an identifiable boundary. The northern limits are defined by landforms where the more gentle land at Wainui abuts the steeper hill country to the north, some of the vegetated, where I consider it would be more appropriately used for countryside living subdivision as part of a northern "collar" of rural residential activity on land suitable for such densities, while still being in close proximity to major transport routes and Hibiscus Coast commercial, educational and recreational areas. (Appendix A).
19. The Council's S.32 Report<sup>6</sup> identifies steep land in the north of the area (up to Weranui Rd) considered for Alternative 2 (in that report). Most of this land has been excluded from the RUB sought by the submitters as the contour is not suitable for urbanisation and a defensible RUB boundary would be better located at the base of these hills to the north, bringing the gently sloping land within the RUB. This is consistent with the 2013 feedback from the Local Board and Iwi on the Wainui RUB location in the S.32 Report.
20. I do not consider the Orewa Stream to be a defensible boundary for the northern part of the

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<sup>6</sup> 2.2 Rural urban boundary location – section 32 evaluation for the PAUP

Wainui FUZ. This minor stream does not meet the RUB criteria

**Where moving the RUB results in rezoning, the provision of infrastructure is feasible.**

21. Wainui is proposed for development in the first half of Decade Three (2027-31)<sup>7</sup> in association with Silverdale and Dairy Flat. By that time I understand that roading infrastructure issues associated with Whangaparaoa (Penlink bypass road) will have been resolved, and it would be likely that bulk infrastructure wastewater and water supply services will have been planned and limited.
22. The Draft Unitary Plan, the PAUP and Mr Paul's evidence for Council have all considered the Wainui FUZ to be feasible in terms of infrastructure delivery and that this would be specifically addressed during structure planning for the area.
23. The Wainui North RUB extension has similar landforms and geology to the PAUP Wainui FUZ and in the report from Riley Consultants the provision of roading and water infrastructure is feasible<sup>8</sup>.

**The RUB change avoids:**

**a. scheduled areas with significant environmental, heritage, Maori , natural character or landscape values;**

24. There are no significant natural, cultural or historic heritage sites or significant landscapes within the proposed RUB extension. Although there appeared to be some Iwi opposition to further RUB additions to the north of the Wainui RUB, it appeared to relate to the steep land and the soil and water issues with its development, rather than the more gentle land on the north-west periphery of the RUB represented in this evidence.

**a. the Waitakere Ranges Heritage Protection Area;**

25. Not applicable

**c. mineral resources that are commercially viable;**

26. There are no commercially viable mineral resources in the proposal area.

**d. elite soils.**

27. There are no elite soils in the proposal area

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<sup>7</sup> Auckland Development Committee, Thursday, 12 November 2015: Item 12, Adoption of the Future Urban Land Supply Strategy

<sup>8</sup> Riley Consultants Engineering Assessment; **Appendix D**

**The change avoids, where possible:**

**a. areas prone to natural hazards, including coastal hazards;**

28. This matter is addressed in Riley Consultants geotechnical report<sup>9</sup>, Riley Consultants Engineering Assessment report<sup>10</sup> (Ch. 3.1) and in the Tonkin & Taylor evidence for this Topic.
29. Most of the proposed RUB extension area is classified by Tonkin & Taylor as Zone 1 – Low Geotechnical Constraints and about 20% Medium and High Geotechnical Constraints. These latter areas are mainly around the periphery of the proposed area. I note that the Tonkin & Taylor report does not identify areas where urban development should not occur; rather it identifies levels of constraints.

**b. Conflicts between residents and infrastructure.**

30. This particular area of land does not raise any conflicts with infrastructure provision.

**The RUB should aim to follow property boundaries.**

31. I consider the RUB boundary proposed for the north-west of Wainui is defensible, and is a more defensible RUB than the PAUP RUB following the Orewa Stream, which runs through the middle of a generally flat contoured farm property. I propose a RUB that is largely in accordance with that sought in the original submissions, which follows the Gervin Rd property boundaries, and to the east of these it generally follows the 40 metre contour across Mr Clark's large landholding, where a RUB along property boundaries is impractical, as they take no account of slope and urban suitability. The northern-eastern RUB area is reduced slightly and extent to recognise existing vegetation areas and slightly steep contour. This is illustrated in the map below.

