

I hereby give notice that a hearing by commissioners will be held on:

Date: Tuesday 10, Wednesday 11 and Thursday 12
December 2019
Time: 9.30am
Venue: Mary Thomas Centre
3 Gibbons Road, Takapuna, Auckland

HEARING REPORT

**PRIVATE PLAN CHANGE 23 – SMALES FARM
(PRECINCT PROVISIONS)**

NORTHCOTE RD1 HOLDINGS LIMITED

COMMISSIONERS

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Commissioners Kim Hardy
Matt Riley

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WHAT HAPPENS AT A HEARING

At the start of the hearing, the Chairperson will introduce the commissioners and council staff and will briefly outline the procedure. The Chairperson may then call upon the parties present to introduce themselves to the panel. The Chairperson is addressed as Mr Chairman or Madam Chair.

Any party intending to give written or spoken evidence in Māori or speak in sign language should advise the hearings advisor at least five working days before the hearing so that a qualified interpreter can be provided.

Catering is not provided at the hearing. Please note that the hearing may be audio recorded.

Scheduling submitters to be heard

A timetable will be prepared approximately one week before the hearing for all submitters who have returned their hearing attendance form. Please note that during the course of the hearing changing circumstances may mean the proposed timetable is delayed or brought forward. Submitters wishing to be heard are requested to ensure they are available to attend the hearing and present their evidence when required. The hearings advisor will advise submitters of any changes to the timetable at the earliest possible opportunity.

The Hearing Procedure

The usual hearing procedure (as specified in the Resource Management Act) is:

- The applicant will be called upon to present his/her case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented his/her case, members of the hearing panel may ask questions to clarify the information presented.
- Submitters (for and against the application) are then called upon to speak. Submitters may also be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker. The council officer's report will identify any submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
- Should you wish to present written information (evidence) in support of your application or your submission please ensure you provide the number of copies indicated in the notification letter.
- Only members of the hearing panel can ask questions about submissions or evidence. Attendees may suggest questions for the panel to ask but it does not have to ask them. No cross-examination - either by the applicant or by those who have lodged submissions – is permitted at the hearing.
- After the applicant and submitters have presented their cases, the chairperson may call upon council officers to comment on any matters of fact or clarification.
- When those who have lodged submissions and wish to be heard have completed their presentations, the applicant or his/her representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage.
- The chairperson then generally closes the hearing and the applicant, submitters and their representatives leave the room. The hearing panel will then deliberate "in committee" and make its decision by way of formal resolution. You will be informed in writing of the decision and the reasons for it.

A NOTIFIED PRIVATE PLAN CHANGE TO THE AUCKLAND COUNCIL UNITARY PLAN BY NORTHCOTE RD1 HOLDINGS LIMITED

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Reporting officer, Ewen Patience

Reporting on proposed Private Plan Modification 23 - Smales Farm (Precinct Provisions) to amend policies in H15 Business - Business Park Zone and to make various changes to I538 Smales 1 Precinct.

APPLICANT: NORTHCOTE RD1 HOLDINGS LIMITED

| SUBMITTERS: | |
|--------------------|--|
| Page 615 | Shorecare Medical Services Limited |
| Page 617 | Anthony Kang |
| Page 639 | Les Probert |
| Page 641 | Jungho Hong |
| Page 643 | Susan Peace |
| Page 646 | Simon O'Connor (Sentinel Planning Ltd) |
| Page 648 | Sally Slawson |
| Page 650 | Soon bok Ko |

Private / Plan Modification 23 - Smales Farm (Precinct Provisions)
Start date: Tuesday, 10 December 2019

| | |
|----------|------------------------------|
| Page 652 | Charles Crisp |
| Page 654 | New Zealand Transport Agency |
| Page 670 | Auckland Transport |
| Page 687 | Sovereign Services Limited |
| Page 691 | Auckland Council |
| Page 703 | Westlake Girls High School |
| Page 712 | Housing New Zealand |
| Page 720 | Watercare / Mark Bourne |
| Page 725 | Svetla Grigorova |
| Page 727 | Atanas Gornakov |

| | |
|----------------------------|---------------------------------|
| FURTHER SUBMITTERS: | |
| Page 729 | Westlake Girls High School |
| Page 736 | Northcote RD 1 Holdings Limited |
| Page 740 | Auckland Transport |
| Page 746 | Waitemata District Health Board |
| Page 770 | Housing New Zealand Corporation |
| Page 782 | Svetla Grigorova |



Hearing Report for Proposed Private Plan Change 23: (Smales Farm) to the Auckland Unitary Plan (operative in part)

Section 42A hearing report under the Resource Management Act 1991

| | |
|------------------------|---|
| Report to: | Hearing commissioners |
| Hearing date/s: | 10-12 December 2019 |
| File No: | Hearing report – Proposed private plan change 23, Smales Farm |
| File reference | U:\CPO\RLP\FC\LUP\UP MODIFICATIONS\PC023 - Smales Farm (Private) |
| Report author | Ewen Patience, Principal Planner (Team 3, North West and Islands Unit) |
| Report reviewer | David Sanders, Team Leader 3, North West and Islands Unit, Plans and Places |
| Report produced | 25 October 2019 |

Summary of proposed plan change 23: (Smales Farm)

| | |
|--|---|
| Plan subject to change | Auckland Unitary Plan (Operative in part), 2016 |
| Number and name of change | Proposed Plan Change 23 – (Smales Farm) to the Auckland Unitary Plan (applicant) |
| Status of Auckland Unitary Plan | Operative in part |
| Type of change | Proposed private plan change. |
| Applicant / requestor | Northcote RD1 Holdings Limited |
| Committee date of approval (accept) for notification | 5 March 2019 |
| Parts of the Auckland Unitary Plan affected by the proposed plan change | <u>Maps:</u> Unitary Plan zoning map <u>Text:</u> “Smales 1 Precinct” and Chapter H15, Business – Business Park zone |

| | |
|---|---|
| Date draft proposed plan change was sent to iwi for feedback | NA (note however that all relevant iwi were contacted before the plan change was notified) |
| Date of full public notification of the proposed plan change | 12 April 2019 (closed 15 May 2019) |
| Plan development process used | Private, normal process |
| Legal effect at notification | Nil (private plan change) |
| Submissions received | 18 |
| Date “summary of submissions” notified | 14 June 2019 (closed 28 June 2019) |
| Number of further submissions received (numbers) | Six |
| Main issues or topics emerging from all submissions | <ul style="list-style-type: none"> • Traffic and parking effects of both new residential and additional commercial / office developments • Range of accessory activities and their effects including for other centres • Urban design considerations pertaining to a ‘transit oriented mixed use development’ • Scale and design of new residential and commercial buildings and their effects • Pedestrian and other urban amenity considerations • Noise and reverse sensitivity issues |

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| Appendix 7 | AUP chapter J1 definitions pertaining to 'retail' and commercial uses |

ABBREVIATIONS

Abbreviations in this report include:

| Abbreviation | Meaning |
|--------------|---|
| PC23 | Proposed private plan change 23 (Smales Farm) |
| RMA | Resource Management Act 1991 |
| AUP | Auckland Unitary Plan, operative in part |
| RPS | Regional policy statement (AUP) |
| NPS: UDC | National Policy Statement Urban Development Capacity 2016 |
| ITA | Integrated Transportation Assessment |
| NZTA | New Zealand Transport Agency |
| AT | Auckland Transport |
| AC | Auckland Council |
| AEE | The applicant's planning report ("Explanation, Assessment of Environmental Effects and Section 32 Analysis", Annexure 1 to the plan change request) |
| TOD | Transit oriented development |
| BPZ | Business Park Zone |
| MEC | m.e consulting (Doug Fairgray/ Derek Foy) – Economic Assessment Report |
| SG | Styles Group, Acoustics and Vibration Consultants (Jon Styles / Gemma Sands) |
| HG | Harrison Grierson transport report: Review of traffic related issues (Pravin Dayaram) |
| HNZ | Housing New Zealand |

EXECUTIVE SUMMARY

1. Northcote RD1 Holdings Limited made a private plan change request (**PC 23**) in July 2018 to modify the operative Smales 1 Precinct provisions (**precinct**) applying to the Smales Farm business park (**Smales Farm**) and to associated **AUP** provisions. The site is at the corner of Northcote and Taharoto Roads, Takapuna and is just under 11 hectares in area, immediately adjacent to the Smales Farm bus station on the northern busway.
2. The site has an operative (underlying) zoning of Business - Business Park and the key constraint for the applicant is that the zone (or precinct) does not provide for residential accommodation. PC 23 is primarily to enable a significant amount of residential development in addition to office development, along with a range of 'accessory' activities including retail and community. The overall objective is to enable the development of a 'transit oriented development' in the form of a mixed use precinct.
3. Further information was sought from the applicant by the Council in accordance with Clause 23 of Schedule 1 to the RMA on 14 September 2018. The applicant provided some further information in response to the request on 15 October 2018. The response did not provide any further expert assessments, and in many instances advised that the questions/requests would be addressed when the merits of PC 23 were considered further on in the process.
4. PC 23 was made under Clause 21 of Schedule 1 to the Resource Management Act 1991 ('RMA') and was accepted by Auckland Council ('Council'), under clause 25(2)(b) of Schedule 1 to the RMA on 5 March 2019. This followed an extension of time for this 'accept' decision, as the applicant wanted to delay the reporting from November 2018 (as proposed) to the new year, in order that contact with iwi and the Local Board could occur at a more suitable time.
5. PC 23 was notified 12 April 2019 and eighteen (18) submissions were received by the closing date of 15 May 2019, including one from the Auckland Council. The Council's Summary of Decisions Requested was notified on 14 June 2019, and six were received. All further submitters were original submitters except for the Waitemata District Health Board.
6. This report, prepared in accordance with section 42A of the RMA, addresses the merits of PC 23, with reference to the applicant's assessment of effects on the environment, the issues raised in submissions and expert assessments for the council on specific topics. The discussion and recommendations in this report are intended to assist the Hearing Commissioners, and those persons or organisations that lodged submissions on PC 23.
7. The recommendations contained within this report are not the decisions of the Hearing Commissioners.
8. This report also forms part of the ongoing obligations under section 32 of the RMA, to consider the appropriateness of the proposed objectives and provisions, as well as the benefits and costs of any policies, rules or other methods, with reference to the issues and requests raised in submissions on PC 23.
9. A report in accordance with section 32 of the RMA was prepared by the applicant as part of the PC 23 request, as required by clause 22(1) of Schedule 1 of the RMA.

10. In accordance with further evaluations in terms of section 32 RMA, I consider that, subject to amendments, the (revised) provisions are the most appropriate to achieve the objectives of the AUP and the purpose of the RMA. It is recommended that PC 23 (Smales Farm) be approved subject to those amendments, and in terms of any other proposed or agreed amendments the hearing commissioners might adopt.

1. DECISION MAKING CONSIDERATIONS

11. This report has been prepared under section 42A of the RMA to assist the Hearing Commissioners in considering the issues raised by submissions to PC 23.
12. Clause 8B (read together with Clause 29) of Schedule 1 of RMA requires that a local authority shall hold a hearing into submissions on a proposed private plan change.
13. The Regulatory Committee has delegated to the Hearing Commissioners authority to determine council's decisions on submissions on PC 23, under section 34 of the RMA. Hearing Commissioners will not be recommending a decision to the council but will be making the decision directly on PC 23. Those decisions will be appealable.
14. This report summarises and discusses submissions received on PC 23. It makes recommendations on whether to accept, in full or in part; or reject, in full or in part, each submission, or group of submissions on the same topic. This report also identifies what amendments to PC 23 if any, could be made to address matters raised in submissions, in the event that the Commissioners find the plan change worthy of approval and / or amendment.
15. Any conclusions or recommendations in this report are not binding on the Hearing Commissioners. The Hearing Commissioners will also consider all the information in submissions together with evidence presented at the hearing and reach their own conclusions.
16. This report relies on the reviews and advice from the following experts on behalf of the council. Their expert assessments are attached in **Appendix 4** to this report.

| Matter(s) | Name |
|--|--|
| Urban design, landscape and visual effects | Rebecca Skidmore (R A Skidmore Urban Design Ltd) |
| Transport, traffic and parking | Pravin Dayaram, Harrison Grierson (HG) |
| Economic assessment report | Douglas Fairgray / Derek Foy, m.e consulting (MEC) |
| Review of noise effects | Jon Styles / Gemma Sands, Styles Group Acoustic & Vibration Consultants (SG) |

2. BACKGROUND

The process and request

17. Northcote RD1 Holdings Limited (Smales Farm) approached council late 2017 to introduce the possibility of changes to the recently operative "Smales 1 Precinct" (**precinct**) to provide for a significant (uncapped) amount of residential (apartment type) development. The overall aim has been and remains to create a 'transit oriented mixed use development' node or precinct (TOD) at Smales Farm, but not a separate 'centre'. It was always expected that the plan change would remain a private one and has been processed accordingly.
18. Further meetings occurred in late 2017 and early 2018 and the application was then lodged formally in July 2018, with draft documents reviewed in the months prior to this. The key issues traversed during this time were traffic, height of buildings, potential implications for other centres of 'accessory' activities including retailing, underlying zoning options, various urban design and built form considerations, and the role of precinct plans in giving rise to a TOD.
19. In response to the lodged application, further information was formally requested on 14 September 2018 in accordance with clause 23 of Schedule 1 to the RMA and a response was received on 15 October 2018 (refer **Appendix 3**). A number of matters were considered to pertain to the merits of the application, rather than just an understanding of PC 23 and its effects, and so no 'further information' was received in respect of those issues.
20. The plan change was reported to the Council's Planning Committee for 'acceptance' on 5 March 2019, following a request by the applicant to not proceed with this step late in 2018. The applicant sought to allow more time for consultation with iwi and the Local Board. Accordingly a formal request for more time as provided for under section 37A(5) of the RMA was put to the applicant by letter dated 22 February 2019. The applicant agreed to the extension.
21. The conclusion reported at this/that stage was that Smales Farm was considered strategically located with respect to its potential to contribute to the success of the Takapuna development area. Its efficient use and development in a quality compact form, incorporating residential activities, is key to optimizing its potential contribution to a compact city. A 'mixed use transit-oriented node' directly adjoining a rapid transit corridor and station and close to schools and other employment areas could not be considered inappropriate. Accordingly, the application for rezoning could be notified and its merits considered further.
22. Following its 'acceptance' for processing PC 23 was notified on 12 April 2019, and the process has continued thereafter. The process involved a determination of who should be directly notified of PC 23 and the affected properties in the locality were determined under delegated authority.
23. Eighteen original submissions, including one from Auckland Council, and six 'further' submissions were received within the allotted timeframes. All further submitters were original submitters except for the Waitemata District Health Board. The Health Board was one of the parties directly notified as being more directly affected. The submissions are addressed at section 10 of this report.
24. Given the inability to delve into the merits of PC 23 to any extent early in the process, and in order to be able to modify PC 23 in various ways through the hearing process, it was determined that the Council would lodge a submission. This submission necessarily

covered a wide range of matters, including various technical matters to ensure that any final version of PC 23 if approved would fully comply with the structure and various protocols that pertain to the recently operative AUP.

25. The views of the Devonport-Takapuna Local Board were first sought formally by memorandum dated 21 September 2018 in connection with the 'accept' decision. The board determined to not formally comment at that stage. At a meeting dated 19 February 2019 the board resolved to advise the Planning Committee that it should 'accept' the plan change (resolution number DT/2019/8).
26. The Board subsequently received a briefing on PC 23 from staff, and also considered a request, post notification, from the applicant for a presentation of PC 23 to it by the applicant. This was declined. The Board has, as I understand, further considered the plan change but at the time of completion of this report had not submitted any formalised comments.
27. I have visited the site a number of times over many years and have been inside a number of the buildings on the site. I last drove through the site and walked parts of the site near the bus station on 6 October 2019.

Prehearing meetings

28. Various 'without prejudice' meetings between the applicant the report writer (and between the applicant and key submitters) occurred during July, August, September and October of this year. They have been worthwhile and productive. A number of agreed positions, at least in principle, have been reached. The relevant provisions are referred to in the analysis of submissions.
29. The meetings between the applicant and the report writer focused on the Auckland Council submission and the urban design matters of the plan change, looking at matters which Rebecca Skidmore, council's urban design expert, has reported on.
30. Other meetings on transport related matters have been held between AC, AT and NZTA. These have resulted in some agreed positions which are reflected in the analysis of submissions.
31. Further to the above, the applicant has created a revised version of the notified precinct provisions reflecting largely agreed provisions addressing urban design matters, as at 15 October 2019. This is at **Appendix 5**.

Consultation with iwi

32. There are 13 mana whenua groups that have an interest in the locality in which Smales Farm is located. These are:
 - (i) Ngāi Tai ki Tāmaki
 - (ii) Te Patukirikiri
 - (iii) Ngāti Paoa
 - (iv) Te Ākitai Waiohua
 - (v) Te Rūnanga o Ngāti Whātua
 - (vi) Ngāti Whanaunga
 - (vii) Te Kawerau Ā Maki

- (viii) Ngāti Whātua o Kaipara
- (ix) Ngāti Whātua Ōrākei
- (x) Ngāti Tamaterā
- (xi) Ngāti Te Ata
- (xii) Ngāti Maru
- (xiii) Ngāti Tamaoho

33. The applicant wrote to all of these groups in November 2018 and as at the date of writing, there have not been any formal written responses.

34. One iwi agency responded early in 2019 and a meeting was held with Gabrielle Kirkwood of Ngai Kai Te Tamaki in April 2019. The meeting was primarily to provide Gabrielle with a fuller understanding of the plan change and no extraordinary issues or concerns arose.

The site and locality

35. Smales Farm is a large business park in two titles totalling approximately 10.8 hectares located at 68-94 Taharoto Road - refer **Figure 1** below.



Figure 1: Smales Farm in its context

36. The site is flanked on all sides by significant roads: The northern motorway (SH1) to the west, Northcote Road to the south/east, Taharoto Road to the north east and Shakespeare Extension to the north west, being the ‘cul de sac’ to the Smales Farm bus station. All roads carry significant volumes of traffic throughout the day and at peak hours: Northcote Road in the order of 30,000 vehicles per day and the motorway up to 60,000 per working weekday.

37. The site is developed to less than 40 percent of its footprint capacity. Development to date consists of five large standalone buildings in the order of six storeys in height (25m) within landscape grounds and extensive surface carparking. Signalised intersections give access from Taharoto Road and Northcote Road and a roundabout to Shakespeare Extension serves the northern side. A further 'in only' access exists on Shakespeare Extension near the intersection with Taharoto Road.
38. The site has two internal private roads: The Avenue runs more or less north-south from Northcote Road to Shakespeare Extension while The Boulevard links Taharoto Road with The Avenue. This layout was established at the initial stages of development to a masterplan approved at the time, approximately 25 years ago.
39. A range of urban zonings surround Smales Farm which is zoned Business Park – refer **Figure 2** below. Westlake Girls High School and Northcote Normal Intermediate School are zoned Residential - Mixed Housing Urban and are also designated for school purposes. Other residential sites opposite on Northcote Road are also zoned Mixed Housing Urban. The zone provides generally for three-storey residential developments.