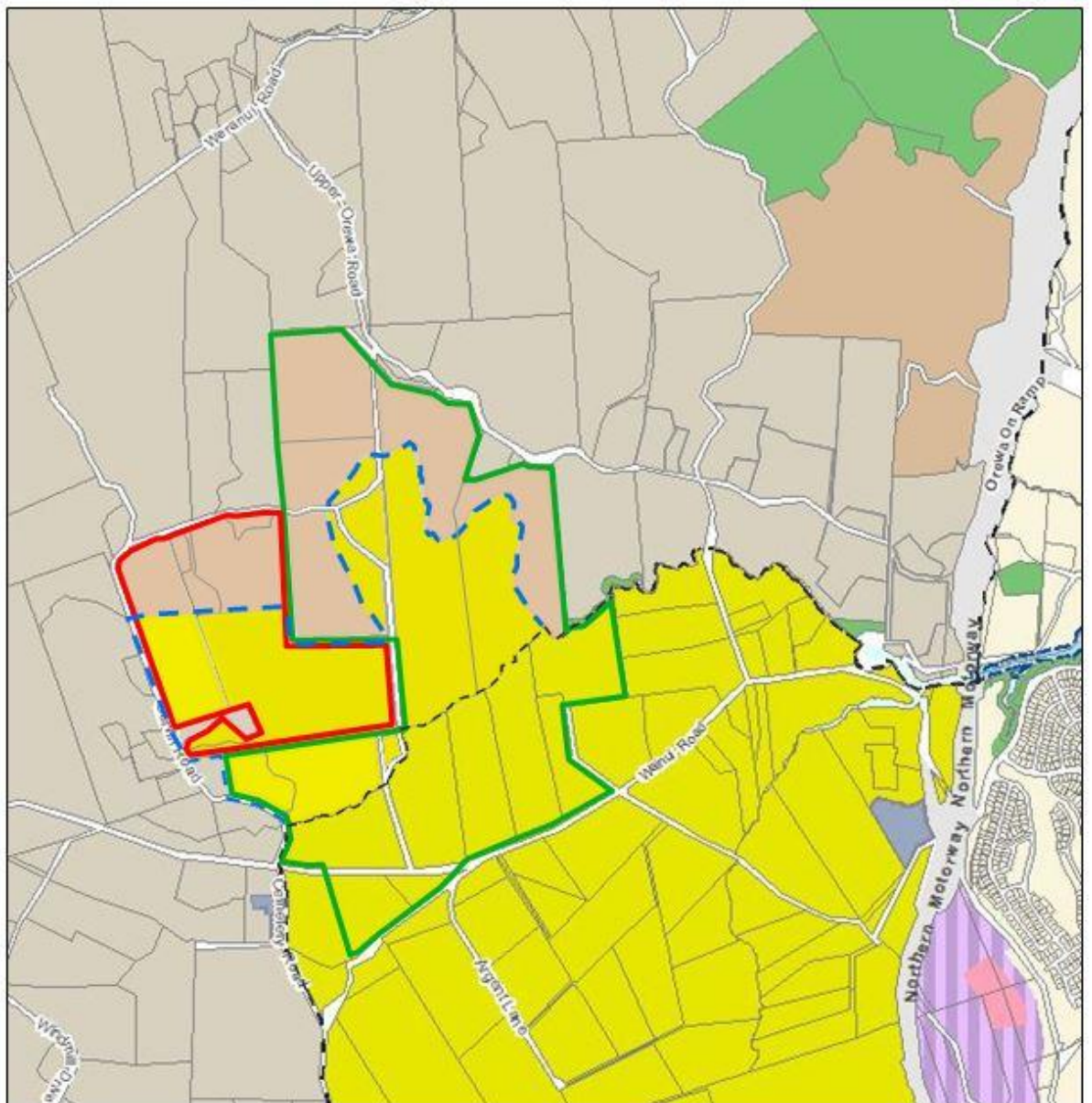
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<sup>9</sup> Riley Consultants Geotechnical Constraints Assessment: Pine Valley and Wainui North (**Appendix E**).