Figure 2: Auckland Unitary Plan zonings of Smales Farm locality

40. The Business – Mixed Use zone applies to sites along Taharoto Road and partway along Northcote Road. The zone also applies to the Poynton retirement village which is on the western corner of the large site that contains the North Shore Hospital which is zoned Special Purpose – Healthcare Facility and Hospital zone. Of note is the 'height variation control' that enables up to 75m over approximately four hectares of land centred on the main / central existing hospital building.
41. Two nearby petrol service stations are in the Mixed Use zone, opposite the eastern corner of Smales Farm on both corners of the Taharoto / Northcote intersection. The Mixed Use zone provides for both commercial and residential developments to medium intensities of development (18m high).
42. To the north along Taharoto Road the site of the Atlas concrete batching plant is zoned Light Industry and further north again past Westlake Girls High School is the Wairau Valley industrial area zoned Light Industry.

43. To the west across the motorway is the A F Thomas Park (and Takapuna public golf course) which is zoned Open Space – Sport and Active Recreation. To the south across the motorway interchange is Onewa Domain also zoned Open Space – Sport and Active Recreation and containing netball courts, sports fields and clubrooms. The adjoining Smiths Bush is zoned Open Space – Conservation.
44. Lake Pupuke is approximately 500 metres to the east of Smales Farm and Takapuna beach 1.7 kilometres (straight line). The Milford shopping centre is 1.5 km away by road and the Takapuna centre approximately 2 kms away.
45. The immediate locality is best described as a mixed use corridor, with a variety of non-residential uses nearby, including the North Shore Hospital, Westlake Girls High School and health-related businesses and services that benefit from proximity to the hospital.
46. The wider locality has shopping centres (Milford and Takapuna/Barrys Point Road), light industrial, employment and recreational areas and the social and physical infrastructure that would be needed to accommodate a greater intensity of both workers and residents at Smales Farm. The Taharoto Road and Shakespeare Road corridors have extensive areas zoned Business - Mixed Use and this zoning provides for a mix of commercial and residential uses, but to a lesser intensity than what is provided for in Takapuna and Milford or as proposed under the requested plan change.

EXISTING PLAN PROVISIONS (OPERATIVE)

47. The 'business park' site that is known as Smales Farm is zoned Business - Business Park and has overlying precinct provisions within the "Smales 1 Precinct".

48. The Business Park zone -

“enables moderate to intensive office activity and some ancillary services such as gymnasiums, child care and food and beverage outlets. These high amenity and comprehensively planned business areas are located adjacent to the rapid and frequent services network.

The zone is designed to recognise existing business parks. It has a limited future application, as the primary location for commercial activities is expected to be within the city centre, metropolitan centres and town centres in order to reinforce the roles of those centres. Where new business parks are proposed, limits are expected to be put in place on the amount of office that can establish within these parks.”

49. There are two main objectives for the Business Park zone relating to existing sites:

- (6) Existing business parks are efficiently and effectively developed.
- (8) Retail activities which support intensive employment activities are enabled.

50. Smales 1 precinct description states:

“The precinct permits a maximum gross floor area for activities, a maximum number of car parking spaces, and provides for some accessory activities to address demand from those employed on the site and visitors to the precinct.”

51. The single objective refers to 'ongoing development of Smales Farm as an employment node' while -

“managing significant adverse effects on the safe and efficient operation of the transport network, on the amenity of neighbouring zones, and on the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone”.

The intention is to put a total limit on floorspace, due to the Plan’s stated intention of focusing office developments and employment in centres, while also ensuring that traffic is managed (at this strategic transport location) and ancillary activities are kept in check, again for the sake of the wellbeing of centres.

52. The key methods by which the transport network and centres are safeguarded are:
- a. An overall floorspace (GFA) limit of 162,000 m² of business activity beyond which a discretionary assessment is required - policy 1 and associated rules;
 - b. A floorspace limit for particular ‘accessory activities’ (being retail, commercial services, community uses and service stations) which amounts to 5-7% of the total floor area at any point in time (by way of a formula where ‘accessory’ floor area increases at the rate of 500 m² per 10,000 m² of office GFA) – policy 2 and rules;
 - c. A trip generation assessment exemption for up to 105,000 GFA, beyond which a full transport/traffic assessment would be required – policy 3 and rule/standard I538.6.3;
 - d. A blanket or precinct-wide parking spaces allowance that reduces over time, in steps, with increasing floorspace (at 44,770 and 105,000 m²) – parking rule/standard I538.6.2;
 - e. A total maximum number of parking spaces across the precinct of 5094.
53. My understanding is that the parking rule acts as a proxy for the traffic/trips effects of all “development” at Smales Farm up to 105,000 m².
54. The building height maximum is specified as RL 48.5m (reduced level above mean sea level) and this enables approximately 25 metres of height, which is only a little more than the Business Park height of 20.5m (approximately one storey). The height to boundary standard is as per the zone (rule H15.6.2). ‘Yards’ and ‘landscaping’ are also as for the zone.
55. Smales Farm, the area the subject of PC 23, is not subject to the any overlays.
56. Smales Farm, the area the subject of PC 23, is subject to the following controls:
- Macroinvertebrate Community Index: Type Urban. Comment: This applies across all urban areas and has no particular relevance to evaluating the plan change.
 - Taharoto Road and Northcote Road are controlled as “Arterial Roads”. Comment: Access to ‘arterials’ is a restricted discretionary activity and policy (21) of Chapter E27 addresses this specifically. There are no proposals to add further vehicle entrances to Smales Farm from these roads.
 - Northcote Road: That portion of Northcote Road south of the signalised intersection is subject to a “Vehicle Access Restriction (Motorway Interchange) Control” (T141) with respect to the northern motorway. Comment: There is no proposal to seek to provide further access into Smales Farm at this frontage.
57. Smales Farm is flanked by the following land designations. These land areas all form part of the surrounding transport network of Smales Farm which is addressed in the applicant’s

transportation assessment (Stantec), in various submissions and particularly those by Auckland Transport (AT) and the New Zealand Transport Agency (NZTA) and also in the appended report by council's transport expert HG:

- Designation 1426, Shakespeare Road extension
- Designation 1429, intersection of Shakespeare and Taharoto Roads
- Designation 6757, Smales Farm bus station
- Designation 6750, Northern motorway.

Westlake Girls High School (WGHS) is designation 4558, Northcote Intermediate School is designation 4549 and North Shore Hospital is not designated but zoned Healthcare Facility and Hospital (Waitemata District Health Board – WDBH). Both WGHS and WDBH have lodged submissions on the plan change.

58. Lake Pupuke, to the north east of Smales Farm, is classified as an Outstanding Natural Feature, and this is addressed in Annexure 7 to the plan change application: Landscape and Visual Assessment (refer **Appendix 1**).

SMALES FARM AS AT OCTOBER 2018

59. The response to council's clause 23 request summarises the existing situation at Smales Farm as regards floor areas and other relevant numbers. They are listed here for reference purposes:

| | | | | | | | | | | | | | | | | | |
|---|---|--------------------|--------|---------------------|-----|-------------------|-------|--------------|-----|----------------------------|-----|--|-----|-----------------------|-----|---------|-----------------------------|
| <p><u>Floorspace:</u> The total floorspace area at Smales Farm at present is 58,000 m². How is this made up, and what are the various uses (businesses/tenancies and floor areas) that make up the 'ancillary' component of the 58,000m²?</p> | <table> <tr><td>Offices/ amenities</td><td>53,550</td></tr> <tr><td>Commercial services</td><td>500</td></tr> <tr><td>Food and beverage</td><td>1350</td></tr> <tr><td>Retail</td><td>400</td></tr> <tr><td>Childcare Centre</td><td>900</td></tr> <tr><td>Healthcare Centre</td><td>750</td></tr> <tr><td>Fitness Centre</td><td>550</td></tr> <tr><td></td><td>58,000 m²</td></tr> </table> | Offices/ amenities | 53,550 | Commercial services | 500 | Food and beverage | 1350 | Retail | 400 | Childcare Centre | 900 | Healthcare Centre | 750 | Fitness Centre | 550 | | 58,000 m² |
| Offices/ amenities | 53,550 | | | | | | | | | | | | | | | | |
| Commercial services | 500 | | | | | | | | | | | | | | | | |
| Food and beverage | 1350 | | | | | | | | | | | | | | | | |
| Retail | 400 | | | | | | | | | | | | | | | | |
| Childcare Centre | 900 | | | | | | | | | | | | | | | | |
| Healthcare Centre | 750 | | | | | | | | | | | | | | | | |
| Fitness Centre | 550 | | | | | | | | | | | | | | | | |
| | 58,000 m² | | | | | | | | | | | | | | | | |
| <p><u>Parking:</u> What is the current total of carparking spaces at Smales Farm, and how is this allocated? (offices, 'ancillary' uses, visitor and short term parking).</p> | <p>Parking supply 2,044 spaces, made up as follows:</p> <table> <tr><td>Basement/Allocated</td><td>590</td></tr> <tr><td>On Grade:</td><td></td></tr> <tr><td>Unallocated</td><td>1,026</td></tr> <tr><td>Time Limited</td><td>225</td></tr> <tr><td>Time Limited Pay & Display</td><td>58</td></tr> <tr><td colspan="2">(of these 10 are motorbike parks and 9 are Mobility parks)</td></tr> <tr><td>All Day Pay & Display</td><td>145</td></tr> </table> | Basement/Allocated | 590 | On Grade: | | Unallocated | 1,026 | Time Limited | 225 | Time Limited Pay & Display | 58 | (of these 10 are motorbike parks and 9 are Mobility parks) | | All Day Pay & Display | 145 | | |
| Basement/Allocated | 590 | | | | | | | | | | | | | | | | |
| On Grade: | | | | | | | | | | | | | | | | | |
| Unallocated | 1,026 | | | | | | | | | | | | | | | | |
| Time Limited | 225 | | | | | | | | | | | | | | | | |
| Time Limited Pay & Display | 58 | | | | | | | | | | | | | | | | |
| (of these 10 are motorbike parks and 9 are Mobility parks) | | | | | | | | | | | | | | | | | |
| All Day Pay & Display | 145 | | | | | | | | | | | | | | | | |
| <p>Bicycle parking and 'end of trip facilities': What provision exists and what are the details (number of 'parking' spaces; nature of 'end of trip facilities')?</p> | <table> <tr><td>Vodafone</td><td></td></tr> <tr><td>Showers</td><td>10</td></tr> <tr><td>Bike Parks</td><td>46</td></tr> <tr><td>Lockers</td><td>68</td></tr> <tr><td>Air NZ</td><td></td></tr> <tr><td>Showers</td><td>7</td></tr> <tr><td>Bike Parks</td><td>20</td></tr> <tr><td>Lockers</td><td>10</td></tr> </table> | Vodafone | | Showers | 10 | Bike Parks | 46 | Lockers | 68 | Air NZ | | Showers | 7 | Bike Parks | 20 | Lockers | 10 |
| Vodafone | | | | | | | | | | | | | | | | | |
| Showers | 10 | | | | | | | | | | | | | | | | |
| Bike Parks | 46 | | | | | | | | | | | | | | | | |
| Lockers | 68 | | | | | | | | | | | | | | | | |
| Air NZ | | | | | | | | | | | | | | | | | |
| Showers | 7 | | | | | | | | | | | | | | | | |
| Bike Parks | 20 | | | | | | | | | | | | | | | | |
| Lockers | 10 | | | | | | | | | | | | | | | | |

| | |
|--|---|
| | Sovereign Showers 6 Bike Parks 16 Lockers 24 Q4 Showers 3 Bike Parks 12 Lockers 6 B:HIVE Showers 11 Bike Parks 66 Lockers 70 Visitor cycle parking 13 |
|--|---|

THE PLAN CHANGE REQUEST AND ITS PROPOSALS

60. PC 23 as notified consists of:

- (1) Changes to the operative Business Park zone policy 18 pertaining to residential and retailing activities;
- (2) Changes to the operative Smales 1 Precinct to give rise to the development of a mixed use 'transit oriented development' (TOD).

There is no proposal to change the zoning of Smales Farm from Business – Business Park.

61. The overall objective is to enable the current Smales Farm business park site to develop over time (20-30 years) into an intensive mixed use precinct taking advantage of the significant locational attributes near major transport infrastructure, the further development potential of the site, and its relative isolation from sensitive land uses. Overall the development concept is a 'transit oriented development' (TOD):

“The purpose of the plan change application is to facilitate the development of a Transit Oriented Development (“TOD”) on the Site to take advantage of the exceptional transportation links available and the relative lack of sensitive neighbouring activities around the boundaries of the Site. To enable this form of development it is proposed to maintain the amount of office activity currently anticipated, while providing for dwellings (most likely apartments) to be established at Smales Farm as a permitted activity. To make the most efficient use of the land, it is also proposed to significantly increase the height limit over much of the Site.” (AEE para 1.4)



62. The application contains a 'concept masterplan' which is indicative only of how the development might unfold over a 20 to 30-year period under the modified Smales 1 Precinct (refer to the Boffa Miskell graphics on this page and the next). The masterplan does not form part of the revised precinct provisions that would go into the AUP. The building numbers (eg B10) have no particular significance in terms of the proposed plan change provisions:



63. The masterplan indicates various tall residential and non-residential buildings, with heights akin to a metropolitan zone context, located amongst landscaped grounds. The tallest buildings appear well away from the road frontages and towards the motorway (western side). It appears that some of the new buildings are office/commercial only and some have office/commercial for the first six to seven storeys with residential floors above.
64. The main features of the proposed precinct provisions are:
- Extensive* residential development, of all types/uses, as 'permitted', in structures up to 100m in height with no parking requirements (*floor area that would enable in the order of 1350 units);
 - Up to 162,000 square metres of commercial and other non-residential uses; beyond 162,000 discretionary consent is required in order to assess the effects on 'centres' and the transport network;
 - A wide range of 'accessory' commercial (retail, entertainment, service), education and community uses are enabled, many as permitted and some requiring consent; these are subject to a pro-rata floorspace formula to ensure any effects on 'centres' are avoided or minimised (the formula limits the 'accessory' floor area to approximately 7% of the non-residential GFA of the site);
 - Building developments are restricted discretionary activities (by virtue of the Business Park zoning) to be assessed against a range of factors;
 - Parking for non-residential uses is addressed on a pool or site-wide basis, rather than use by use, and reduces over time by way of stepped increases in floor area required per space (no changes are proposed to the operative rule);
 - A 'structuring elements' plan with 'key/primary pedestrian axes' and a 'pedestrian plaza' requirement; Precinct Plan 2 depicts these elements;
 - Standards and assessment criteria governing the location and height, dimensions and design of buildings and their surrounds in broad terms; Precinct Plan 1 determines the respective 'height' areas.



65. There are three primary means by which a 'vibrant, attractive' mixed use TOD would emerge, and a quality living environment conducive to active modes of movement:

- (i) A 'structuring elements' plan which:
 - i. Shows two main "structuring axes / key pedestrian linkages" (three of the four legs of the axes are existing private roads)
 - ii. main vehicular ingress/egress points, and
 - iii. a 'pedestrian plaza' central to the whole precinct, intersected by the 'key linkages' (at the location of the existing roundabout);
- (ii) Standards and assessment criteria governing the timing, size, positioning and nature of the plaza;
- (iii) Assessment criteria governing the design and location of all new buildings with reference to the 'structuring elements' and a number of qualitative criteria including landscaping around buildings and contribution to pedestrian vitality, interest and safety.

66. 'Height' limits within the precinct are to enable tall buildings and an intensity of development that makes efficient use of the land resource. Precinct Plan 1 shows two 'maximum height areas'. Height Area 1 provides for a band of development up to 27m around the main road frontages but stopping at the Northcote and Shakespeare intersections. Height Area 2 is a larger area inside Area 1 which provides for up to 75m high structures, which can rise to 100m provided a building mass standard is satisfied. This standard has the effect of slimming the top 25 metres of the structure.

67. It is to be noted also that the 'height in relation to boundary' standard of the Business Park zone applies (H15.6.2). It provides a control line with respect to Residential – Mixed Housing Urban zones starting at 3m high at the zone boundary with a recession plan of 45 degrees sloping into the site. This is pertinent to the Westlake Girls High School site on Shakespeare Extension and to Northcote Intermediate School and nearby residential sites opposite Smales Farm on Northcote Road.

THE SUPPORTING DOCUMENTATION OF PC 23

68. The following documents were lodged in support of the plan change. These are appended at **Appendix 1**.

- Explanation, Assessment of Environmental Effects and Section 32 Analysis - prepared by Vaughan Smith Planning Limited
- Geotechnical Assessment - prepared by Tonkin & Taylor Limited
- Civil Engineering Assessment - prepared by Riley Consultants Limited
- Integrated Transportation Assessment - prepared by Stantec
- Urban Design Assessment - prepared by Boffa Miskell Limited
- Drawing Package for Urban Design and Landscape/ Visual Assessment - prepared by Boffa Miskell Limited
- Landscape and Visual Assessment - prepared by Boffa Miskell Limited
- Assessment of Economic Effects - prepared by Insight Economics

69. At the council's request some minor modifications were made to the plans and to the documentation, prior to notification. These changes are not material to a consideration of the plan change provisions.

70. The key messages and findings of the experts reporting in support of the plan change and its likely effects on the environment are set out in the AEE, and my overall summation of these and of the plan change application is as follows:

- a. The site is well suited to a mixed use, transit-oriented development or precinct (neighbourhood), due to its size, development potential, strategic location and relative isolation from sensitive activities.
- b. The TOD proposal is not inconsistent with or would actively promote the attainment of all the high level planning directions that are relevant, from both statutory and non-statutory documents.
- c. With respect to universally accepted principles and urban design considerations pertinent to the development of a TOD, the proposed precinct provisions would give rise to a wide range of benefits including compact residential and office development within easy walking distance of high capacity public transport, a variety of forms of development and uses that create vitality and interest for residents, workers and visitors, and the facilitation of mode shift and reduced reliance on car-based trips over time.
- d. The site in its context can internalise many of the effects that are generated by the level of intensity and nature of land uses to be enabled: visual, economic and amenity impacts, and to a large extent traffic impacts (through mode shifts). In particular a quantum of 'accessory activity' floor area in the order of 16,000 square metres (retail and 'commercial services') can be developed without adverse effects for other centres.
- e. There are no geotechnical or utilities infrastructure issues, including stormwater management, that cannot be addressed satisfactorily through normal consenting processes.
- f. The plan provisions will give rise to an interesting and high quality living and working environment that is well served by rapid public transport and which facilitate transport mode shift, reductions in car-based trips over time and good standards of pedestrian and residential amenity at ground level in particular.
- g. There is to be a 25% reduction in turning traffic into Northcote Road from Taharoto Road over the duration of the main stages of development of the TOD due to a range of factors, such as congestion, behaviour change and mode shift, and therefore:
 - The threshold of development beyond which an ITA would be required can be lifted from 105,000 square metres of business development to 162,000 with residential trip generation not needing to be accounted for; and
 - There is no need to alter the operative Smales 1 Precinct parking standards or impose parking standards for the new residential uses.

71. The site is considered to be well located as regards the physical and social infrastructure necessary to support a mixed use transit-oriented precinct and at full development, after 25 to 30 years, could accommodate in the order of 1,350 residential units and office and other commercial floorspace of at least 160,000 square metres supporting approximately 10,000 workers.

72. More detailed considerations of the application's expert reports are addressed in the analysis of submissions where the opinions of council's experts are reported.

3. STATUTORY PROCESS FRAMEWORK

73. Private plan change requests can be made to the Council under Clause 21 of Schedule 1 of the RMA. The provisions of a private plan change request must comply with the same requirements as Council-initiated plan changes, and the private plan change request must contain an evaluation report in accordance with section 32 of the RMA (clause 22(1), Part 2, Schedule 1, RMA). Clause 29(1) of Schedule 1 provides “except as provided in subclauses (1A) to (9), Part 1 (of Schedule 1), with all necessary modifications, shall apply to any plan or change requested under this Part and accepted under clause 25(2)(b)”.
74. PC 23 was a private plan change request made to the Council by Northcote Holdings RD1 Ltd in accordance with Clause 21 of Schedule 1 RMA.
75. Further information was sought in accordance with Clause 23 to Part B Schedule 1 RMA, and the applicant’s response is at **Appendix 3**. A number of council’s questions were deemed to relate to the merits of the plan change and were not answered, to be addressed at the hearing as required.
76. PC 23 was subsequently accepted by the Council under clause 25(2)(b) of Schedule 1 of the RMA by Council’s Planning Committee, on 8 March 2019.
77. PC 23 was publicly notified on 12 April 2019, with 18 submissions received by the Council (including one from AC). The summary of submissions was publicly notified by the Council on 14 June 2019 and six further submissions were received.

4. STATUTORY AND POLICY FRAMEWORK

Resource Management Act 1991

78. The RMA requires that councils (and unitary authorities) consider a number of statutory and policy matters when developing or considering proposed plan changes. PC 23 was developed under the relevant statutory and policy matters. The submissions have also been considered under the relevant statutory and policy matters. The following summarises this statutory and policy framework.
79. Part 2 of the RMA sets out the overarching purpose of the RMA. Achieving the purpose of the RMA as stated in Part 2 is discussed in the applicant’s AEE/section 32 report attached at **Appendix 1**. I generally concur with the analysis contained in the section 32 report for PC 23. Section 32AA of the RMA requires a further evaluation for any changes that are proposed to the notified PC23 since the change was notified. All amendments to the notified plan change recommended in this report have been assessed in accordance with section 32AA. The primary consideration is their appropriateness for achieving the overall objective of the plan change in an effective and efficient manner.
80. PC23 is a plan change to district plan provisions within the AUP (OP). As such, sections 31, 32, 72, 73, 74, 75 and 76 of the RMA set out specific provisions that must be considered in the preparation of plan changes. These are summarised in Table 1 below.

Table 1: Relevant sections of the RMA

| Section | Matters |
|------------|---|
| Section 5 | Purpose of the RMA |
| Section 6 | Matters of national importance that are required to be recognised and provided for, in particular: (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development; (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers; (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga; (f) the protection of historic heritage from inappropriate subdivision, use, and development; and (h) the management of significant risks from natural hazards. |
| Section 7 | Other matters which shall be given particular regard to, in particular: (a) kaitiakitanga; (b) the efficient use and development of natural and physical resources; (c) the maintenance and enhancement of amenity values; (d) intrinsic values of ecosystems; (f) maintenance and enhancement of the quality of the environment; and (i) the effects of climate change. |
| Section 8 | The principles of the Treaty of Waitangi must be taken into account. |
| Section 31 | Functions of territorial authorities in giving effect to the RMA |
| Section 32 | Requirements for preparing and publishing evaluation reports. This section requires councils to consider the alternatives, costs and benefits of the proposal (plan change) |
| Section 72 | Purpose and change of district plans |
| Section 73 | Sets out Schedule 1 of the RMA as the process to prepare or change a district plan |
| Section 74 | Matters to be considered by a territorial authority when preparing a change to its district plan. This includes its functions under section 31, Part 2 of the RMA, national policy statements, regional policy statement provisions, other regulations and other matters. |
| Section 75 | Outlines the requirements for the contents of a district plan. |
| Section 76 | Outlines the purpose of district rules, which is to carry out the functions of the RMA and achieve the objective and policies set out in the district plan. A district rule also requires the territorial authority to have regard to the actual or potential effects (including adverse effects), of activities in the proposal, on the environment |
| Schedule 1 | Sets out the process for preparation and change of policy statements and plans by local authorities (Part 1 and Part 2) |

The mandatory requirements for plan preparation are comprehensively summarised by the Environment Court in *Long Bay-Okura Great Park Society Incorporated and Others v North Shore City Council* (Decision A078/2008)¹, where the Court set out the following measures for evaluating objectives, policies, rules and other methods. This is outlined below:

| A. General requirements |
|--|
| 1. A district plan (change) should be designed to accord with, and, assist the territorial authority to carry out its functions so as to achieve the purpose of the Act. |
| 2. When preparing its district plan (or change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement. |

¹ Subsequent cases have updated the Long Bay summary, including *Colonial Vineyard v Marlborough District Council* [2014] NZEnvC 55.

| |
|---|
| 3. When preparing its district plan (change) the territorial authority shall: |
| (a) have regard to any proposed regional policy statement; |
| (b) not be inconsistent with any operative regional policy statement. |
| 4. In relation to regional plans: |
| (a) the district plan (change) must not be inconsistent with an operative regional plan for any matter specified in section 30(1) [or a water conservation order]; and |
| (b) must have regard to any proposed regional plan on any matter of regional significance etc. |
| 5. When preparing its district plan (change) the territorial authority must also: |
| • have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations; and to consistency with plans and proposed plans of adjacent territorial authorities; |
| • take into account any relevant planning document recognised by an iwi authority; and |
| • not have regard to trade competition; |
| 6. The district plan (change) must be prepared in accordance with any regulation (there are none at present); |
| 7. The formal requirement that a district plan (change) must also state its objectives, policies and the rules (if any) and may state other matters. |
| B. Objectives [the section 32 test for objectives] |
| 8. Each proposed objective in a district plan (change) is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act. |
| C. Policies and methods (including rules) [the section 32 test for policies and rules] |
| 9. The policies are to implement the objectives, and the rules (if any) are to implement the policies; |
| 10. Each proposed policy or method (including each rule) is to be examined, having regard to its efficiency and effectiveness, as to whether it is the most appropriate method for achieving the objectives of the district plan taking into account: |
| • the benefits and costs of the proposed policies and methods (including rules); and |
| • the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods. |
| D. Rules |
| 11. In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment. |
| E. Other statutes: |
| 12. Finally territorial authorities may be required to comply with other statutes. Within the Auckland Region they are subject to: |
| • the Hauraki Gulf Maritime Park Act 2000; |
| • the Local Government (Auckland) Amendment Act 2004. |

National policy statements

81. The relevant NPS is the National Policy Statement: Urban Development Capacity 2016. The AEE addresses this document at section 8.3. The NPS requires councils to ensure that there is sufficient development capacity and a 'development strategy' to achieve the integration and coordination of land use and infrastructure planning (refer to Auckland Plan 2050 below). The primary focus is on housing. The application comments in conclusion as follows, and I agree that the plan change would be consistent with the objectives of the NPS (which are set out in section 6.1.16 of the AEE):

"The Proposed Plan Change will enable the development of a significant number of dwellings (apartments) at Smales Farm and in that way contribute to the supply of housing to meet the demand from a growing population in the medium to longer term.

The ongoing role of Smales Farm as a focus for employment opportunities will be unaffected by the proposed amendments to the provisions of the Smales 1 Precinct.”

National environmental standards or regulations

82. There are no relevant national environmental standards or regulations relevant to this plan change.

Auckland Unitary Plan (operative in part) – Regional Policy Statement

83. Section 74 RMA requires that the council ‘have regard to’ the relevant regional policy statement in the preparation and consideration of plan changes and in the consideration of submissions.
84. The relevant provisions of the RPS are fully addressed in the plan change AEE at section 8.4 and are further addressed in the consideration of submissions in section 10 of this report.
85. In summary, proposed PC 23, as recommended to be modified, will in my opinion be entirely consistent (and not inconsistent) with the objectives and policies of the RPS (AUP, operative in part).

Auckland Unitary Plan (operative in part) – Regional Plan

86. There are no regional plan provisions that are pertinent to a consideration of this plan change.

Other relevant legislation

87. There is no other legislation (eg the Reserves Act) that is pertinent to a consideration of this plan change.

The Auckland Plan 2050 (June 2018)

88. The Auckland Plan, prepared under section 79 of the Local Government (Auckland Council) Act 2009, is a relevant strategy document that council should have regard to in the preparation and consideration of plan changes.
89. The PC 23 application was prepared with consideration for both the 2012 Auckland Plan and the June 2018 refresh, 2050 Plan. However, the 2018 refresh plan was not available in its final form, but in the committee report (agenda) form. These considerations are set out in section 8 - Strategic Framework - of the AEE (**Appendix 1**). The application summarises the considerations as follows, and I concur with these comments:

“The Proposed Plan Change is consistent with the Auckland Plan 2050 because it enables development within the Takapuna Development Area on a Site with substantial capacity for both residential and business development, and with the backbone of the North Shore strategic public transport network on its doorstep. Furthermore, it provides for both employment opportunities and housing on the one site, the Site is served by sufficient existing or planned infrastructure to meet demand, and Smales Farm has an established track record of feasible development.”

And:

“The Proposed Plan Change is consistent with the Auckland Plan 2050 which puts a strong emphasis on housing and the integration of land use and transport infrastructure.”

90. The Auckland Plan 2050 has a ‘development strategy’ that is very similar to the 2012 version. It promotes a compact approach to urban growth and development, focused on main centres, specified nodes, identified development areas and ‘future urban areas’. Greater Takapuna is a ‘development area’ to the west of the Takapuna metropolitan centre and includes Smales Farm. The following graphic Figure 3 is from Map 15 at page 211 of the 2050 Plan:

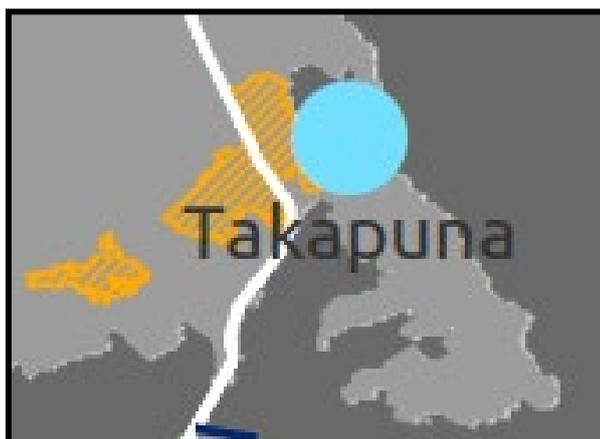


Figure 3: Takapuna strategic development area'

91. The Smales Farm site is considered to be well located as regards the physical and social infrastructure necessary to support a mixed use precinct that might at full development accommodate in the order of 1,350 residential units along with office and other commercial floorspace of 160,000 square metres supporting up to 10,000 workers. Smales Farm could become over a longer time frame a more vibrant and prosperous working environment and also a modern, urban neighbourhood with good facilities, living amenity and even greater accessibility.

Other relevant planning documents

92. The Devonport-Takapuna Area Plan (December 2014) defines a ‘Greater Takapuna strategic growth and development opportunity area’, as depicted in **Figure 4** below. Smales Farm and the Northern Express (Smales Farm) bus station form the western ‘bookends’ of this area. This is in respect of two significant corridors: the Taharoto/Anzac Street (Takapuna) corridor and the Shakespeare Road (Milford) corridor. The Area Plan does not provide specific criteria by which the plan change might be evaluated, but it can be seen that the purpose of the plan change is entirely consistent with the Plan broadly in terms of how it envisages urban growth and change over time. The Auckland Plan 2050 in turn reflects the directions of the Area Plan.



Figure 4: 'Greater Takapuna strategic growth and development opportunity area' (*diagonal red lines*).

93. The application’s AEE reports that transport-related policy of relevance to the plan change is addressed in Part 9 of the Integrated Transportation Assessment. The documents reviewed by Stantec include:

- Government Policy Statement on Land Transport
- Auckland Transport Alignment Project 2017
- Regional Land Transport Plan 29018-2028
- Regional Public Transportation Plan 2015; and
- Integrated Transport Programme.

Stantec concludes that the transit oriented development enabled by the plan change will align very well with these transport-related policy documents.

94. These documents have also been reviewed by council’s transportation expert, HG at section 6.5 Transport policy of the report (refer **Appendix 4**). The conclusions are much the same, that the plan change either aligns well or is not inconsistent with the respective provisions.

5. NOTIFICATION AND SUBMISSIONS

95. Details of notification and number of submissions received below:

| | |
|---|---------------|
| Date of public notification for submissions | 12 April 2019 |
| Closing date for submissions | 15 May 2019 |
| Number of submissions received | 18 |
| Date of public notification for further submissions | 14 June 2019 |
| Closing date for further submissions | 28 June 2019 |
| Number of further submissions received | 6 |
| Late submissions | 0 |

Copies of the summary of original submissions and of all submissions received are attached as **Appendix 2** to this report.

6. ANALYSIS OF SUBMISSIONS AND FURTHER SUBMISSIONS

96. This section addresses the submissions received on PC23. It discusses the relief sought in the submissions and makes recommendations to the hearing commissioners.
97. The evaluation of submissions is structured more or less in the order of the proposed plan change provisions but starting first with those generally in support and those opposed to the plan change and with 'transport, traffic and parking' addressed last.

6.1 Submissions supporting PC23 wholly or conditionally

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|-------------|--|--|---------------------|-------------------------|
| 1.1/1.2 | S Quinn (Shorecare Medical Services Ltd) | Accept PC 23 with amendments; ensure sufficient carparking for staff and patients of an Urgent Care Clinic | | Accept in part |
| 3.1 | Les Probert | Accept plan change | | Accept in part |
| 6.1 | Simon O'Connor (Sentinel Planning Ltd) | Accept plan change with modifications (TOD centre supported) | | Accept in part |
| 10 (page 2) | NZTA | The Transport Agency generally supports the proposal on the basis that the amendments set out in its submission are adopted. | | Accept in part |
| 11.1 | AT | Approve plan change subject to resolving ATs various requirements and concerns (or the plan change should be declined) | | Accept in part |
| 13.1 | AC | Plan change is supported in part, subject to amendments | | Accept in part |
| 15.1 | HNZ | We generally support the identified purpose of PC23 to 'facilitate a TOD' on the subject site, but consider amendments are required and the change is otherwise opposed. | FS02 | Accept in part |
| 16.1 | Watercare | Accept the plan modification | | Accept in part |

Discussion

98. The general level of support, and qualified support, for PC23 is acknowledged and supported. It is considered that, subject to the evidence presented at the hearing, the modifications recommended for PC23, arising from the various more specific submissions of these and other submitters addressed elsewhere in this report, will satisfactorily and appropriately address most of the concerns identified by the above submitters.

Recommendation on submissions

99. That the above submissions be **accepted in part** for the following reasons:
- The TOD development concept is supported for the Smales Farm business park due to its strategic location, relative isolation from sensitive land uses, large site size in single ownership, and further development potential.
 - A TOD at this site would be consistent with the RPS and therefore promote the purpose of the RMA, provided various recommended changes are made which in turn would either satisfy or partially satisfy these submissions.
100. There are no amendments directly associated with this recommendation. **Appendix 6** is a revised version of the plan change that contains all recommended changes.

6.2 Submissions opposing PC23 Smales Farm

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|--|---------------------|-------------------------|
| 2.1 | Anthony Kang | Decline plan change (due to traffic & safety concerns for pedestrians; overcrowding at bus station; high buildings out of character for NZ; privacy/overlooking concerns; history of non-complying noise events at Smales Farm) | FS02 | Reject |
| 4.1 | Jungho Hong | Decline plan change (due to concerns regarding traffic; parking; personal privacy; shading; impacts on bus station and schools; construction effects; high rise 'eyesores') | | Reject |
| 8.1 | Soon bok Ko | Decline plan change (due to traffic and parking effects; the ITA is weak; 25% reduction in background traffic is very questionable; lack of alternative transport options c.f central city; local streets already under parking pressure from employees at Smales Farm; excessive noise and vibration effects from ad hoc events – 'noise events' should not be 'permitted' activities). | | Reject |
| 9.1 | Charles Crisp | Decline plan change (due to traffic effects and the inability of the existing road network and public transport options to cope with any further high density residential or commercial activity on the Smales Farm site). | | Reject |
| 17.1 | Svetla Grigorova | Decline plan change (due to proposed zoning breach; traffic impacts – roads not equipped to support the changes; noise impacts on local area; health impacts - population growth and effects on North Shore Hospital services) | FS06 | Reject |
| 18.1 | Atanas Gornakov | Decline plan change (due to proposed zoning breach; traffic impacts – roads not equipped to support the changes; noise impacts on local area; health impacts - population growth and effects on North Shore Hospital services). | | Reject |

Discussion

101. The above submitters (none of whom indicated a wish to be heard) have expressed a wide range of concerns, as summarised above and detailed in the submissions.
102. Most of the concerns are also addressed in other submissions that also seek specific amendments to try to achieve an appropriate plan change, particularly in respect of trip generation effects, potential impacts on North Shore Hospital and visual and other impacts arising from tall buildings.
103. It is clear that the plan change may give rise to a number of potentially adverse effects, but I am of the view that:
1. Many of the concerns arise inevitably from a rapidly growing city that is destined to develop 'upwards'; and which
 2. Is destined to experience ongoing pressure on its major infrastructures, especially at its major transport nodes; and that

3. Smales Farm is generally a very suitable site for compact, quality intensification incorporating a mix of residential and non-residential activities that support a diverse working and residential community with significant but acceptable effects on the neighbourhood, on the transport networks and on the wider locality.

Recommendations on submissions

104. That the above submissions be **rejected** for the following reasons:

- It is considered that with modifications recommended to PC 23 the issues of concern will be appropriately and satisfactorily addressed such that any adverse effects will be avoided, remedied or mitigated and the purpose of the RMA will have been promoted.