<sup>10</sup> Riley Consultants engineering Assessment: Pine Valley and Wainui North (**Appendix D**)



Figure 3: Proposed Wainui North RUB/FUZ Extension



**KEY**

- Submitters seeking RUB/Future Urban zoning and Countryside Living Zone.  
64, 96, Gervin Road, Wainui, Lot 2 & 5 DP 473507.
- Submitter seeking RUB/Future Urban zoning and Countryside Living Zone.  
Lot 6, 7 & 14 DP 198205, Gervin Road, 173 & 231 Upper Orewa Road, Allot 210, 216 & Pt Allot 182 PSH of Waiwera
- Proposed RUB extension

32. I note that Mr Paul has omitted Mr Clark's submission (6591) for a RUB extension (Figure 9 Wainui Extensions). The land proposed in this submission covers the gentle sloping land on the north side of Orewa Stream and it links with the proposed extension along the eastern side of Gervin Road, which appears as an outlier on Mr Paul's map.



**A summary of the layers in the Proposed Auckland Unitary Plan (PAUP) that apply to the site.**

33. The only PAUP overlays over this land are aquifers and Ngati Whatua o Kaipara area of interest, which cover all the PAUP Wainui FUZ and this proposed 125ha extension.

**The proposed change is supported by a pdf map marked up to show:**

- a. address(s);**
- b. the RUB line (current and the changes you seek);**
- c. any property boundaries;**

**that are the subject of your submission. If you have GIS software provide this map as both a pdf and shape file.**

34. These are attached in Appendix A.

**If the RUB change (and any related zone changes) relates to someone else's land, provide details of your consultation with the owner and their position on the proposed change.**

35. No other landowners are affected by these submissions.

## **Assessment of Pine Valley RUB extension**

**The change enables the efficient provision of development capacity and land supply for residential, commercial and industrial growth.**

36. The proposed extension of RUB areas at Pine Valley Road is located between the PAUP FUZ areas of Wainui and Silverdale/Dairy Flat. It is an important and valid area in regard to this Guidance matter. The area has a combined area of 330 hectares. This would be in addition to the PAUP Wainui/Silverdale/Dairy Flat FUZ area of 2,600ha, or a 12.8% increase in area.
37. This extension would provide capacity for approximately 3,300 dwellings at an average gross density of 10 dwellings per hectare at Single House densities. Although this may be less if structure planning determines that parts of the Pine Valley area would be more suitable for other residential or commercial zonings. At 2.5 people per dwelling average occupation, this would provide for an additional 8,250 people approximately.
38. Earthworks across the area would be required, but these would not be dissimilar to that required across the Wainui and Dairy Flat FUZ areas. The engineering assessments conclude that sediment and erosion controls following Council's TP90 guidelines would ensure any adverse effects were minor<sup>11</sup>.
39. A Network Discharge consent and Catchment Management Plan would be initiated during structure planning for the Pine Valley FUZ, and the engineering assessment considers the requirements for this proposed RUB extension would be similar to that for the PAUP Wainui and Dairy Flat FUZ areas<sup>12</sup>.
40. If the land is included in the RUB, Watercare Services would be expected to undertake the necessary medium to long term planning for the provision of wastewater and water supply.
41. It is important to acknowledge that not all the land within the RUB / FUZ will be used for dwellings, with such extensive areas typically including neighbourhood centres, schools, technical institutes, and universities, recreational facilities, open space, parks and sports fields. Potentially there will also be commercial and even industrial activities within such areas, particularly in terms of where they provide local services.
42. I note that Mr Paul's evidence states that although the area meets the RUB/FUZ criteria he has rejected it as:
- The land is not required to support growth to 2040.
  - There are other better areas to be included within the RUB to support growth to 2040 namely Postman Road and Dairy Flat south<sup>13</sup>.
43. I further note that some of the land proposed by Council in evidence for RUB / FUZ extension is

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<sup>11</sup> Riley Consultants Engineering Assessment, **Appendix D**

<sup>12</sup> Riley Consultants Engineering Assessment, **Appendix D**

<sup>13</sup> Paragraph 10.9; Dave Paul EIC

also Countryside Living Receiver Areas in the south Dairy Flat area; and I observe that the negative impact of this on the ability to implement a number of the key rural policies and zones in the PAUP has not been assessed by Mr Paul. I consider that if this analysis had been undertaken, it might have changed Council's views in regard to a RUB extension in that location, and as a consequence, the suitability of the Pine Valley RUB location as an alternative.

**The change promotes the achievement of a quality compact urban form.**

44. The proposed additional area at Pine Valley enhances opportunities to achieve a quality compact urban form. The proposed RUB boundary at Pine Valley essentially sits where the land contour, land character and existing road layout provides a sensible western RUB boundary in this location. The north and south boundaries are contiguous with the Wainui and Silverdale/Dairy Flat FUZ respectively, and the eastern boundary is the Northern Motorway. Together this provides a defensible RUB boundary.