105. There are no amendments associated directly with the recommendations in respect of these submissions.

6.3 Submission in respect of infrastructure (Watercare)

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|---|---------------------|-------------------------|
| 16.2 | Watercare | 16.2 Watercare seeks further information: (a) comprehensive development assumptions and staging; (b) assessment of upgrades that may be required; (c) confirmation that the upgrades will be funded by the developer (applicant). | | Accept in part |

Discussion

106. Watercare’s submission above followed the earlier expression of various concerns at the time of Council’s request for further information, and the applicant responded, as set out below. It would appear to me that the concerns of Watercare have either been addressed or will be at the time of resource consent. However, the submission indicates that Watercare still has particular concerns and it is appropriate that they are addressed. There may be a need for ‘special information requirements’ at I538.9 of the proposed precinct.

| Clause 23 request | Response from applicant |
|--|---|
| <u>General</u> I would expect to see a staging plan that shows demand on the network by stage and approximate timing. | Services infrastructure demand will be addressed with resource consent applications for individual buildings. It is noted that no such analysis was required or provided in relation to the extensive intensification proposed by Council through the Unitary Plan process. |
| <u>Wastewater</u> They need to use Watercare's Code of Practice to develop design flows. While overseas information may be a useful comparator, we wouldn't accept using those numbers for their calculation. | Noted. The WSL CoP flows are addressed in Section 3.3 of the Civil Engineering Assessment. |
| The applicant may benefit from using Watercare's new Code of Practice as that provides more options for multi-story buildings. | Noted. Detailed calculations of estimated flows will be provided with each resource consent application for the staged development. |
| The applicant makes the comment that " <i>Based on the size of the development and existing and planned public water and wastewater infrastructure surrounding the site, this detailed modelling would need to be undertaken</i> | Riley Consultants has undertaken additional calculations of the capacity of the 300 dia public wastewater line that services the site. Based on GIS information, the capacity of the public line is |

| | |
|---|---|
| <i>internally by WSL.</i> " That is incorrect and the consultant was advised of this prior to the report. | estimated to be 100l/sec. As the peak flows of the proposed development are estimated to be 63l/sec, the public line has capacity to convey the proposed development flows. |
| Our expectation is that at a minimum, the applicant needs to do a static assessment of the capacity constraints in the network. This is not provided. If modelling work is required (and it would be useful in the case), the applicant can engage one of Watercare's design consultants to undertake the modelling. (Note, that we can organise this for, but this work will be at their cost.). They will need to show where there are capacity constraints, what infrastructure would trigger upgrades, and indicate when (based on the staging plan), and who will fund these upgrades. | As immediately above. |
| <u>Water supply</u> Same comments as wastewater. | A detailed assessment will be carried out with each resource consent application for a development stage. |

Recommendations on submission

107. That the above submission be **accepted in part** and that Watercare's concerns be addressed to its satisfaction, for the following reasons:

- It is appropriate that the concerns of Watercare are appropriately addressed to ensure that:
 - The right services will be in place at the right time; and
 - The costs thereof are appropriately apportioned.

108. There are no recommended modifications arising from this recommendation but a suggestion that 'special information requirements' may be appropriate.

6.4 Submissions in respect of the underlying zoning of Business – Business Park

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|---------------|--------------------------|---|----------------------------|--------------------------------|
| 15.2, 15.7 | HNZ | The underlying zoning should be Business Mixed Use | FS02 | Accept in part |
| 13.5 | AC | Amend PPC23 to remove the tension between the underlying zoning of Business Park and the precinct's provisions, through changes which avoid the creation of a new 'centre' such as via activity status and scale/height of buildings (which is akin to a Metropolitan centre zone). | FS02 FS04 FS05 | Accept in part |

Discussion

109. HNZ considers that the Mixed Use (or Metropolitan) zoning better aligns with the concept of a TOD and provides for the mix of uses PC 23 proposes. The submission notes that the Mixed Use zone provides:

“an appropriate assessment framework to manage the potential adverse effects associated with comprehensive mixed use developments, in particular high density residential development proposals”.

110. AC considers that the range of non-office and residential activities proposed is akin to the provision for a potentially significant ‘centre’, along with the intended ‘height’ enabled.
111. The Mixed Use zone provides for a ‘height’ of 18m, with specific variations allowing greater height in some parts of Auckland. Clearly a precinct with ‘height’ up to 75m and potentially 100m is not aligned with the purpose of the zone, which is typically applied to small individually owned lots adjoining centres and along major transport corridors. The mix of uses of the zone is generally suitable, but the office provision in the Mixed Use zone is inadequate for Smales Farm, with offices over 500m² being a discretionary activity. Many of the standards are very similar to those in centres zones and the Business Park zone.
112. The AC submission I believe overlooks the intention that ‘accessory activities’ be specifically curtailed by way of a special floor area rule that is designed to ensure that at no point in time will off-site effects be of any economic significance for other ‘centres’. It also overlooks the need for a suitable mix of activities to be provided for in order that the precinct has sufficient interest and vitality to make it an attractive place within which to live and work while also providing active-mode commuters sufficient incentive to make repeated journeys through the site.
113. In my view the ‘business park’ concept inherent in this zoning underscores the stated intention of the applicant/developer to maintain a thriving business/employment node at Smales Farm while it transitions in the longer term away from ‘business park’ (as envisaged in the AUP) to a TOD. The applicant has summarised the situation:

“The Mixed Use Zone doesn’t anticipate a major office component (which will remain the primary focus of Smales Farm) and retail activity (which is to be limited at Smales Farm) is anticipated to be a strong focus of both the Metropolitan Centre Zone and Town Centre Zone.” (AEE, para 6.2).
114. I concur with the applicant’s section 32 analysis of the zoning options (Appendix D to the AEE, **Appendix 1**)
115. However, there is the matter of the noise environment generally within an intensively developed mixed use Smales Farm, and Styles Group (SG) has, with reference to the above submissions from AC and HNZ, reported on the following matters:
 - The potential conflict between noise-generating activities and noise-sensitive activities proposed within the Site;
 - The potential inter-tenancy noise effects arising from the activities permitted under PC23 and facilitated through the underlying Business Park Zone (BPZ) controls;
 - Traffic noise exposure (including SH1 and arterial roads);
 - The appropriate noise-related rules (and supporting policy) that should be incorporated into PC23.
116. SG identifies that:
 - The proximity of the Site to major transport corridors has a significant influence on the noise environment within the Site

- The Business Park zone provides for a relatively 'high noise environment' as residential uses other than visitor accommodation (as RDA) are not provided for in the zone
- The plan change provides for various activities that are 'sensitive to noise'
- Smales Farm proposes 'noise events' as permitted and in contradiction to the AEE there will in fact be "sensitive uses in the immediate vicinity"
- The plan change will enable commercial and light industrial activities that will not be subject to the controls that accompany the co-location of these activities in other Business zones
- The noise management framework of Chapter E25 does not prescribe specific criteria to require noise sensitive activities within the Business Park zone to adopt the performance standards that otherwise apply within the Business Zones; and accordingly
- There are no controls to require noise sensitive activities within the Site to be acoustically insulated from the noise levels affecting or provided for within the Site.

117. With reference to the objectives and policies of chapter E25, SG concludes and recommends as follows:

"In our view, PC23 seeks to authorise a mixed use environment but without any acoustic controls. We consider it necessary to apply the appropriate controls to ensure:

- That the noise levels on the occupants of the Precinct (including residential/ accommodation/ educational) are no greater than reasonable;
- That the potential reverse sensitivity effects are avoided;
- That the mix of land uses can be managed to be compatible.

"We note that the Site is currently held in two Certificates of Title, and therefore the inclusion of appropriate controls to achieve internal noise levels between tenancies (potentially containing incompatible activities) is fundamentally important."

"We recommend that PC23 is amended to incorporate the acoustic controls for Activities Sensitive to Noise as set out under E25.6.9 and E25.6.10. This would treat the mixed use environment in the same way as any other Business Zone under the AUP where a similar mix of activities is provided for."

"If PC23 is confirmed subject to the recommend amendments, all other consequential amendments should be made to ensure the Smales 1 Precinct Controls incorporate relevant acoustic objectives, policies, matters of discretion and assessment criteria as they relate to the construction and operation of Activities Sensitive to Noise within mixed use environments.

"If the assessment criteria under E25.8 are incorporated within the Smales 1 Precinct Controls, necessary amendments would be required to ensure the criteria are applicable to the Smales 1 Precinct. This could be achieved through careful cross referencing, noting the Smales 1 Precinct/ BPZ is not one of the zones listed under E25.8(2) and (4) Assessment- restricted discretionary activities, and these criteria would be relevant to activities within the Site."

118. I concur with the findings and recommendations of SG and these have been conveyed verbally to the applicant's planning consultant who accepts the need for changes to be made. The details proposed are set out in **Appendix 6**.

Recommendations on submissions

119. That the above submissions be **accepted in part** for the following reasons:

- There is a need to resolve the ‘underlying tension’ and provide a better assessment framework than the BPZ and plan change offers, by way of changes to the precinct provisions that account for ‘noise sensitive activities’ including residential, community and educational in a high quality mixed use (TOD) environment that is surrounded by high traffic noise generating corridors.
- The Business Park zoning is otherwise appropriate as it reflects the predominant function of Smales Farm for the short to medium term future; and
- A comprehensive TOD on a unique site such as the Smales Farm business park is a new concept for Auckland and tailor-made provisions are warranted and would not undermine the integrity of the AUP in terms of the departures from the standard Business Park zone (which according to H15.1 Zone description “has a limited future application”); and
- The extent of change sought by the applicant is such that any other underlying zoning would still necessitate departures via precinct provisions, which may also appear in stark contrast to the purpose of that zoning.

120. The amendments associated with this recommendation are set out in **Appendix 6**.

6.5 Submissions in respect of policy 18 of the BP zone

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|---------------|--------------------------|--|----------------------------|--------------------------------|
| 13.18 | AC | Amend H15.3(18) (b) and (c) to read as follows: (b) limit retail to those services such as food and beverage and convenience goods which meet the day to day needs of workers and <u>residents within and visitors to</u> the zone; (c) limit residential activity except for visitor accommodation <u>and dwellings</u> ; | FS02 FS05 | Accept in part |

Discussion

121. The submission seeks the specified changes to policy 18 of the Business Park zone in connection with the submission’s call for reduced provision for residential activities generally within the precinct. The appropriateness of the full range of residential uses is addressed elsewhere.

122. The notified version seeks to modify the policy to specify an exemption for the Smales 1 precinct in respect of residential activities generally. The notified provisions are:

(18) Require a plan change for new business parks and any amendment to the provisions of existing business parks, to:

...

(a) limit the permitted amount of office space so as not to adversely affect the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone;

(b) limit retail to those services such as food and beverage and convenience goods which meet the day to day needs of workers, residents and visitors to the zone;

(c) except within the Smales 1 Precinct, limit residential activity (~~except for~~ apart from visitor accommodation).

123. The AEE at 6.7 states:

“It is considered necessary to modify two policies which do not acknowledge the possibility of residential development in the zone or support its enablement. It is proposed, therefore, to amend policy H15.3(18)(b) so that services such as food and beverage and convenience goods are limited to meet not only the needs of workers and visitors, but also residents on the Site. Policy H15.3(18)(c) currently “limits” residential activity in the zone except for visitor accommodation, and it is proposed to identify the Smales 1 Precinct as an exception to that policy”.

124. In my view it may not be necessary or appropriate to amend the policy as proposed because:

- i. clause (b) has an effect beyond Smales Farm and for other Business Park sites (with respect to providing retail services for ‘residents’ as well as workers and visitors to the zone). The Business Park zone does not provide for residential uses other than ‘visitor accommodation and boarding houses’ as a restricted discretionary activity; and
- ii. Smales Farm will in effect cease to become a ‘business park’ if its aim to become a successful TOD is realised and therefore it will have been set apart from the generally policy framework applying to Business Parks.

125. The alternative for the plan change is to make the exemption from this policy specific in the precinct, in the same way that other Auckland-wide provisions are bypassed or modified. The appropriateness of either option is perhaps best seen in the context of the whole package of changes that are proposed by the applicant and recommended in this report and by others.

Recommendations on submissions

126. That the above submission be **rejected** for the following reasons:

- Changes to policy 18 (of the Business Park zone, H15.3) to specifically provide for a Smales Farm ‘exemption’ are not necessary because this can be made clear within the modified precinct provisions; and
- It is appropriate to provide for the full range of residential uses at Smales Farm, as a TOD, so reference to ‘dwellings’ alone is inappropriate; and
- Changes are not appropriate to clause (b) of policy 18, as notified, because this has an effect beyond Smales Farm for other Business Park sites which are not providing for the full range of residential uses; and
- Smales Farm is proposed, in the longer term, to become something other than a Business Park – a ‘transit oriented development’ (TOD), and is thereby distinguished from all other business parks by virtue of the revised precinct provisions, if adopted.

127. The amendment associated with this recommendation is that the introduction to I538.3 Policies be extended to read: “The Auckland-wide and underlying zone policies apply in

this precinct in addition to those specified below, [provided that clauses \(b\) and \(c\) of policy H15.3\(18\) do not apply](#). Refer to **Appendix 6**.

6.6 Submissions in respect of a ‘transit oriented development’ concept (TOD) at Smales Farm, and precinct description

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|---|--------------------------------------|-------------------------|
| 10.1 | NZTA | <u>Precinct description</u> : Amend the description to promote/direct changes in commuting behaviour reflecting a ‘transit orientated development’ (a Smart Transport Approach similar to the Wynyard Quarter Transport Management Plan). | FS01 FS02 FS03 FS04 FS05 | Accept in part |
| 11.2 | AT | <u>Transit oriented principles (TOD)</u> : Provide further assessment as to how proposed private plan change 23 (PPC23) will align with ‘TOD’ principles; and modify PPC23 in line with that assessment to achieve the TOD objective in I538.2(A1). | FS01 FS02 FS04 FS05 | Accept in part |
| 13.1 | AC | PC 23 is supported in part, subject to amendments. | FS02 | Accept in part |
| 13.3 | AC | Amend PPC23’s precinct description and objectives to better explain the planning context, precinct purpose and reasoning driving the introduction of additional land use activity opportunities and building scale | FS02 FS05 | Accept in part |
| 13.14 | AC | Amend PPC23 to ensure a vertical alignment and ‘cascading’ of provisions, from precinct description and objectives down through to activity rules, assessment criteria and precinct plans. | FS02 FS05 | Accept |
| 15.1 | HNZ | We generally support the identified purpose of PC23 to ‘facilitate a TOD’ on the subject site, but consider amendments are required and the change is otherwise opposed | FS02 | Accept in part |

Discussion

128. There is general support for the concept and development of a TOD at Smales Farm within these submissions. However, there is a range of concerns as to whether PC 23 in its notified form can achieve a successful TOD. The concerns start with the Precinct Description and then resurface through the various parts of the plan change that follow.
129. The justification for and potential benefits of a TOD at Smales Farm are well made out in the plan change request, both in terms of the efficient use of land and resources and in terms of strategic context and generally accepted urban design principles. The site has potential to be intensively developed for a mix of complementary activities that in turn can generate a number of positive effects for those who work and reside within the precinct. The social and economic benefits referred to in section 9.7 of the AEE are however ones that will accrue over a fairly long time frame. It is important therefore that the basic principles are clearly outlined and articulated in the precinct and that the key structuring and development control measures are well designed from the outset. Rebecca Skidmore has advised as follows:

“The Urban Design report finds that the Site is well suited to accommodate greater scale, intensity and mix of activities to function as a Transit Oriented Development (“TOD”). The report sets out six principles to successfully create a TOD, drawn from

the Translink 'British Columbia Design Guidelines for Transit Oriented Communities'. Drawing on these principles, Section 12 of the report sets out a number of desired urban design outcomes. I agree that the Site's large scale and single ownership and its adjacency to the northern busway station and proximity to a range of employment and community facilities infrastructure mean it is well suited to transition to a TOD. (6.3)

130. NZTA requests that the following be added to the precinct description:

The Precinct is proposed as a 'transit orientated development' which supports high density residential and compatible business activities with strong links to reliable and frequent public transport. A goal of a transit orientated development is to reduce dependence on vehicles in favour of public transport, walking and cycling.

131. The suitability of the site for a TOD is not questioned, but the appropriateness and effectiveness of the provisions of PC 23 are. Success therefore hinges on the detail. A number of changes are recommended (throughout this report) and many have been agreed in principle with the applicant.

132. The applicant's revision of the precinct description does not adopt the above words but has words of similar effect which are supported in principle – refer **Appendix 5**. The revision may or may not be acceptable to NZTA and other affected submitters.

133. Rebecca Skidmore has reported as follows:

"I consider that the notified plan change provisions lack detail regarding the outcomes sought and certainty that the TOD principles described in the Urban Design report will be delivered. (6.5)

"In my opinion, the amendments now proposed by the Applicant provide a more robust framework to deliver key urban design outcomes for a TOD. In particular, the Precinct Description is more explicit about the function of the Precinct as a TOD with the key principles for achieving a TOD clearly articulated. The policy framework is also expanded to identify the outcomes sought for connectivity through the Precinct by way of primary and secondary linkages and the quality of public realm required to support a pedestrian focussed environment. (6.6)

134. I agree with Ms Skidmore's comments, and would add that a more significant part of the precinct is the statement of objectives. This is addressed in the next section. The concerns of NZTA are also directly addressed there. **Appendix 6** contains further minor but important adjustments to the precinct description, and the rewritten objectives.

Recommendations on submissions

135. That the above submissions be **accepted** or **accepted in part** for the following reasons:

- The TOD development concept is supported for the Smales Farm business park due to its strategic location in terms of transport infrastructure, relative isolation from sensitive land uses, large site size in single ownership, and further development potential.
- A TOD at this site would be consistent with the RPS as well as the Government Policy Statement on Land Transport and other high level strategies and therefore promotes the purpose of the RMA, provided various recommended changes are made which in turn would either satisfy or partially satisfy the above submissions.

- A range of changes are to be made to the notified PC 23 to create the potential to generate optimum benefits while avoiding or minimising adverse effects, particularly as the TOD precinct emerges over time.

136. The amendments proposed by the applicant may address the above submissions and are set out in **Appendix 5** to this report. **Appendix 6** contains further recommended adjustments to the precinct description and the rewritten objectives.

6.7 Submissions in respect of the precinct objectives

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|------------------|-------------------|--|--------------------------------------|-------------------------|
| 10.2, 10.3, 10.4 | NZTA | Objective (A1): Retain as notified. Objective (1): Do not delete “ <i>on the safe and efficient operation of the transport network</i> ”. Objectives (2) and (3): Retain as notified. | FS01 FS02 FS03 FS04 FS05 | Accept in part |
| 11.1 | AT | That the Council approves PPC23, provided that AT’s various transport requirements / concerns are resolved and/or that Council identifies appropriate provisions that will address these matters; and if the concerns are not resolved, then the plan change should be declined | FS02 FS04 | Accept in part |
| 13.4 | AC | PC 23 amended to provide a rationale for different outcomes sought within the precinct. ... c. Objectives and policies should inform lower-tiered provisions in the hierarchy such as the introduction of different height standards as depicted on precinct plan 1. | FS02 FS05 | Accepted in part |
| 13.9 | AC | Amend PPC23 to reduce the scale and wide range of residential uses or activities so the equivalent of a ‘city centre’ is not enabled, but still achieve a vibrant mixed use transit-oriented development; refine objectives (A1), (2) and (3) accordingly; achieve vertical alignment of all provisions including with policy H15.3 (18) Business Parks. | FS02 FS03 | Accepted in part |
| 13.11 | AC | Amend PPC23 to ensure land use applications are assessed in line with clear outcomes stated in the precinct provisions – objectives, policies, standard’s purpose, assessment criteria - while avoiding replication or contradiction with the Auckland Unitary Plan approach of chapter C. | FS02 FS04 FS05 | Accept in part |
| 13.14 | AC | Amend PPC23 to ensure a vertical alignment and ‘cascading’ of provisions, from precinct description and objectives down through to activity rules, assessment criteria and precinct plans. | FS02 FS05 | Accept in part |

Discussion

137. NZTA seeks specifically that objective 1 not have deleted the words “*on the safe and efficient operation of the transport network*” but all other submissions are not specific as to the changes sought. The concerns are expressed in general terms.

138. The ‘safe and efficient operation of the transport network’ would seem to be a high level outcome that warrants mention in the objectives. The applicant considers it only needs to be addressed at the policy level, and the words deleted from the objective “because

the the network has been modelled, and effects assessed, with this plan change application” (AEE 6.9) However, the robustness of this modelling and assessment has been challenged by submitters. Further, if there is to be reference in the policies to effects on the transport network then it is necessary and appropriate for such an important issue to first be addressed in the precinct objectives.

139. The applicant has generated a revised set of objectives that address key urban design considerations arising from those pre-hearing discussions and the specific changes made are endorsed in principle. It does not however address the ‘transport network’ or a number of other matters that in my opinion should be expressed.
140. In response to the submissions and with a view to a clearer statement of objectives, I propose the following. I consider this better encapsulates all the outcomes that are desired or which are to be avoided, and that have been addressed across a range of submissions. They are written in a style that better reflects that used across the AUP (in line with the in house ‘best practice guide’) and accordingly provide a better basis upon which to vertically integrate the policies and provisions of the precinct, as requested in the submissions. I consider it will make any revision of the policies that might be necessary more efficient and effective generating a more appropriate set of provisions overall:
- (1) Smales Farm is a vibrant, intensively and efficiently developed mixed-use precinct which:
 - (a) Is an attractive place to live, work and visit
 - (b) Integrates well with, and takes advantage of its close proximity to the adjoining rapid transit bus station
 - (c) Integrates with, and responds to, its immediate surrounds; and
 - (d) Has a strong sense of place.

 - (2) Smales Farm is a dynamic transit-oriented employment node that successfully integrates intensive, high amenity residential developments and an appropriate range and scale of accessory uses and developments to support its workers, residents and their visitors.

 - (3) Smales Farm develops and functions in a way which promotes:
 - (a) Travel mode shifts to rapid transit and active modes
 - (b) Reduced car trip generation and car parking over time
 - (c) A high quality public realm containing a central plaza gathering place; and
 - (d) A well-connected and legible network of primary and secondary pedestrian / active mode linkages connecting the precinct with its immediate surrounds and providing a good standard of amenity and accessibility throughout the precinct.

 - (4) Smales Farm does not generate adverse effects in respect of:
 - (a) The safe and efficient operation of the transport network of the locality
 - (b) The amenity of neighbouring zones and sites
 - (c) The function and amenity of Business – Metropolitan or Town Centre zones.

Recommendations on submissions

141. That the above submissions be **accepted in part** to the extent that the above revised version of the objectives is acceptable, for the following reasons:

- The emergence of a high quality intensively developed TOD at Smales Farm necessitates a clear statement of objectives that are outcome focused and which cover all the main issues that are to be addressed in the policies, standards and assessment criteria of the precinct.

142. There are other amendments indirectly associated with this recommendation set out in **Appendix 6**.

6.8 Submissions in respect of the proposed precinct policies

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|---|--------------------------------------|-------------------------|
| 5.2 | Susan Peace | Policy 3 is opposed. Threshold should stay at 105,000 sqm | FS03 | Accept in part |
| 10.5 | NZTA | Policy (1B): Amend to ensure an emphasis for 'pedestrian connections' being provided or maintained to the Smales Farm Bus Station. | FS02 FS03 FS05 | Accept in part |
| 10.6 | NZTA | Policy (2): Add underlined words - 'while limiting <u>uses and</u> the extent of those activities' to clarify that the range of accessory activities (commerce) also needs to be limited to ensure consistency with Table I538.4.1 which limits commerce activities so as to manage potential adverse effects on the function and amenity of the Business – Metropolitan Centre and Business – Town Centre zones. | FS02 FS03 | Accept |
| 10.7 | NZTA | Policy (3) and the trigger for transport assessments: Amend the policy to better align with objective 1, promote alternative forms of travel and better align with future investment in alternative transport infrastructure: " <i>Require development over <u>462-117,000 m² gross floor area of business activity or 380 residential units in the Smales 1 Precinct to demonstrate that the activity will not significantly adversely affect the safe and efficient operation of the transport (system), or that such effects will be mitigated</u></i> ". | FS02 FS03 FS04 FS05 | Accept in part |
| 10.8 | NZTA | Policy (4) Retain as notified: Limit the supply of on-site parking serving non-residential activities over time to recognise the accessibility of the Smales 1 Precinct to public transport services., while supporting the planned growth of non-residential activities and acknowledging the need for an appropriate supply of parking on the site in the short term to encourage that growth. | FS02 FS03 FS04 FS05 | Accept in part |
| 10.9 | NZTA | Add new policy "(5)": " <i>Encourage walking, cycling and the provision of passenger transport services and facilities compatible with the character and amenity of the area</i> ". | FS01 FS02 FS03 FS05 | Accept in part |
| 10.10 | NZTA | Add new policy "(6)": " <i>Require the overall development of the Smales 1 Precinct to incorporate traffic demand management approaches to encourage changes in commuting behaviour to reflect a Transit Orientated Development</i> " | FS01 FS02 FS03 FS04 FS05 | Accept in part |
| 11.2 | AT | <u>Transit oriented principles</u> (TOD): Provide further assessment as to how proposed private plan change 23 (PPC23) will align with 'TOD' principles; and modify PPC23 | FS01 FS02 FS04 | Accept in part |

| | | | | |
|-------|----------------------------|---|--------------------------------------|------------------|
| | | (objectives, policies, rules, standards and assessment criteria) in line with that assessment to achieve the TOD objective in I538.2(A1). | FS05 | |
| 12.2 | Sovereign Services Limited | Amend proposed policy (1A) as set out in the submission, so as to 'avoid adverse effects on the function and amenity of the existing business park development' | FSO2 | Accept in part |
| 13.4 | AC | PC 23 amended to provide a rationale for different outcomes sought within the precinct. ... c. Objectives and policies should inform lower-tiered provisions in the hierarchy such as the introduction of different height standards as depicted on precinct plan 1. | FS02 FS05 | Accepted in part |
| 13.6 | AC | Amend PPC23 to better integrate new developments with the adjacent bus station, via efficient, accessible, safe and interesting pedestrian networks that support transit-oriented development; include policies, activities, standards, criteria and other methods to achieve these outcomes and require transit-oriented development. | FS01 FS02 FS03 FS05 | Accept in part |
| 13.7 | AC | Amend PPC23 to achieve assessments of building form, height, bulk, scale and amenity through new or amended standards and criteria addressing a range of matters (as detailed in the submission, page 3). | FS02 FS05 | Accept in part |
| 13.8 | AC | Amend PPC23 to produce a high quality environment at ground level, at the public/private interface, including avoiding residential at ground level, avoiding blank walls, requiring active frontages, providing a human-scaled edge to streets, and providing shelter for pedestrians. | FS02 FS05 | Accept in part |
| 13.10 | AC | Amend PPC23 to ensure the integration of developments with the land transport network, by managing adverse effects on the transport network including by controlling the types and scale of land use activities, especially those that are reliant on private motor vehicle trips and car parking spaces, and by promoting other modes of travel; recognise different trip generation of activities at different times of the day; amend objective, policies, activities, standards and assessment criteria accordingly | FS01 FS02 FS03 FS04 FS05 | Accepted in part |
| 13.11 | AC | Amend PPC23 to ensure land use applications are assessed in line with clear outcomes stated in the precinct provisions – objectives, policies, standard's purpose, assessment criteria - while avoiding replication or contradiction with the Auckland Unitary Plan approach of chapter C. | FS02 FS04 FS05 | Accepted in part |

Discussion

143. The submissions cover the full range of issues associated with the proposed precinct/TOD. Many are addressed under other topic headings. The applicant has submitted (15 October) a revision of the policies including five new policies (**Appendix 5**). These changes will go some way towards satisfying the concerns of submitters. This report recommends various further changes (**Appendix 6**).

144. The policy change request 12.2 by Sovereign is addressed elsewhere.

145. NZTA 10.6 is supported and is addressed elsewhere under 'effects on centres'.

146. NZTA 10.7 pertains to the development threshold or trigger for an ITA and is addressed under TRANSPORT NETWORK, TRAFFIC AND PARKING (section 6.25). Policy (3) will require to be changed if the recommendations of this report and council's transport expert HG are adopted.
147. NZTA 10.8 seeks that policy 4 ('limits on parking') be retained, however the applicant proposes a variation of this policy which may not be acceptable (red text), and a shortened version of the policy is recommended by HG (and further amended by the writer) and appears in **Appendix 6**:
- (4) Limit the supply of on-site parking servicing non-residential activities over time to recognise the accessibility of the ~~Smales 4~~ precinct to public transport services and active mode facilities. ~~while supporting the planned growth of non-residential activities and acknowledging the need for an appropriate supply of parking on the site in the short term to encourage that growth.~~
148. NZTA 10.9 and 10.10 seek the addition of new policies regarding 'walking, cycling and the provision of passenger transport services' and 'travel demand management approaches'. I am not sure what can be expected of Smales Farm via the precinct provisions along the lines of "the provision of passenger transport services and facilities compatible with the character and amenity of the area"? However, the applicant has added new policies that address these matters indirectly and or in a way that may or may not satisfy the submitter.
149. AT 11.2 seeks various changes including as necessary to policies to ensure the achievement of a TOD or at least alignment with TOD principles. This submission affects the whole precinct and the submitter will need to review the full range of changes to know whether its submission is satisfied.
150. The AC submissions in combination with the other submissions address a wide range of matters, including the following:
- (1) Alignment with TOD principles
 - (2) Uses and activities that can generate effects on centres or for the amenity of land adjoining the precinct
 - (3) Uses that tend to be high car trip generating
 - (4) The precinct's cumulative development trip generation /ITA threshold
 - (5) Promotion of active mode travel and achieving 'travel demand management'
 - (6) Pedestrian connections and networks; link the bus station and provide shelter for pedestrians
 - (7) Building form, height, scale and amenity
 - (8) Ground level amenity; public/private realm interface; active frontages and a 'human scaled edge to streets'
 - (9) Residential uses at ground level.
151. The applicant has submitted a revised set of policies that primarily address urban design matters but which also touch on the various other matters summarised above (**Appendix 5**). The changes are endorsed in principle, to the extent that they address specific matters that were not previously addressed. However, I recommend further changes to address other matters that are identified in the above submissions or others addressed elsewhere; refer **Appendix 6**). The revised provisions by the applicant have

been sent to all relevant submitters and so I understand they are already aware of **Appendix 5**.

152. The matters which my further amendments to the policies address are:

- (1) Residential uses having appropriate internal acoustic amenity.
- (2) The need for tall buildings to not have adverse effects on adjoining land or outside the precinct
- (3) The possible impact of the formation of the central plaza on the transport network
- (4) Adding the following factors to the policy for high quality pedestrian connections: [suitable weather protection, illumination and consistency with CPTED principles](#)
- (5) Making reference to the bus station in the policy on the staging of development and integration with the emerging primary and secondary pedestrian linkages
- (6) A new policy referring to the functioning of buildings on or near the primary linkages
- (7) A new policy on signage
- (8) A new policy addressing high trip generating activities such as large supermarkets and service stations.
- (9) A new policy addressing parking accessory to residential uses.
- (10) A new policy addressing the need for the developer to report on progress towards sustainable transport outcomes, which is:

[\(3A\) Require progress towards the achievement of reduced private car trips and a shift to other travel modes to be monitored and reported at key stages in the development of the precinct.](#)

153. I recommend the revised provisions set out **Appendix 6** as being necessary and appropriate to align with the revised objectives, create the framework for the consideration of the rules that follow regarding activity status, standards and assessment of resource consent applications, and to act as assessment criteria in their own right in respect of certain applications, uses and developments.

Recommendations on submissions

154. That the above submissions all be **accepted in part** for the following reasons:

- The matters addressed in the submissions all necessitate and justify the various amendments to the plan change that are either recommended by the applicant (**Appendix 5**) or recommended by the writer (**Appendix 6**).
- It is important that policies align with objectives and provide an appropriate framework for all the rules and criteria that follow and thereby fully address the various issues that have been raised in submissions.

155. The amendments referred to are set out in **Appendix 5** and **Appendix 6** to this report.

6.9 Submissions in respect of creation of a centre and potential effects on ‘centres’ due to residential and commercial uses/development; GFA limits

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|----------|-------------------|---|---------------------|-------------------------|
| 3.1 | Les Probert | Accept the plan modification (the site and locality are well suited for residential developments) | | Accept |
| 10.6 | NZTA | Policy (2): Add underlined words - ‘while limiting <u>uses</u> and the extent of those activities’ to clarify that the range of accessory activities (commerce) also needs to be limited to ensure consistency with Table I538.4.1 which limits commerce activities so as to manage potential adverse effects on the function and amenity of the Business – Metropolitan Centre and Business – Town Centre zones. | FS02 FS03 | Accept in part |
| 13.9 | AC | Amend PPC23 to reduce the scale and wide range of residential uses or activities so the equivalent of a ‘city centre’ is not enabled, but still achieve a vibrant mixed use transit-oriented development; refine objectives (A1), (2) and (3) accordingly; achieve vertical alignment of all provisions including with policy H15.3 (18) Business Parks. | FS02 FS03 | Reject in part |
| 13.18 | AC | Amend PPC23 to modify the changes proposed to policy H15.3 (18) of the Business Park zone to address a more limited range of residential uses for Business Park zones generally, and amend the precinct objectives and policies accordingly and the text that introduces (and follows) the precinct policies at I538.3. | FS02 FS05 | Reject |
| 13.19(a) | AC | Amend PPC23 to correct errors in the proposed provisions, pertaining to: (a) The text of I538.6.1(2) and the GFA of retail and “commercial services activities” as impacting on the safe and efficient operation of the transport network and the function and amenity of centre zones. | FS02 | Accept in part |
| 13.22 | AC | Amend PPC23 to limit activity (A6) and assessment criteria – conversion of a building - to just dwellings and visitor accommodation | FS02 | Reject |
| 13.28 | AC | PPC 23 is supported in so far as it retains a cap on retailing activity. | FS02 | Accept |
| 13.30 | AC | PPC 23 is supported in so far as limited provision is made for residential activity: (a) support that no provision is made to enable camping grounds or retirement villages; (b) support that conversion of a building or part of a building to dwellings or visitor accommodation be provided for as a restricted discretionary activity; (c) support that provision is made for dwellings as a permitted activity, subject to compliance with appropriate standards (noting that new buildings are a restricted discretionary activity); (d) do not support provision for ‘integrated residential development’, ‘supported residential care’ or ‘boarding house’; (e) do not support that residential activity (excluding visitor accommodation) can be established on ground floor. | FS02 FS05 | Reject |

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Discussion

156. Les Probert considers the Smales Farm site to be well suited for residential development. I agree with this submission. Smales Farm's size and locational attributes means it has the capacity to support the full range of residential types, and in my view this is an appropriate and necessary provision to make. The site is close to the North Shore Hospital, it is on a rapid transit corridor, it can provide employment and a range of appropriate 'accessory' services and facilities and it could provide well for a diverse residential population spanning all ages and lifestyle and supported care needs. To control the residential uses or types in the way requested would be unduly restrictive and not conducive to enabling a range of good TOD outcomes. Smales Farm can and should develop as a form of special node or precinct and be a lively and interesting residential neighbourhood as well as a dynamic employment zone.
157. NZTA seeks the addition of the word 'uses' (and also changes to the activity status of certain activities) to achieve PC23's stated outcome of safeguarding the "function and amenity of" major centres. I support the addition of the word 'uses' to policy 2 as it supports the 'discretionary' activity status that is recommended for certain uses that have potential adverse effects beyond the Smales Farm site.
158. AC's submission states on page 2, point 7:
- "The creation of an additional centre challenges the Auckland Unitary Plan's regional policy statement. While the plan change promotes urban growth and intensification within Auckland's urban area it utilises a precinct to potentially create a new centre outside the hierarchy of centres that support a quality compact urban form."
159. In my view the AC submission about the extent of provision for residential and commercial uses overstates both the aims and the potential negative effects of PC 23. It also overlooks the intention to create a new form of node, a 'transit oriented development' which inevitably will have some resemblances to the form and function of a centre, but will not be the same. It will not be unrestrained development. While there is a wide range of activities enabled by proposed PC 23 these are generally appropriate in my opinion in order that a vibrancy of activity and an interesting precinct can be enabled, provided they are subject to appropriate evaluation and assessment, at appropriate thresholds or stages. Importantly, the scale and rate of development of the 'accessory' activities will be controlled by a special floor area rule, a modified version of the operative one. The appropriateness, and effectiveness to protect other 'centres', of the proposed rule has been evaluated by council's economic expert MEC and the findings of that report are addressed below.
160. With respect to the range of residential uses (mainly in apartment forms) and supporting 'accessory' activities proposed for Smales Farm, I note that the RPS promotes a 'quality compact form' that enables 'better use of existing infrastructure', 'greater social and cultural vitality' and 'greater productivity and economic growth' (Chapter B2.2 Urban growth and form). Policy 5 of B2.2 is central to the appropriateness of a TOD at Smales Farm and is applicable to all forms of residential use:
- (5) Enable higher residential intensification: (a) in and around centres; (b) along identified corridors; and (c) close to public transport, social facilities (including open space) and employment opportunities.

161. In my view the proposed TOD precinct does not contravene the 'centres hierarchy' set out in policy 6:

(6) Identify a hierarchy of centres that supports a quality compact urban form: (a) at a regional level through the city centre, metropolitan centres and town centres which function as commercial, cultural and social focal points for the region or sub-regions; and (b) at a local level through local and neighbourhood centres that provide for a range of activities to support and serve as focal points for their local communities.

Clearly Smales Farm has not been identified as a 'centre', and the plan change application does not promote the creation of a de facto centre. A TOD will of course have various similarities with a centre but with the appropriate controls in place it will not become one or threaten other established 'centres'.

162. PC 23 is also consistent with the 'Residential growth' objectives of B2.4:

(1) Residential intensification supports a quality compact urban form.

(3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification

163. To the extent that Smales Farm can be established as a suitable living (built) environment, then the 'accessory' and community activities proposed are consistent with B2.4 policy 5:

(5) Non-residential activities are provided in residential areas to support the needs of people and communities.

164. Council's economic expert (MEC) has evaluated the proposed 'accessory activity' floorspace standard I538.6.1(2) in terms of the potential for adverse effects beyond the site. The evaluation is set out in detail in section 5 of the report: 'Retail and services demand'. The evaluation follows a large number of questions which formed part of council's clause 23 request (refer **Appendix 3**). The key statement in response was:

"The precinct provisions have been designed so that retail and commercial services increase only gradually along with the rest of the development. Specifically, the rules allow only an extra 500^m² of retail and commercial services floorspace per every additional 10,000^m² of total GFA over and above a certain threshold. This precludes the possibility of a significant retail precinct occurring ahead of local demand, and instead ensures that supply and demand increase in tandem. In addition, the rules preclude the development of large retail stores. For example, a 2,000^m² store could only be built if it formed part of a much larger (40,000^m²) building."

165. The MEC report (**Appendix 4**) investigates all the assumptions and findings of the Insight Economics (IEL) report: Likely Economic Effects of a Proposed Private Plan Change for Smales Farm (**Appendix 1**).

166. The quantum of space that would be generated by the relevant standard, I538.6.1(2) at the time Smales Farm was fully developed (as a TOD) is agreed to be in the order of 16,500 square metres of floor area. MEC then investigates the potential impacts by reporting in the following terms:

(1) Total demand for retail and services space

- (2) Worker demand for retail and services space
 - i. Number of office workers
 - ii. Assumed spend per worker
 - iii. Conclusions on worker demand.
- (3) Residents' demand for retail and services space
- (4) Visitor demand
- (5) Total retail space supported.