45. The proposed 'gap' in the RUB/FUZ between Wainui and Silverdale/Dairy Flat is in my opinion contrary to the provision of a compact urban form and the addition of Pine Valley. This does not encourage proper integrated urban planning, preventing for example, effective future roading and infrastructure services connections between and within the RUB / FUZ areas to both the north and south. Furthermore, I consider that it is inevitable in the longer term that if the area is not included within the RUB and FUZ at this time, it will most certainly be so in the future as a consequence of urban development pressures arising from this area being effectively compressed between two emergent urban areas. The proposed Mixed Rural zoning to this area is unsustainable and generally inconsistent with the Objectives for that Zone, for example;

- 1) The existing pattern of landholdings, and nonresidential activities that support them, is used by a diverse range of rural production activities.*
- 2) Land with high productive potential for rural production is retained.*
- 3) The continuation of rural production and associated nonresidential activities in the zone is not adversely effected by rural lifestyle activity.*

The entire Pine Valley area proposed here is dominated by Countryside Living and has minimal rural production activities and is all affected by rural lifestyle activity. The area is already a de facto commuter suburb embedded in the current General Rural zone of the ADP: Rodney Section.

**Where moving the RUB results in rezoning, the provision of infrastructure is feasible.**

46. Pine Valley is proposed for development in the first half of Decade Three (2027-31)<sup>14</sup> in

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<sup>14</sup> Auckland Development Committee, Thursday, 12 November 2015: Item 12, Adoption of the Future Urban Land Supply Strategy

association with Silverdale and Dairy Flat. By that time I understand that roading infrastructure issues associated with Whangaparaoa (Penlink bypass road) will likely have been resolved, and public infrastructure planning for wastewater and water supply services should be well advanced.

47. I note in Mr Paul's evidence for Postmans Road (8.42 ) he states: *In relation to Postman Road in particular: • This area is surrounded by future urban areas on three sides making its exclusion from the RUB anomalous.* The same would appear to apply to Pine Valley with FUZ on three sides, as the FUZ around Dairy Flat seems to have had large chunks removed, Postmans Rd is one and Pine Valley is the other.
48. Being a narrow wedge between the Wainui and Silverdale/Dairy Flat FUZ, Pine Valley could be serviced readily from the wastewater and water reticulation networks for the adjacent FUZs, as opposed to other FUZ areas across the region that are more isolated.
49. The Draft Unitary Plan, the PAUP and Mr Paul's evidence for Council have all considered the Pine Valley FUZ to be feasible in terms of infrastructure delivery, and that this would be specifically addressed during structure planning and any introduction of live urban zonings for the area.
50. The Pine Valley RUB extension has similar infrastructure issues to the PAUP Wainui and Silverdale/Dairy Flat FUZ and in the report from Riley Consultants Ltd, the provision of roading and water infrastructure is feasible.

**The RUB change avoids:**

**b. scheduled areas with significant environmental, heritage, Maori , natural character or landscape values;**

51. There are no significant natural, cultural or historic heritage sites or significant landscapes within the proposed RUB extension,
52. In the consultations to the RUB for the Draft Unitary Plan, Ngati Manuhiri supported the Future Urban Zoning for Pine Valley, rather than the south end of Dairy Flat<sup>15</sup>.
53. The proposal avoids potential biodiversity impacts on ONLs and SEAs highlighted in the Council's S.32 Report. I note that Council's landscape assessment commented on the lower Pine Valley area as being a discrete downland valley and that "*This area has a strong capacity to accommodate urban development from a landscape view*<sup>16</sup>." (Appendix A).

**c. the Waitakere Ranges Heritage Protection Area;**

54. Not applicable

**d. mineral resources that are commercially viable;**

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<sup>15</sup> p.102, 2.2 Rural urban boundary location – section 32 evaluation for the PAUP

<sup>16</sup> Council's S.32 Report

55. There are no commercially viable mineral resources in the proposal area.

**e. elite soils.**

56. There are no elite soils in the proposal area

**The change avoids, where possible:**

**a. areas prone to natural hazards, including coastal hazards;**

57. This matter is addressed in Riley Consultants geotechnical assessment<sup>17</sup> and general engineering assessment (Ch. 3.1) and in the Tonkin & Taylor report.