167. At this point the MEC report concludes:

“From the preceding assessment we believe IEL has been optimistic in its supportable retail floorspace estimates. Using the alternative (lower) estimates presented for each market segment, we assess that the sustainable retail floorspace at Smales Farm would be around 8,100m² at full build out. That is, from our assessment a much smaller area of floorspace (less than half) would be supported at Smales Farm as that which IEL assess. The implication of a lesser amount of space being supported by Smales Farm workers, households and visitors is that if a larger amount of retail and commercial services space were to establish as IEL recommend, that space would:

- (1) have to be supported by an inflow of custom that is currently directed to other centres, with implications for the sales performance and vitality etc of those centres; or
- (2) the space would be underutilised or remain vacant.” (page 11).

168. By way of a further analysis MEC compares the retail and services floor areas that exist at Smales Farm – 3,800 sq metres – with the further capacity enabled, after making an allowance for a supermarket occupying a further 1,500 square metres. A capacity of 11,500 sq m would remain under the proposed plan change rule, and this compares with the MEC ‘appropriate’ further capacity of 2,800 sq m (8,100 less 3,800 +1500).

169. The 2,800 of retail (and other “commercial services”) space would provide for 19 stores at an average of 150 m² per store. The IEL estimate of remaining capacity would provide for 77 stores at an average of 150 m² per store (and allowing for 46 at 250 m²). MEC then concludes at page 12:

“It is difficult to envisage what type of businesses would fill 46-77 tenancies under the scenario recommended by IEL, in order to provide for the needs of Smales Farm residents and workers. That is, there are only so many cafes, hairdressers, grocery stores and florists (etc., as identified in IEL’s Table 2) that are required to support a compact mixed use development.

“At 16,800m² the Smales Farm retail and commercial services presence would be a very substantial node of that type of activity. By way of comparison, following are the leasable retail areas of some comparably sized Auckland retail assets that are all or part of shopping centres that service a number of surrounding suburbs²:

- Highbury Mall is 11,500m²
- Milford Mall is 14,600m²
- Northcote Shopping Centre is 19,700m²
- Shore City (Takapuna) is 14,000m²
- Southmall (Manurewa) is 14,270m²
- The Airport Shopping Centre is 12,800m²

² From NZ Property Council’s Shopping Centre Database

- Hunters Plaza is 17,070^{m2}”

170. The overall conclusion by MEC on the ‘accessory’ floor space for “retail and commercial services” that is supportable per standard I538.6.1(2) is:

“In conclusion, our assessment indicates that the amount of retail space that will be required to support the retail and services needs of the Smales Farm workforce, residents and visitors to the complex will be less than half as much as assessed by IEL. From that assessment it is likely that the quantum of space recommended by IEL would be far in excess of what is required at Smales Farm, and would be likely to result in large underutilised or vacant areas of space at Smales Farm, and/or larger than expected adverse effects on other nearby centres.”

171. In conclusion with respect to submissions on this topic, I do not agree with the AC submission which fears the creation of a ‘centre’ at Smales Farm which would undermine the ‘centres strategy’ of the RPS(AUP), but this is subject to the advice from MEC concerning the quantum of ‘accessory’ floor area that can develop in the precinct over time. I do agree however with AC point 13.19(a) that there is a need to clarify the wording of the rule so that it is clear just what activities are being referred to by ‘retail and commercial services’ and which are not, and therefore which are subject to the GFA limits stated.

172. Retail is well defined in the AUP and encompasses a wide range of activities, and ‘commercial services’ is quite broad, meaning “businesses that sell services rather than goods; for example, banks, real estate agents, travel agents, dry cleaners and hair dressers”. This would appear to include ‘entertainment facilities’ but I note that in Chapter J1 the nesting table lists this activity separately from ‘commercial services’. It is unclear therefore if ‘entertainment’ would be included or not in the GFA rule. Entertainment comes under “commercial activities” but then so do “offices”.

173. ‘Accessory activities’ referred to in policy 2 potentially encompasses more than just ‘retail and commercial’ and therefore it might be appropriate to again list the specific uses that are included – as is the case in the operative precinct – to avoid ambiguity in the precinct provisions. Furthermore, if ‘accessory’ was to encompass community, education, conference and entertainment floor areas, then the situation changes and a greater floor area for ‘accessory’ becomes appropriate and sustainable. The situation needs to be clarified as requested via the AC submissions.

174. Regarding the activity status of ‘retail’ I do not consider all should be permitted as necessary to “meet the immediate needs of workers, residents and visitors”. I have set out all the included uses and definitions at **Appendix 7**. In particular I note that ‘retail’ includes ‘large format retail’ which in turn includes ‘department store’. I do not consider that ‘large format retail’ and or ‘department store’ should be a permitted activity and discretionary would seem to be the appropriate status. I put this question to MEC by email and the response (Derek Foy 17.9.19) was:

“I think department stores should be treated separately from other retail. Interestingly, Insight in their report assume there will be nil local capture of demand for clothing, department, discount, shoe, sporting and jewellery stores, implying that they would agree with a restriction on those types. It is unnecessary to have trade supplier and vehicle sales at SF as well.

“I would have thought that department stores, trade supplier and vehicle sales could all be NC at SF, with no adverse effects on the convenience of the local

workforce/population, and all are probably unlikely to go in anyway, and unlikely to be resisted by the applicant”.

175. I support the opinions of council’s economic experts as to the quantum of ‘accessory’ floor area that is enabled as the office and residential development grows, and as to the activity status of certain retail activities that are ‘permitted’ under retail. However, I prefer discretionary status to non-complying.
176. The applicant is invited to further consider these matters, and both justify the enabled floor area of 16,500 m² and provide clarity in terms of the specific uses (and floor areas) that are to be included under ‘retail and commercial services activities’. It is also recommended that ‘department stores, trade supplier and vehicle sales’ be singled out and given discretionary activity status.
177. A further observation is that the AEE at paragraph 6.11 refers to “development over the 162,000 m² of business development which the Precinct enables as a permitted activity”. I think the precinct’s GFA standard I538.6.1(1) should address both permitted and consented development in order that the cumulative effects of all included ‘retail and commercial services’ development are accounted for at the time the threshold is exceeded. It is appreciated that individual developments may already have been consented as ‘discretionary’ (or non-complying) and evaluated at earlier stages in development but the overall threshold of 162,000m² may not be reached for a long time and it is the cumulative effects at that stage that are to be considered. The standard would then be entirely consistent with proposed policy 1 which addresses effects on other centres. Proposed precinct standard I538.6.1(1) should read:

(1) The maximum gross floor area in the precinct for non-residential activities, regardless of activity status, is 162,000m² subject to the following in Table I538.6.1.1(2) below:”

178. This change should also apply to I538.6.1(2). This means that the uses that are counted under subclause (2) which governs the quantum of ‘retail and commercial services’ is well understood and hence the suggestion that they be listed and included regardless of activity status.

Recommendations on submissions

179. That submission 3.1 Les Probert be **accepted** and 13.9, 13.18 and 13.22 AC be **rejected** to the extent that they respectively support or oppose the full range of residential uses proposed for Smales Farm for the reason that:
- It is appropriate to provide for the full range of residential uses at Smales Farm over the longer term because the site is well suited to accommodate these uses given the supporting transport, recreational, employment, retail, health and community services that exist on the site or in the immediate locality, or will exist in the foreseeable future; and
 - The provision of residential uses at this location is entirely consistent with the RPS of the AUP.
180. That submission 10.6 NZTA be **accepted** for the following reason:
- It is appropriate to refer to ‘uses’ as well as ‘the extent of activities’ in policy 2 so that the intention to provide principally for the needs of workers and residents (and

visitors), and the overall objective of safeguarding the amenity and function of centres, is promoted.

181. That submission 13.28 AC be **accepted** for the following reason:

- It is appropriate that a cap be put on retailing to safeguard the amenity and function of established centres.

182. That submission 13.19 (a) AC be **accepted** for the following reasons:

- The text of standard I538.6.1 needs to be clarified in order that it clearly and effectively supports the objectives and policies of the plan change, to safeguard the amenity and function of established centres.

183. The amendments associated with these recommendations are to:

(a) Policy (2) of the notified plan change, so that it reads: 'while limiting uses and the extent of those activities....'.

(b) Precinct standard I538.6.1(1) so that it reads:

- (1) The maximum gross floor area in the precinct for non-residential activities, regardless of activity status, is 162,000m² subject to (2) below:"

(c) Precinct standard I538.6.1(2) so that it reads:

- (1) The total Gross Floor Area within the precinct that is occupied by ~~retail and commercial services~~ the activities listed below, regardless of activity status, must not exceed 2000m² plus a cumulative gross floor area of ~~500~~ 250m² for every 10,000m² of gross floor area of development:

- Retail
- Commercial services
- Entertainment.

6.10 Submissions in respect of the business/employment function of Smales Farm

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|------------|----------------------------|---|---------------------|-------------------------|
| 12.2 | Sovereign Services Limited | Amend proposed policy (1A) as set out in the submission, so as to 'avoid adverse effects on the function and amenity of the existing business park development' | FS02 | Reject |
| 15.3, 15.4 | HNZ | There should be a minimum level of non-residential development required; and There should be no overall floor area limit (of 162,000) | FS02 FSO3 | Reject |
| 15.9 | HNZ | The plan change documentation should be amended to assess the "reduced delivery" of office/commercial activities where the future development of the site could be predominantly residential in nature. | FS02 | Reject |

Discussion

184. Sovereign seeks that policy (1A) read:

“Enable the development of intensive residential activities at the Smales 1 Precinct and require it to be designed to provide privacy and outlook; and have access to daylight and sunlight, while avoiding adverse effects on the function and amenity of the existing business park development”.

185. The concern is that residential intensification could undermine the ongoing business/employment development of Smales Farm that Sovereign might have been ‘counting on’, towards “creating an attractive commercial hub” and attracting ongoing investment. Residential development could “substantially change the commercial amenity and sense of place of the area” and “dilute the effectiveness, operation and benefits of the business park locating office and commercial activities together”.

186. I understand that the applicant has met with Sovereign regarding its submission and has allayed any fears and largely resolved matters, on a landlord/tenant basis, which seems the most appropriate way to address the concerns given the intentions of the applicant to be owning, developing and leasing floorspace at the site over a long time frame while creating a high quality TOD that creates value for all occupants.

187. HNZ seeks to generally uphold future / planned business activity and avoid residential development dominating by seeking to “retain a minimum level of non-residential GFA and remove the overall GFA limit..” of 162,000 square metres of floor area, and “thus the residential component of development on the site will not result in a reduction of business activity previously planned for the site but will be provided through further intensification of the site and as an addition to the site”. Further, “there appears to be no mechanism which would prevent the remaining development of the subject site to be predominantly residential in nature..”

188. HNZ also expresses a concern for a potential lack of commercial development, due to residential developments, “over the longer term” and makes reference to the National Policy Statement on Urban Development Capacity 2016 (without any particular reference or quote). The relevant NPSUDC ‘outcome’ objectives follow:

Objective Group A – Outcomes for planning decisions

OA1: Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.

OA2: Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.

OA3: Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations..

189. In my opinion, the plan change would contribute to the achievement of these outcomes. Specifically, it can be seen that Smales Farm via PC 23 is an ‘urban environment’ that is ‘developing over time in response to changing needs’.

The applicant puts it this way:

“The Proposed Plan Change will enable the development of a significant number of dwellings (apartments) at Smales Farm and in that way contribute to the supply of housing to meet the demand from a growing population in the medium to longer

term. The ongoing role of Smales Farm as a focus for employment opportunities will be unaffected by the proposed amendments to the provisions of the Smales 1 Precinct” (para 8.3.4)

190. The concerns expressed by the submitters are acknowledged. The fact is that the precinct provisions can neither require a minimum of further office/business development, nor prohibit residential development being the only form of development that proceeds from now (assuming that the ‘residential use’ aspects of the plan change are adopted). The RMA environmental effects assessment framework does not allow this extent of ‘direct and control’. Neither of these development scenarios is at all likely in my view, given the history of development and the nature of recent successful developments at the site. I understand for example that there is a waiting list for new tenants for the recently completed B:HIVE building.
191. In my opinion, an uncapped amount of office development being enabled at Smales Farm would be contrary to policy 18 (a) of the Business Park zone and the following AUP provisions:
192. Objective 2 of Chapter B2.5 of the RPS of the AUP (Commercial and industrial growth) states:
- “Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that supports a compact urban form”.
- Policy 1 is: “Encourage commercial growth and development in the city centre, metropolitan and town centres, and enable retail activities on identified growth corridors, to provide the primary focus for Auckland’s commercial growth.”
- Policy 2 is: “Support the function, role and amenity of centres by encouraging commercial and residential activities within centres, ensuring development that locates within centres contributes to the following:
-
..... (d) employment and commercial opportunities;”
193. These RPS provisions are supported by policy 18 of the Business Park zone:
- (18) Require a plan change for new business parks and any amendment to the provisions of existing business parks, to:
- (a) limit the permitted amount of office space so as not to adversely affect the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone;
- (b) limit retail to those services such as food and beverage and convenience goods which meet the day to day needs of workers and visitors to the zone;
- (c) limit residential activity except for visitor accommodation.
194. The owners/developers of Smales Farm have in my opinion a demanding challenge in balancing the needs of a dynamic business park and its tenants alongside the needs and requirements of residents and visitors, while also optimising the opportunities to make a successful TOD. The plan change, with appropriate modifications, can provide an appropriate platform by which a successful mixed use TOD can emerge.
195. Council’s economic expert MEC has commented more specifically on the employment potential of Smales Farm, in part 6.1 of the report:

“Our assessment for the Unitary Plan included modelling supply and demand for commercial space. From that assessment we understand that there is very large theoretical capacity to accommodate office development in Auckland, because of the multi-level (re)development capacity that exists in many Auckland centres. That is, land can be used very efficiently for office-based activities, much more so than for industrial activities, which are typically only single-level. That capacity exists in most centres across Auckland and means that (potential) supply of office space to accommodate the needs of growth was not a matter of concern in the Unitary Plan hearings.

“Our understanding is that that is still the case, and there remains plentiful supply of office space across Auckland. That being the case, it would not be of significant concern if the office development capacity (162,000^m² GFA) at Smales Farm were not achieved. It would also not be a concern if residential activity occurred but no office activity (assuming residential capacity remained capped at a maximum of 138,000^m² as proposed in the PPC).

“Nevertheless, there would be a significant opportunity cost of foregone office supply were no more office development to occur at Smales Farm, particularly if that were to be a permanent preclusion as the result of residential buildings constructed in such a way as to realistically prevent additional development of office space. Given the assessment presented in IEL’s section on TODs, Council may wish to consider avoiding an outcome where residential development occurs on the Site in preference to office-based activities, given the favourable attributes of the site for accommodating a large workforce (e.g. proximity to a public transport interchange). We are unclear on the technicalities of imposing limits, however we imagine that there may be some difficulties faced by Council if a particular type of activity (e.g. offices) were required to be constructed – we are not aware of any mechanism by which a landowner can be compelled to develop their land in a particular manner. One possible solution could be to only allow residential development in line with office development, in a similar way to the retail development ‘triggers’ that are proposed.

“One additional consideration could be that residential activity should not be permitted to locate in parts of Smales Farm that are already built. One scenario (although possibly unlikely) could be that existing office space could be converted for residential uses once those residential uses are permitted.”

196. As already stated, it is not possible for a district plan to require (more) office developments to be built. As to requiring office and residential developments to keep in step, that also is problematical without some good RMA / effects reasoning. The applicant has referred to probable mixed office/residential developments so the enabling of residential is likely to partially incentivise the development of more office developments, a positive thing in the context of a TOD at this location. As to ‘conversions’, these are RDA and so the assessment of these is the method by which the function of Smales Farm as a business / employment node might be re-evaluated at that time (if such conversions were to occur).
197. MEC has also commented on the extent to which Smales Farm ‘limits’ office activity (at section 6.2 Effects on centres):

“A further consideration in addressing this issue is that the Unitary Plan generally envisages office activity to locate in centres. While provision is made for office activity in business parks, any plan change for business parks is required to limit office space to not adversely affect the function, role and amenity of centres. That assessment

does not appear to have been carried out as part of the application, and so it is not understood whether there will be adverse effect on nearby centres (such as Takapuna).

“As a Metropolitan Centre, Takapuna is anticipated to capture a relatively large proportion of growth in office activities, however that may be jeopardised by competing out of centre office nodes such as an expanded Smales Farm. Takapuna relies quite heavily on its workforce to support retail and services businesses, and movement of those businesses away from the centre (for example to Smales Farm) might adversely affect the future viability of at least some of Takapuna’s non-office businesses, as well as having adverse effects on the centre’s vibrancy generally. Other centres such as Milford and Northcote may also be affected by large-scale office development at Smales Farm, and the potential effects are not limited only to Takapuna.”

198. The operative precinct limits ‘office activity’ to 162,000 GFA beyond which discretionary activity consent is required. This will have been justified at the time North Shore City Council put the Smales Farm ‘precinct’ provisions in place, which have largely been rolled over into the AUP and so will (presumably) have been considered in terms of effects on other centres in the context of the ‘centres policy’ referred to.
199. I note the applicant proposes to change ‘office activity’ to “development over 162,000” so given the other non-office (and non-residential) activities provided for, the amount of pure office activity that can be built before discretionary status applies is most likely further reduced. Nevertheless, the applicant may need to comment further in respect of the observation made by council’s economic expert.

Recommendations on submissions

200. That the above submissions be **rejected** for the following reasons:

- A district plan (change) cannot direct and control uses and developments at Smales Farm in the way requested or implied; such outcomes are not achievable under an RMA framework that mandates to address environmental effects;
- A successful mixed use TOD can emerge under a modified PC 23 and there is no reason to believe that high-quality outcomes will not be achieved for all occupants / tenants of Smales Farm, whether commercial or residential; and
- The enabling of extensive residential developments, some of which may be located above office / commercial developments, will to some extent incentivise the further development of the business/employment function of Smales Farm and assist to create good outcomes overall; and
- It is appropriate that office activities at Smales Farm be limited in order to safeguard potential adverse effects on centres and so it would not be appropriate for there to be ‘no overall floor limit’.