58. Most of the proposed RUB extension area is classified in evidence for the Council by Tonkin & Taylor as 'Geotechnical Constraints: Medium', with a few small areas of High<sup>18</sup>.

59. Riley's report considers the Pine Valley area has similar level of geotechnical constraints to Silverdale West and Dairy Flat FUZs, low to medium.

**b. Conflicts between residents and infrastructure.**

60. This particular area of land does not raise any conflicts with infrastructure provision.

**The RUB should aim to follow property boundaries.**

61. The Pine Valley RUB extension proposed follows property boundaries.

**A summary of the layers in the Proposed Auckland Unitary Plan (PAUP) that apply to the site.**

62. The PAUP overlays over this land are a small area of SEA, aquifers and Ngati Whatua o Kaipara area of interest, which cover all the PAUP Wainui and Silverdale/Dairy Flat FUZ and this 330ha extension.

**The proposed change is supported by a pdf map marked up to show:**

**d. address(s);**

**e. the RUB line (current and the changes you seek);**

**f. any property boundaries;**

**that are the subject of your submission. If you have GIS software provide this map as both a pdf and shape file.**

63. These are attached in Appendix A.

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<sup>17</sup> Geotechnical Constraints Assessment: Pine Valley and Wainui North. Riley Consultants Appendix E.

<sup>18</sup> Paragraph 9.45 Hillier EIC

**If the RUB change (and any related zone changes) relates to someone else's land, provide details of your consultation with the owner and their position on the proposed change.**

64. No other landowners are affected by these submissions.



## APPENDIX A: Assessment of Silverdale Deletions from the RUB for the Proposed Auckland Unitary Plan

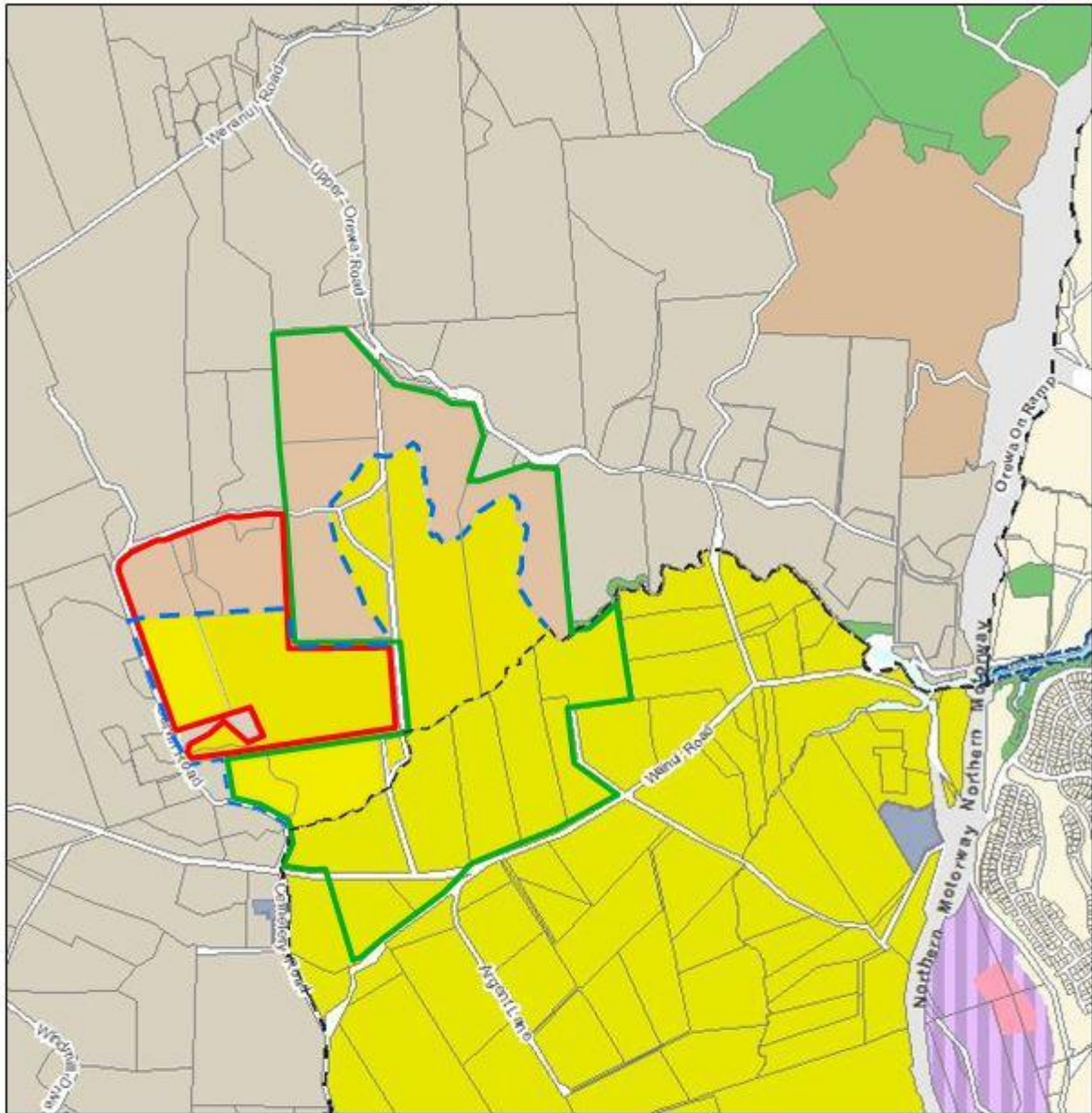
|  | Deletion 1                         | Deletion 2                      | Deletion 3                   | Deletion 4                               | Addition 5             | Addition 6               |
|--|------------------------------------|---------------------------------|------------------------------|--|------------------------|--------------------------|
| <b>Planning Principles for RUB Identification<sup>19</sup></b>   | <b>Weranui Rd to Wainui Stream</b> | <b>Wainui Stream north bank</b> | <b>Pine Valley</b>           | <b>Wilks Rd South</b>                    | <b>Young Access Rd</b> | <b>Bawden Rd</b>         |
| Achieving the Quality Compact City (support a range of density and urban land use types)   | No                                 | Yes with adjacent area          | Yes                          | Yes                                      | No                     | Yes                      |
| Protecting Environmentally Sensitive Areas (avoid or mitigate adverse effects on sensitive natural areas and provide recreation opportunities) | Steep hill country                 | Yes, effects can be mitigated   | Yes                          | Yes                                      | Steep hill country     | Yes                      |
| Focusing on Transport (reduce the cost of future transport infrastructure)   | No                                 | Yes                             | Yes                          | Yes (existing services on Dairy Flat Rd) | No                     | Yes                      |
| Recognising Rural Production Systems   | Prime soils along Weranui Rd       | Low productivity                | Low to moderate productivity | Moderate productivity prime soils        | Low productivity       | Low productivity         |
| Utilising Infrastructure (existing network utilities, parks and  | No                                 | Some, no water utilities        | Some, no water utilities     | Some, no water utilities                 | No                     | Some, no water utilities |

<sup>19</sup>Appendix 2.2 Rural urban boundary location - section 32 evaluation for the Proposed Auckland Unitary Plan



|                              |           |            |            |            |           |            |
|------------------------------|-----------|------------|------------|------------|-----------|------------|
| schools)                     |           |            |            |            |           |            |
| Avoiding Hazards             | No        | Yes        | Yes        | Yes        | No        | Yes        |
| Protecting Cultural Heritage | Yes       | Yes        | Yes        | Yes        | Yes       | Yes        |
| A Defensible RUB             | No        | Yes        | Yes        | Yes        | No        | Yes        |
| <b>Meets RUB Principles</b>  | <b>No</b> | <b>Yes</b> | <b>Yes</b> | <b>Yes</b> | <b>No</b> | <b>Yes</b> |

## Attachment 2: Wainui North

Proposed change marked up to show: address(s); the RUB line (current and changes sought); property boundaries;