201. There are no amendments specifically associated with this recommendation.

6.11 Submissions in respect of enabled height, height standard I538.6.4 and 'height to boundary'

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|----------------------------|---|---------------------|-------------------------|
| 2.1 | Anthony Kang | Decline the plan change: (point 6) "(The) style and scale of development is out of character for NZ"; "The proposed scale is more suitable for cities like Singapore or Hong Kong, not definitely for New Zealand, especially North Shore". | FS02 | Reject |
| 4.1 | Jungho Hong | 1300+ units housed in multiple 30-storey buildings over such a small area. This sounds like a planning nightmare for any part of the North Shore. ...With small size and high density, it's likely these apartments will turn into eyesores – there are already some very ugly cheap concrete boxes in the CBD that look like slums". | | Reject |
| 5.1 | Susan Peace | 30 storeys is greatly higher than tall buildings in the area and do not see much taller in the future. The maximum height should be 10 storeys. | | Reject |
| 12.4 | Sovereign Services Limited | Delete I538.6.4 Height | FS02 FS03 | Reject |
| 12.6 | Sovereign Services Limited | Delete tower controls I538.6.5 | FS02 | Reject |
| 12.7 | Sovereign Services Limited | Delete tower control figure I538.6.5.1 | FS02 | Reject |
| 13.19 | AC | Address the text of I538.6.4(2) (building mass above height) and its lack of clarity. | FS02 | Accept |
| 14.5 | WGHS | Height excesses should be assessed as discretionary | FS02 | Reject |
| 14.8 | Westlake GHS | Retain the height in Area 1 (road frontage) to 25m (do not amend rule 6.4(1)) | FS02 | Reject |
| 14.9 | Westlake Girls High School | The AEE states that 100m in height is equivalent to the 30 storey Sentinel Building, it is not appropriate to have buildings of that height adjacent to Shakespeare Rd Extension and the Bus station, with its cumulative effects of dominance, shading, privacy issues etc adjacent to a school zone and school transition areas, and we strongly object to this proposal. The PC23 drawings clearly show the dominance effects, and overlooking from this excessive development adjacent to WGHS. | FS02 | Reject |
| 14.9 | WGHS | Extend Area 1 (25m height limit) the same depth along Northcote Road to the motorway and along adjacent to the bus station; do not allow 75m/100m buildings in these areas | FS02 | Reject |
| 14.10 | WGHS | "Height to boundary" near WGHS (Mixed Housing Urban zone) - apply H15.6.2 Business Park zone rules to interface with MHU zone | FS02 | Accept |
| 15.8 | HNZ | The proposed heights (up to 100m) would be better managed via the Business Mixed Use zone and a 'height variation control' over the zone | FS02 | Reject |

Discussion

202. The request by HNZ for a Mixed Use zone has been addressed elsewhere. In the event that the hearing commissioners were of a mind to determine in favour of a Mixed Use zone, and if a precinct was not deemed necessary/appropriate, then certainly a 'height variation control' would be required to provide the level of height that HNZ seem to consider acceptable (100m). I do not support the HNZ requests.
203. Anthony Kang and Jungho Hong consider, respectively, that the scale of development proposed is 'out of character for NZ' and that small apartments are 'likely to turn into eyesores' like the 'very ugly cheap boxes in the CBD that look like slums'. All tall structures have this potential, but I consider that the quality of the Smales Farm development to date, combined with 'restricted discretionary' assessment criteria applying to all new buildings will minimise or nullify this likelihood. Council has the power to decline 'restricted discretionary' applications.
204. Susan Peace does not explain why 10 storeys is the appropriate 'height', other than 100m/30 storeys is "greatly higher than tall buildings in the area". This overlooks the uniqueness of the site and its context and potential, and the 'restricted discretionary' development rule. I understand that it is generally accepted by urban design professionals that six to seven storey buildings have a desirable 'human scale' to them, and 10 storeys is beyond this so I am not sure what this particular height would be achieving for such a large, generally suitable site. Further, the proposed assessment criteria for new buildings above RL 50.4m (approximately six to seven storeys) have a number of criteria that should ensure that taller buildings are well designed and proportioned for their context.
205. Sovereign seems to be primarily concerned that the proposed heights would facilitate too much residential intensity and thereby diminish the 'business park' dynamism of Smales Farm. This issue has been addressed elsewhere. For similar reasons Sovereign requests the deletion of the tower standards; these requests are not supported.
206. AC considers the enabled height to be excessive in that it is akin to a Metropolitan Centre. This overlooks the unique attributes of the site including its size and context and the height variation of 75m that applies to approximately 4 hectares of land within the large North Shore hospital site (around the main hospital structure). It also overlooks the distance between Smales Farm and other centres, in particular Takapuna, and the appropriateness of an intensity of development that makes efficient and effective use of a scarce, strategically located land resource. In my opinion tall buildings at Smales Farm will provide this large development site with an appropriate legibility in the wider landscape without threatening any prominence that Takapuna might have or aspire to in the wider Auckland context. The general policy that refers to height for all the main business zones is (13):
- (13) In identified locations within the centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height: (a) is an efficient use of land; (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy; (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones; and (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre.
207. The proposals for Smales Farm are in line with (a) (b) and (c) and (d) is not relevant. Furthermore, height is not the most significant factor that sets metropolitan or main centres apart. A number of other factors are more important, in particular the unlimited

range of activities that can exist and the wide range of commercial, community and cultural functions that these enable.

208. The AC submission also expresses concerns for the technical aspects of the standards and these are addressed in the revised text, **Appendix 6**.
209. AC also considers that the text of I538.6.4(2) governing building mass above 75m is ambiguous and I concur with this, as does Rebecca Skidmore. The applicant has proposed that a diagram be inserted into the standard so as to leave no room for misinterpretation. This appears in **Appendix 5** and **Appendix 6**.
210. WGHS has a range of concerns, including for dominance, overlooking and privacy with respect to tall buildings near the school and bus station. WGHS proposes that Height Area 1 (27m) be extended further along the Shakespeare and Northcote Road frontages for a similar depth. WGHS also seeks that height excesses be a discretionary activity. In my opinion:
- Any buildings over three or four storeys opposite or near the school or bus station have the potential to create issues with respect to privacy, overlooking or, at higher levels, dominance. This is possible now with office buildings up to 27m in height at Smales Farm and with buildings up to 18m in height up to the front boundary in the Mixed Use zone across Taharoto Road from the school.
 - The request to extend Height Area 1 further south west along both road frontages overlooks the important role that the 'height to boundary' rule plays in these situations (addressed below).
 - A height exceedance being discretionary would be at odds with the rest of the AUP and is not necessary or appropriate in my view provided clear policy and assessment criteria are in place.
211. WGHS also requests that the 'height in relation to boundary' standard of the Business Park zone apply, and in fact this is currently the case (operative precinct) and would continue to apply. This means that a building up to 75m in height in Height Area 2 (opposite either school) cannot be this height unless it is in the order of 72 metres back from the zone boundary, being the front or road boundary of the school. The 'height to boundary' standard generates the likelihood that taller buildings would be stepped back in line with the angle of the recession plane, as shown in Figure H15.6.2.1 of the Business Park zone (refer also to the Drawing Package, Part 2, Figure 4 – **Appendix 1**). Breaches of this standard are assessed in terms of similar criteria to those specified in the plan change relating to 'height' breaches (of Height Area 1 or 2). In particular, policy 8 is specified:
- “Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.” (underlining added).
212. This gives the council a specific assessment focus in respect of any breach of the 'height to boundary' standard, and in my opinion this, along with other building design evaluation criteria, should give the submitter a sufficient degree of assurance that the outcomes will be acceptable to the school/s.
213. Rebecca Skidmore has responded to the various concerns regarding height:

“I agree with the analysis set out in Paragraphs 13.18 – 13.30 of the Urban Design report regarding the suitability of the Site to accommodate taller buildings in relation to its surrounding context. I agree that enabling taller buildings (generally up to 75m tall) will mark Smales Farm as an identifiable transit-oriented node in a manner that is complementary to the scale of buildings enabled in the immediate and wider environment. The provision for a limited number of buildings to extend further (up to 100m) will assist to provide additional height variation and visual interest to the skyline. (6.22)

“In terms of concerns about effects on the amenity of surrounding properties expressed in some submissions, I note that the Plan Change includes specific criteria for buildings that are higher than RL50.4m (27m above the average GL of the Taharoto Road frontage) including – {from I538.8.2 (5)(f) fourth bullet}:

Adverse off-site effects of tall buildings, in particular wind, shadowing, dominance and privacy effects, are mitigated. (6.23)

“In my opinion this should be expanded to state:

Adverse off-site effects of tall buildings, in particular wind, shadowing, dominance and privacy effects, are avoided or suitably mitigated. (6.24)

“In my opinion, assessment of specific resource consent proposals is the appropriate time to assess the effects generated by proposed buildings on the amenity of surrounding properties. At a broad level, given the separation created by the existing street network and the distribution and activity mix in the immediately surrounding context, I consider adverse amenity effects can be suitably managed. (6.25)

“The Plan Change application is also supported by a LVA report. As noted in the report, the considerable visual change enabled by the Plan Change provisions will not occur at one time. The change is likely to be gradual over a considerable timeframe....(6.26).

“I agree with the identification of key features of the Plan Change provisions, in addition to the permitted height standards, that will influence the visual effects arising from new buildings³. These include:

- Maximum tower dimensions;
- Minimum separation distance between taller buildings;
- The location of a lower height limit at the Taharoto perimeter of the Site;
- The assessment criteria for new buildings. (6.27)

“I agree with the overall conclusion that the adverse visual effects resulting from the additional height enabled by the Plan Change will generally be neutral, with moderate adverse effects experienced from a limited number of local viewpoints including parts of the Onewa Domain and residential properties where taller buildings will be viewed directly in front of a visual connection to Rangitoto Island. I also consider some residents in the neighbourhood immediately to the southeast of the Precinct may perceive the visual change as moderately adverse. I also agree with the opinion that, from many locations, the higher buildings may be perceived as having beneficial visual effects. In this respect, implementation of the assessment criteria for new

³ Section 6.5, pl 14-15, Landscape and Visual Assessment, Boffa Miskell, 10/07/18

buildings, and alterations and additions will be important to ensure buildings make a positive contribution to the built environment.⁴ I have some reservations about the criterion referring to 'building design is of a high quality' ((5)(b)), which is very subjective and may be difficult to administer. This could be expanded to refer more explicitly to the outcomes sought such as:

Building design is of a high quality, expressing a clear and coherent design concept that responds to its surrounding context and utilises a robust palette of materials to express the building form. (6.28)

214. Rebecca Skidmore also comments on the potential effects for Lake Pupuke:

"I agree with the LVA report assessment of the effects on the landscape values of the Outstanding Natural Feature, Lake Pupuke. Given its surrounding urban context and its separation from the Precinct, I agree that the visual integrity and experiential values of the feature will not be compromised by the scale and form of development enabled to any more than a very limited extent.⁵

215. I concur with Ms Skidmore's evaluation and agree with the wording changes she promotes.

216. The recommended change affecting I538.8.2 (5)(f) fourth bullet has generated discussion with the applicant as to whether this clause was in fact intended to apply to buildings within Height Area 1 (RL 50.4m) or only those within Area 2 (up to RL 123.4m). As written it's not clear. Ms Skidmore and I consider it would be appropriate to have this clause apply to both height areas because there is text of value to the considerations of shadowing, dominance and privacy effects, referred to in submissions, which does not appear in the main subclause (2) which addresses all 'height' exceedances. Accordingly it is recommended that the heading and text of assessment subclause (5)(f) be modified to read:

(5) New buildings, and additions and alterations not otherwise provided for

(f) Buildings within Height Areas 1 and 2 extending above RL50.4m

The extent to which:

- the building maintains the visual amenity of the overall development on the site as viewed from residential zones and public places outside the ~~Smale 4~~ precinct.
- the building makes a positive contribution to the collective skyline of the ~~Smale 4~~ precinct, including architectural expression to the rooftops and upper levels of tall ~~towers~~ buildings.
- the building responds and relates appropriately to the scale and form of neighbouring buildings within the ~~Smale 4~~ precinct.
- adverse off-site and off-precinct effects of tall buildings, in particular wind, shadowing, dominance and privacy effects, are avoided or suitably mitigated.

⁴ Section 6.6, p. 15, *ibid.*

⁵ Section 7.2, p. 16, *ibid.*

Recommendations on submissions

217. That submission 13.19 AC seeking clarification of I538.6.4(2) be **accepted** to the extent that the diagram submitted by the applicant adequately addresses any ambiguity and for the reason that this clarification is important.
218. That submission 14.10 WGHS seeking that H15.6.2 be applied be **accepted** because this would in fact be the case and because the standard will assist to appropriately address many of the 'height' concerns that the submitter has regarding the potential adverse effects of tall buildings near the two road frontages having residential zonings, opposite Smales Farm.
219. That the other 'height' submissions be **rejected** for the following reasons:
- The Smales Farm site is considered unique and has the locational attributes to enable and accommodate tall buildings in a strategic context while avoiding the worst of the effects that might normally be associated with such structures in more sensitive areas; and
 - All new buildings are 'restricted discretionary' activities and are required to be assessed in terms of a range of pertinent factors which will ensure that the council has an appropriate degree of control over the built form outcomes that are enabled and their effects.
220. The amendments associated with these recommendations are:
- (a) A diagram (new Figure I538.6.4.1, refer **Appendix 5**) that clearly explains building height standard I538.6.4(2).
 - (b) The wording changes to the assessment criteria as set out in paragraphs 213 and 216 above (refer **Appendix 6**).

6.12 Submissions in respect of standard I538.6.9 Pedestrian plaza and key pedestrian axes (Precinct Plan 2)

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|---|----------------------|-------------------------|
| 10.5 | NZTA | Policy (1B): Amend to ensure an emphasis for 'pedestrian connections' being provided or maintained to the Smales Farm Bus Station | FS02 FS03 FS05 | Accept in part |
| 11.9 | AT | <u>Vehicle circulation and access</u> , precinct plan 2: Provide clarification and as necessary further assessment of changes in traffic assignment to the external network resulting from the internal arrangements within Smales Farm shown in precinct plan 2; depending on the outcomes, review the provisions and need for amendments to PPC23 to provide for appropriate mitigation | FS02 FS05 | |
| 13.8 | AC | Amend PPC23 to produce a high quality environment at ground level, at the public/private interface, including avoiding residential at ground level, avoiding blank walls, requiring active frontages, providing a human-scaled edge to streets, and providing shelter for pedestrians. | FS02 FS05 | Accept in part |

| | | | | |
|----------|----|--|--------------|----------------|
| 13.16 | AC | Amend PPC23 to better integrate new developments with the adjacent bus station, via efficient, accessible, safe and interesting pedestrian networks that support transit-oriented development; include policies, activities, standards, criteria and other methods to achieve these outcomes and require transit oriented development. | FS02 FS05 | Accept in part |
| 13.19(e) | AC | Amend PPC23 to correct errors in the proposed provisions, pertaining to: (a) (e) The text of I538.6.9 (plaza) – the provisions are incapable of objective discernment and effective implementation. | FS02 | Accept in part |

Discussion

221. The submissions express concerns for:

- (1) efficient, safe and interesting pedestrian connections, particularly with the bus station
- (2) the need for a high quality pedestrian environment with shelter and a human-scaled edge to streets
- (3) the technicalities of the provisions
- (4) the implications of the plaza in reassigning traffic and the potential external effects.

Primary pedestrian / active mode linkages (structuring axes) – refer to **Appendix 6** and Precinct Plan 2 Structuring elements

222. Rebecca Skidmore has reported as follows and I concur with her analysis, at paragraphs 6.11 to 6.14:

“Key principles in creating a TOD are ensuring an urban structure that provides direct and legible linkages through the precinct to the transit interchange and creating a high amenity, safe environment for active transport modes. A number of key desirable features of walkable and pedestrian focussed public spaces are set out in the UD report. I agree that these are important features to create a TOD.

“The submissions by AT and AC seek amendments to the Plan Change to ensure safe and attractive connections from the wider environment and within the Precinct to the public transport interchange are achieved.

“Precinct Plan 2: Structuring Elements identifies two key axes through the precinct connecting Tahoroto Road, Northcote Road, Shakespeare Road and the Busway Station intersecting at the centre of the Precinct with an indicative location for a pedestrian plaza identified in this area. At a broader level and being cognizant of the existing development pattern at Smales Farm, I consider this provides a suitable structuring framework. However, the package of provisions provides less certainty about how a suitable network of high amenity connections will be achieved at a more detailed level.

“The Applicant has proposed a number of amendments to address this concern. These include:

- (1) A more explicit description of the environment to be created in the Precinct Description, with explicit reference to the use of public transport being encouraged by ensuring high quality pedestrian connection to be provided;
- (2) Additional objectives and policies that seek to achieve high quality primary and secondary pedestrian connections linking through the Precinct and central plaza space to the bus station;
- (3) The introduction of the central plaza and new and redeveloped primary linkages as Controlled activities with associated assessment criteria;
- (4) A requirement for the primary linkages to be delivered after a GFA threshold has been reached.”

223. I concur with Rebecca Skidmore that the text changes the applicant has made to the notified version of the precinct have improved the assessment framework by which the TOD principles and precinct objectives might be promoted as the precinct develops and the ‘key pedestrian axes’ are formed. However, we further recommend a number of other changes and that ‘primary pedestrian’ become ‘primary pedestrian / active mode linkages’ to reinforce this intention and better promote the TOD concept and its principles.

224. Whether any incremental change of any significance occurs prior to the 125,000^{m²} stage in respect of the linkages, three of which already exist in substance, is a question that remains. There is also the question that AT 11.9 raises about the traffic effects of the central pedestrian plaza taking the place of the existing roundabout. This is addressed under TRANSPORT NETWORK, TRAFFIC AND PARKING at section 6.25.

Central pedestrian plaza

225. The applicant has also made a number of changes to the ‘plaza’ standard and associated provisions, such that:

- (1) The creation of “the central plaza” is a controlled activity, as a form of ‘development’ (which previously was not provided for and therefore may have defaulted to a non-complying activity, Business Park zone activity (A1)); and
- (2) The application will be non-notified and not subject to written approval from affected parties
- (3) It is still required no later than at the completion of 125,000 GFA of development
- (4) It is to be provided approximately as indicated on Precinct Plan 2
- (5) The minimum area required has been increased from 400^{m²} to 1000^{m²}; and
- (6) Rather than being subject to certain standards, it is subject to a number of qualitative assessment criteria, pertaining to its controlled activity status.

226. The revised provisions are set out in **Appendix 5**. Included is a new policy which reads:

“Require the establishment of a central pedestrian plaza at the heart of the Smales 1 Precinct that provides a vibrant people-focused space to support the evolving mixed-use community where growing numbers of people work, live and play.”

227. Rebecca Skidmore has reported as follows (paragraphs 6.17, 6.18):

“The notified version of the Plan Change provisions included a development standard requiring a 400^{m²} pedestrian plaza to be provided once 125,000^{m²} GFA is achieved (1538.6.9) with a number of requirements for the space. Precinct Plan 2: Structuring Elements identifies the general location for the plaza. Following discussions with the Applicant, further analysis has been carried out by Boffa Miskell to articulate the

function of the space and determine the key features to be delivered with reference to benchmarking of other public spaces.

“Amendments to the provisions now propose requiring the plaza space to be a Controlled activity with the Council’s control limited to the design of the space. The associated criteria provides a more detailed framework for considering the suitability of the space to provide a successful gathering space at the heart of the Precinct. Of particular note, the proposed amendment to the development control requiring the establishment of the Plaza increases the minimum area of the space from 400^m² to 1,000^m². In my opinion, the amendments proposed will improve the Precinct Provisions and provide greater certainty that the space to be created will make a positive contribution to the public realm amenity of the Precinct, supporting its role as a TOD.”

228. Accordingly Rebecca Skidmore and I generally support the relevant revised provisions (**Appendix 5**) but with the further provisions that are set out in **Appendix 6**. It is recommended that the activity status be ‘restricted discretionary’ because of the importance of this feature of the precinct and its potential traffic and urban design implications. The AC submission in respect to the plaza and the other submissions will thereby have been responded to in a positive manner.
229. AT submission point 11.9 questions the plaza and pedestrian axes in terms of the implications for internal vehicle circulation and the implications for the main access points into and out of Smales Farm. The appropriateness of the pedestrian-oriented nature of these elements is not questioned but rather whether the ITA has fully accounted for the internal changes and the potential “changes in traffic assignment to the external network resulting from the internal arrangements”. This matter is addressed under TRANSPORT NETWORK, TRAFFIC AND PARKING at section 6.25.