### KEY

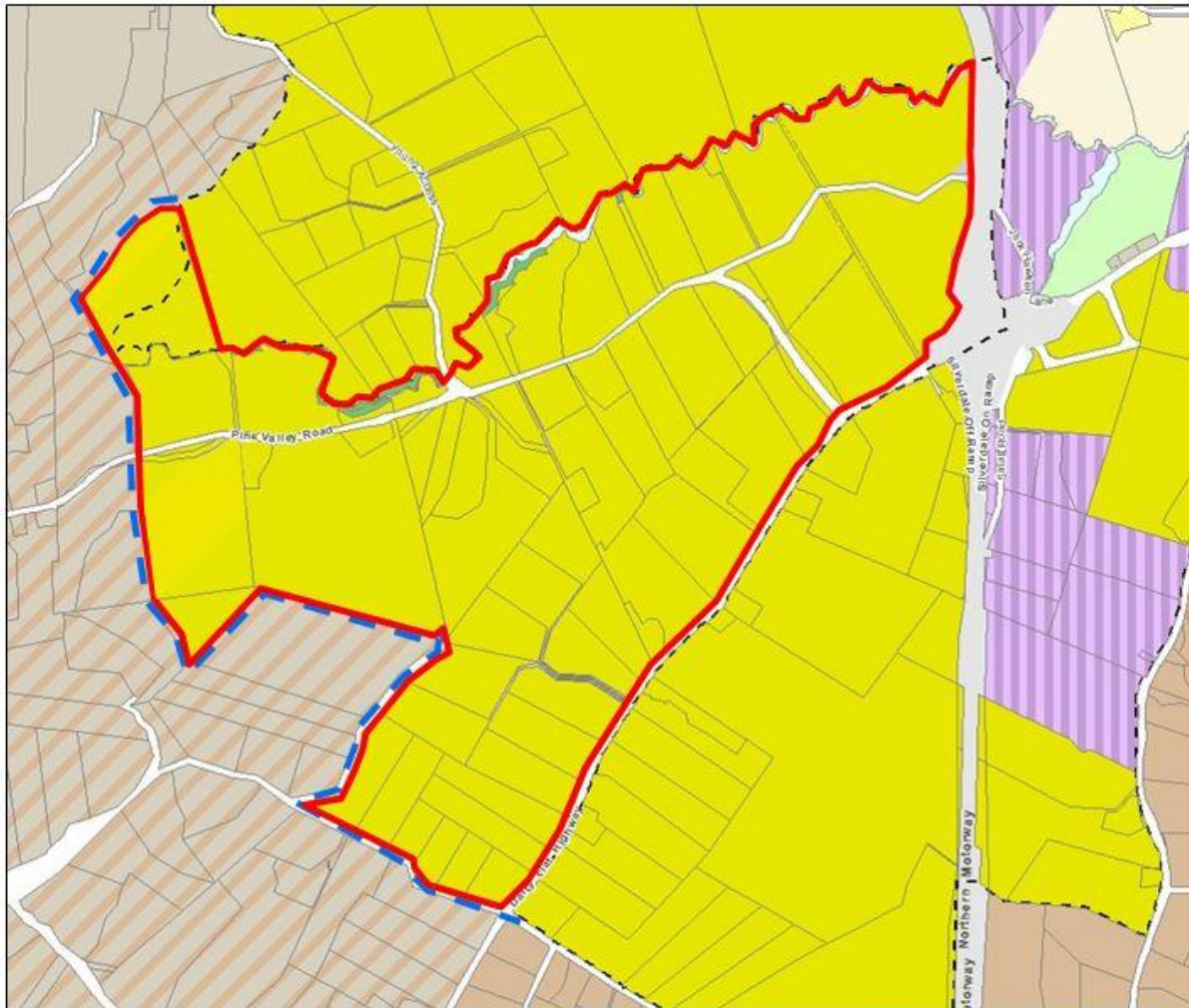
-  Submitters seeking RUB/Future Urban zoning and Countryside Living Zone.  
64, 96, Gervin Road, Wainui, Lot 2 & 5 DP 473507.
-  Submitter seeking RUB/Future Urban zoning and Countryside Living Zone.  
Lot 6, 7 & 14 DP 198205, Gervin Road, 173 & 231 Upper Orewa Road, Allot 210, 216 & Pt Allot 182 PSH of Waiwera
-  Proposed RUB extension





### Attachment 3: Pine Valley

Proposed change marked up to show: address(s); the RUB line (current and changes sought); property boundaries;



#### KEY

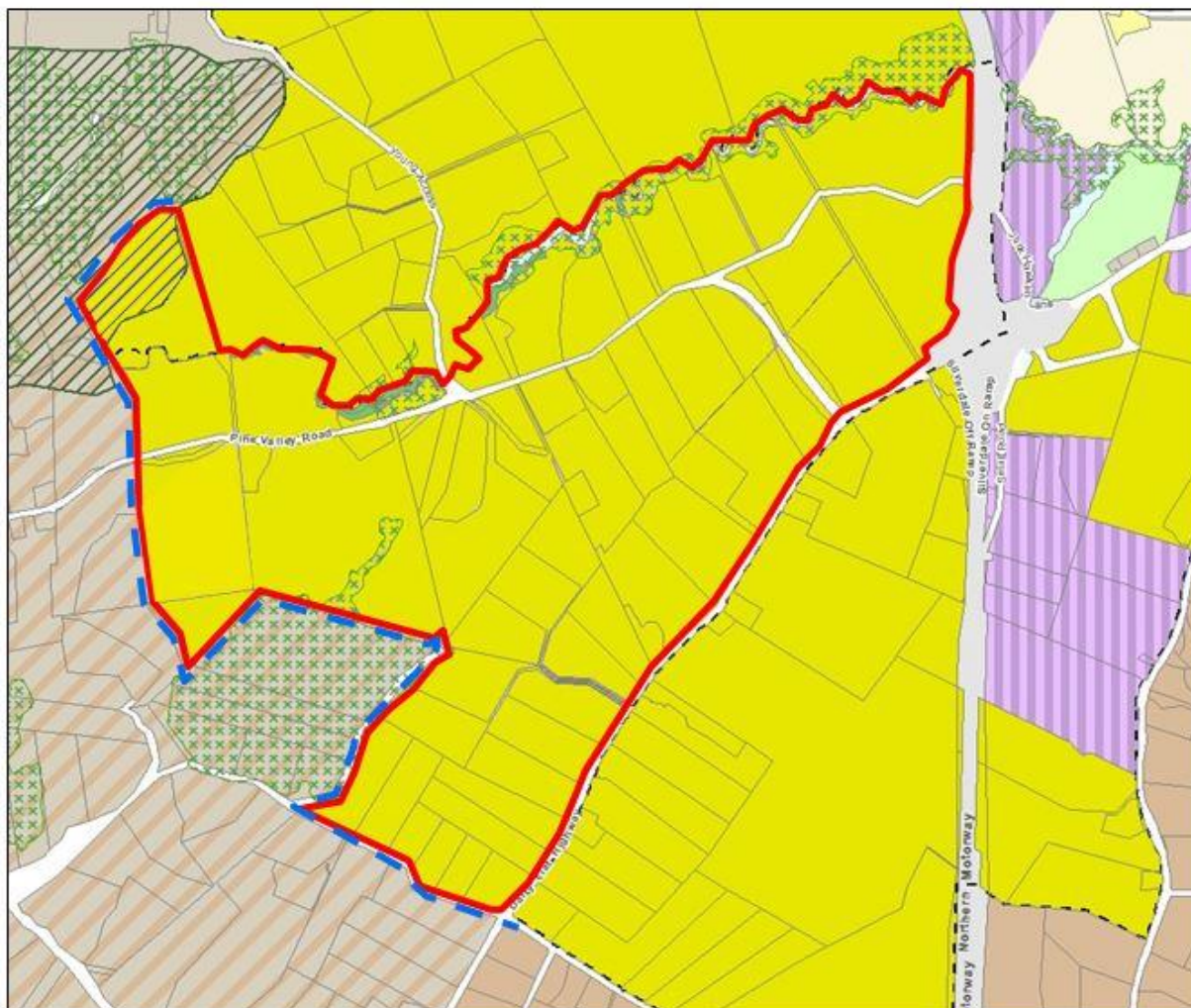


Submitters seeking Future Urban zoning and inclusion in RUB

1,10,17,36,37,46,90 Old Pine Valley Road, Pt Allot 16 PSH of Okura, 146,158,165,175,180,189,193,195, 202,207,209,210,211,212,223,225,227,229,231,240,243,245,253,257,268,299,302,304,320,327 Pine Valley Road, Lot 18 DP 110442, Allot 273 PSH of Okura, Sect 6&10 SO 70603, Lot 7 DP 132035. Sect 5,6,7,8 SQ315843, 2,18,30,38,44,46,68 Wilks Road West. 1549,1559,1561,1579,1579A,1583,1587, 1591,1595,1599,1603,1609,1615,1617,1623,1667,1669,1687,1731 Dairy Flat Highway.



Proposed RUB extension



# KEY

- Site Boundary
- Proposed RUB extension
- ONL
- SEA