Recommendations on submissions

230. That the submission points be **accepted in part**, to the extent that the recommended provisions (coupled with other recommendations) satisfy the stated concerns and requests, for the following reasons:
 - The revised plan change provisions of **Appendix 6** will ensure that a quality ‘central plaza’ (and associated ‘elements’) will be created at any time (and not later than at a particular stage in the development of the precinct) and to a suitable size, location and functional quality with the council being able to fully evaluate the development at the time of restricted discretionary resource consent.
 - The revised provisions also provide for a greater extent of assessment for the key linkages and each stage of development will be required to demonstrate the nature of the outcomes expected for the precinct as a whole and particularly for pedestrians and cyclists.
231. The proposed amendments by the applicant are set out in **Appendix 5**. The further recommendations of this report are set out in **Appendix 6**. In particular they address AT submission 11.9. Refer also to section 6.25 of the report.

6.13 Submissions in respect of service stations, drive through restaurants and supermarkets greater than 2000 square metres

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|--|--------------------------------------|-------------------------|
| 10.11 | NZTA | Change the activity status of (A15) 'Supermarkets greater than 2000 m ² GFA per tenancy' to non-complying, and of (A16) Drive-through restaurants to discretionary. Make a consequential deletion of the assessment criteria for drive-through restaurants, I538.8.2 (4). | FS01 FS02 FS03 | Accept in part |
| 11.4 | AT | <u>Quantum and mix of activities and associated trip characteristics:</u> provide further assessment for high trip generating activities, such as retail, drive-through restaurants and entertainment activities; depending on the outcome of those assessments: modify PPC23 to restrict certain activities provided without mitigation or to provide mitigation measures with the staged development of the site; providing for assessment via future resource consents of development that can be accommodated by the transport network without any identified mitigation measures; and providing for appropriate activity status and assessment criteria for high trip generating activities. | FS02 FS04 FS05 | Accept in part |
| 13.10 | AC | PC 23 amended to retain precinct provisions that integrate development and land transport network by: e).limiting land use activities that are reliant on private motor vehicle trips and that do not support the establishment of a transit oriented development such as supermarkets servicing people not living or working on the site, drive-through restaurants, large format retailing, or retailing that is not accessory to the needs of workers or residents in the precinct | FS01 FS02 FS03 FS04 FS05 | Accept in part |
| 13.31 | AC | PPC 23 is supported in that 'service stations' are a non-complying - activity (A13) in Table I538.4.1 | FS02 | Reject |

Discussion

232. These activities generate concern because of their typical trip generating characteristics. They can also have significant urban design effects for their immediate context. On the face of it they do not seem to 'fit' a TOD precinct concept. However, they have the potential to serve to add to the full mix of commercial and retail services available, especially at a more mature stage of development (which is when in my view they are more likely to be developed). For example, it is interesting to speculate what a 'service station' might look like in 10 or 15 years with electric and micro-mobility forms of transport becoming more prevalent. Rapid charging along with car grooming and owner/operator waiting-room comforts may be a valued service at some time in the future. Similar speculations could be made regarding the future shape of 'drive-throughs' although it is hard to see large supermarkets changing much from their standard designs for the foreseeable future. As to the threshold between permitted and discretionary of 2,000m², the applicant's justification is accepted:

“The 2,000^{m2} limit for a supermarket as a permitted activity is consistent with that applying in the Local Centre zone, which is also intended to provide for local convenience needs” (AEE 6.15).

233. In my view discretionary activity status is appropriate provided firm policy is in place to actually discourage these activities unless certain prerequisites are in place - hence the new policy recommended (**Appendix 6**). This activity status would give rise to a thorough traffic and economic evaluation at consent application time (as would non-complying). It is likely also, and recommended, that various trip generation/mode shift assumption ‘checks’ will occur at prior stages of development of the TOD and these may provide a further basis upon which any one-off trip generating activities such as these might be evaluated.
234. These activities would not in my view be appropriate on or near the road frontages of the precinct and would be best integrated nearer the core of the precinct, with other retail and services, at locations and to sizes and designs that most conveniently serve the greatest number of residents, workers and visitors while addressing any potentially adverse urban amenity effects.
235. Clear policy and discretionary status avoids the problem of an non-complying activity escaping policy scrutiny by virtue of section 104D(1)(a) of the RMA combined with section 104(3)(a)(ii) – disregarding effects on a person who has given written approval.
236. It is noted that service stations are currently discretionary by virtue of the Business Park zone (A18 Retail) and not non-complying, and are restricted discretionary in the Mixed Use zone applying along Taharoto Road. Drive-throughs are non-complying in the Business Park zone and permitted in the Mixed Use zone. These factors have a bearing on what might be deemed appropriate at Smales Farm, hence my ‘discretionary’ activity status recommendation. The applicant however may be accepting of non-complying status for ‘service station’.
237. It has been noted that a new service station has recently been established at the eastern corner of Smales Farm on the south side of the Taharoto / Northcote intersection. This would suggest that a service station within Smales Farm is not likely for the foreseeable future.

2. Rebecca Skidmore advises:

“The submission by NZTA questions the appropriateness of large scale supermarkets (above 2,000^{m2}) and drive-through restaurants within the precinct given their high traffic generating nature and the potential conflicts with the active transport mode focus of a TOD. In terms of urban form outcomes, I consider that these activities can result in conflicts with the amenity outcomes sought for the Precinct and, particularly, the primary linkages to the public transport hub. While smaller supermarkets usefully contribute to the amenity of residents and workers within the precinct and can be accommodated without compromising the character and amenity of the public realm, I agree that larger supermarkets (larger than 2,000^{m2}) should be avoided. Similarly, I agree that drive-through restaurants should be considered as a full Discretionary activity”.

3. HG advises as follows (paragraphs 140 onwards):

“The Plan Change recommends adding provisions for supermarkets up to 2,000^{m2} gross floor area per tenancy as a permitted activity and greater than 2,000^{m2} gross floor

area per tenancy, albeit as a Discretionary Activity. This would potentially allow a supermarket of any size to be installed on site. Supermarkets tend to be high generator of vehicle trips and will attract vehicle trips from those outside of the TOD.

“If a supermarket is included, to align with TOD principles, it should be a boutique supermarket that is no greater than 2,000^{m2} gross floor area per tenancy without any associated parking.

“The Plan Change recommends adding provisions for drive-through restaurants. Any activity that is introducing additional vehicle trips into the TOD should be avoided. Again, this activity is a high generator of vehicle trips and will attract vehicle trips from those outside of the TOD.

“Drive-through restaurants should be included in the Plan Change as a discretionary activity.

“A service station would attract ‘pass by’ trips from those outside of the TOD. If the location of any service station requires motorists to drive through the site, this will decrease the value of the TOD as a people-friendly and non-vehicle environment.

“Service stations should be included in the Plan Change, albeit as a Discretionary activity. We believe this would provide a greater level of consideration of criteria by Council than would be feasible if the activity was non-complying.”

Recommendations on submissions

238. That the above submissions be **rejected** or **accepted in part** for the following reasons:

- These activities are appropriately provided for as discretionary activities in an intensive mixed use TOD precinct provided clear firm policy is in place for the assessment of them, at the appropriate time (as set out below).

239. The amendments associated with this recommendation are (refer **Appendix 6**):

(1) Add the following policy to I538.3:

(2H) Discourage high car trip generating uses - such as service stations, large supermarkets or drive through restaurants – and comparison retail and only allow the activity where it:

- Is necessary to support a near capacity level of office and residential development that already exists in the precinct
- Can be well integrated with other retail and commercial uses
- Will not detract in any way from a high quality transit-oriented urban environment
- Will not generate undesirable traffic effects within or adjacent to the precinct.

(2) Change activity (A16) Drive-through restaurants to Discretionary and delete assessment criteria from I538.8 for Drive through restaurants.

6.14 Submission in respect of community activities

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|--|----------------------|-------------------------|
| 10.12 | NZTA | Retain provisions for community activities as permitted activities, to contribute to Smales 1 Precinct being a vibrant and attractive place for residents, workers and visitors. | FS02 FS03 FS05 | Accept |

Discussion

240. The application states, at para 6.16:

“Allied with the enablement of residential activities, it is considered that Community facilities should be a permitted activity in order to enable a level of community infrastructure to be established on the Site. Education facilities and Tertiary education facilities have been identified as permitted activities because they can be appropriate occupiers of multi-storey buildings (evidenced by the use of many buildings in the City Centre) and because they are very well suited to sites with excellent public transport services.”

241. I concur with these views. There can also be good synergies between certain types of businesses and educational establishments in terms of research projects and ‘graduate’ job opportunities.

Recommendations on submissions

242. That the above submission be **accepted** for the following reason:

- Community (and education) uses and facilities are appropriate in an intensive mixed use environment that has a significant employment capacity and excellent public transport services.

243. There are no amendments associated with this recommendation.

6.15 Submissions in respect of off-site noise effects, standard I538.6.8 ‘Noise events’ and ‘temporary activities’ as permitted

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|---|---------------------|-------------------------|
| 2.1 | Anthony Kang | Decline plan change (due to traffic & safety concerns for pedestrians; overcrowding at bus station; high buildings out of character for NZ; privacy/overlooking concerns; history of non-complying noise events at Smales Farm) | FS02 | Accept in part |
| 4.1 | Jungho Hong | Decline plan change (due to concerns regarding traffic; parking; personal privacy; shading; impacts on bus station and schools; construction effects; high rise ‘eyesores’) | | Accept in part |
| 8.1 | Soon bok Ko | Decline plan change (due to traffic and parking effects; the ITA is weak; 25% reduction in background traffic is very questionable; lack of alternative transport options c.f central city; local | FS01 | Accept in part |

| | | | | |
|-------|------------------|---|------|----------------|
| | | streets already under parking pressure from employees at Smales Farm; excessive noise and vibration effects from ad hoc events – ‘noise events’ should not be ‘permitted’ activities). | | |
| 9.1 | Charles Crisp | Decline plan change (due to traffic effects and the inability of the existing road network and public transport options to cope with any further high density residential or commercial activity on the Smales Farm site). | | Accept in part |
| 13.12 | AC | Amend PPC23 to remove ‘temporary activities’ from the provisions. | FS02 | Accept |
| 17.1 | Svetla Grigorova | Decline plan change (due to proposed zoning breach; traffic impacts – roads not equipped to support the changes; noise impacts on local area; health impacts - population growth and effects on North Shore Hospital services) | FS06 | Accept in part |
| 18.1 | Atanas Gornakov | Decline plan change (due to proposed zoning breach; traffic impacts – roads not equipped to support the changes; noise impacts on local area; health impacts - population growth and effects on North Shore Hospital services). | | Accept in part |

Discussion

244. The submissions raise general concerns about noise from Smales Farm, but especially in respect of previous special events (temporary activities) held there.
245. Construction effects are referred to. Chapter E25.6.27 (Construction noise levels in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone) applies via the underlying Business Park zone and need not be addressed within the precinct provisions.

Temporary activities

246. Council’s clause 23 request asked: What ‘temporary activities’ have (ever) occurred at Smales Farm and what if any significant new activities are envisaged (provide details - nature, duration, hours of operation)? The response was:

“It is considered that this item relates to the merits of the proposal and is not a valid cl 23 request. However, community based events are frequently held at Smales Farm and the large site enables them to be held with no, or minimal, off-site effects. The proposed activity status would also enable, for example, a Christmas tree to be erected on the site without the need to apply for a resource consent (which was required in 2016).

247. The plan change proposes that “Temporary activities for up to 21 consecutive days” be a permitted activity and not subject to any standards (A26); otherwise, chapter E40 would apply, and a discretionary activity status per (A4) of Table E40.4.1:

“(A4) Temporary activities on private land for more than six days, or for more than three consecutive days, in any 12 month period, outside of the City Centre and Metropolitan Centres”.

“Up to six days but not more than three consecutive days” is a permitted activity, (A3).

248. "Temporary activities" are defined in AUP chapter J1 Definitions as:

"An activity that: • is outside the normal expected use of a site (or area within the coastal marine area); and • has a start and end date and time.

"Includes: • filming activities at temporary locations and activities accessory to that filming activity; • activities accessory to a building or construction project, such as scaffolding, fencing, offices or storage sheds; • Council HazMobile collections; • carnivals; • concerts; • fairs; • festivals and events; • public meetings; • parades; • special events; • sporting events; • overflow parking; • temporary military training (land based only); • emergency response training, including live burns carried out by the New Zealand Fire Service; and • structures accessory to temporary activities.

"Excludes: • markets; • temporary military training activities within the coastal marine area; • temporary structures within the coastal marine area; and • temporary signs."

249. In my opinion the applicant needs to adequately justify as appropriate that 'temporary activities' up to 21 days be permitted without any standards, given the concerns expressed by submitters and the submission by AC which holds that the normal Auckland-wide provisions should apply. I accept however that requiring consent for a Christmas tree at Smales Farm (presumably displayed for more than six days) seems cumbersome.

250. There do not however appear to be relevant standards in chapter E40 that could apply other than in relation to noise (when a 'noise event' occurs) or fireworks (E40.6.7) or 'temporary military training events' (E40.6.8). I understand this is because the permitted activity of 'up to six days but not more than three consecutive days' is deemed always to have less than minor effects. I note also that: "In addition to the rules in this Plan temporary activities are also subject to the other acts and bylaws: All events on public land or water must obtain an event licence or permit under the relevant bylaws" (Note 4 under E40.4 Activity table). Smales Farm is all private land and I do not know (at the time of writing) if it is required to obtain any licence or permit.

Noise events

251. Noise events are a specific type of 'temporary activity' within Table E40.4.1. They are defined as –

"An event that exceeds the general noise controls for a site (or area within the coastal marine area) either in level or duration."

252. The plan change proposes that these are permitted and subject to standard E40.6.1 (measurement) and E40.6.4 (noise events frequency and limits for areas outside the City Centre and Metropolitan Centres).

253. Without the proposed precinct provision 'noise events' at Smales Farm would be restricted discretionary per (A13) of Table E40.4.1 and would need to also comply with the standards of E40.6, of which the two specified in the precinct are the only two that are pertinent, other than E40.6.7 Lighting of fireworks and E40.6.8 Temporary military training activities. A breach of the standards would not change the activity status.

254. Council asked in its clause 23 request: What 'noise events' have (ever) occurred at Smales Farm, and what if any significant new activities are envisaged (provide details)?

“It is considered that this item relates to the merits of the proposal and is not a valid cl 23 request. However, the intention of the provision is to apply the same rules for noise events at Smales farm as apply to such events in public places.”

255. “Noise events in public places” are a permitted activity in Table E40.4.1 (A12) and subject to the same standards referred to above. Such events would always be subject to local authority approvals, including from AT. Smales Farm is all private land.

256. Standard E40.6.4 permits “Up to 15 noise events....at a venue...in any 12 month period, provided no more than two noise events occur in any seven-day period, and the noise event complies with all of the following...(clauses).” which pertain to duration (not exceeding six hours including two hours for sound testing) and noise levels (maximums and times of the year etc).

257. Styles Group (SG) has reported as follows:

“The submission of A Kang opposes a permitted activity status for Temporary Activities/ Noise Events within the Precinct. The submitter notes resource consent LUC60325517⁶ provides for 6 annual events within the Precinct, and affording a permitted activity status for Noise Events “*would aggravate these ongoing noise problems by not having sufficient control on the frequency or extent of these events*”.

“The submission of S Grigorova opposes PC23 due to noise effects, stating:

“there is a hospital, a number of retirement villages, schools, other medical facilities – where quietness (noise limit importance) is needed for these facilities to function properly without disruptions. Plus there are a lot of family homes in the area where people need to be able to relax, rejuvenate, recharge and recover from their hard working week”.

“While the submission of S Grigorova does not specifically identify the noise source of concern within the Site, we understand that it is likely to be made in relation to Noise Events.

“We do not support a permitted activity status for temporary activities/ noise events under PC23. Chapter E40 provides an appropriate framework for the management of temporary activities, and the resource consent process provides the appropriate mechanism for the noise effects of other temporary activities to be considered on a case by case basis. We consider that Chapter E40 should be relied upon in this case also.”

258. I concur with the view of council’s noise expert who has advised as set out above, that AUP Chapter E40 should apply without modification. Accordingly, the resource consent process is the appropriate mechanism for addressing the effects of temporary activities/noise events which do not meet the permitted activity criteria.

259. I do not have any concerns for “Temporary structures that are established for less than 21 days” proposed to be a permitted activity (A23), assuming this provides for a Christmas tree, but it would otherwise be appropriate to have all ‘temporary activities’ subject to chapter E40. ‘Temporary structures’ are not defined in the AUP.

⁶ We understand the resource consent provides for up to 6 events (with music as a primary or key feature) over a period of 12-month on the subject site, with the events taking place from 9am to 11pm (14 hours maximum duration) on Saturdays. The anticipated capacity for each event is expected to be 1,200 – 5,000 people and enables amplified music up to 75 dB LAeq measured from adjacent sites.

Recommendations on submissions

260. That submission AC 13.12 be **accepted** and the other submissions **accepted in part** for the following reasons:

- The applicant has not provided sufficient justification supporting the permitted activity status of ‘temporary activities’ or ‘noise events’ which are preferred to be subject to the normal Auckland-wide provisions of chapter E40.

261. The amendments associated with this recommendation are the deletion of activities (A26) and (A27) from proposed Activity table I538.4.1. (refer **Appendix 6**)

6.16 Submissions in respect of ‘comprehensive development signage’ as a permitted activity

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|---------------|--------------------------|---|----------------------------|--------------------------------|
| 13.13 | AC | Amend PPC23 to remove ‘signage activities’ from the provisions. | FS02 | Accept in part |

Discussion

262. The reasons given in the AC submission are:

- (a) a. Auckland Unitary Plan has an existing management regime in its Auckland-wide provisions.
- (b) b. A precinct should respond to a particular opportunity or constraint, rather than including wide-ranging content better managed elsewhere in the Auckland Unitary Plan.
- (c) c. Provision for comprehensive signage in combination with more enabling retailing, supermarket, and drive through activities, enables activities at a scale and of a nature contrary to the Business – Business Park Zone.

263. The plan change proposes that ‘comprehensive development signage further than 30m from main road frontages’ be a permitted activity and not subject to any standards.

264. Chapter J1 defines “Comprehensive development signage: has the same meaning as in the Auckland Transport, Auckland Council Signage Bylaw 2015”, which is:

“means signage relating to a new building or the alteration of an existing building where the building or alteration requires a resource consent and/or building work to the value of at least \$100,000, assessed at the time a building consent application is lodged with the council”.

265. It is unclear what ‘comprehensive development signage’ might include. Further questions arise:

- (1) what is the situation if the value of work is less than \$100,000; or
- (2) no signage is finalised with the building project and is intended to be dealt with subsequently (a common occurrence); and
- (3) what is the situation within 30m of the road frontages?

266. Within 30m of the public road frontages, restricted discretionary status applies under Table E23.4.2 (A53), but this is regardless of size or type. There are no standards for RD signs, only for permitted signs. The assessment criteria do however seem to address all possible issues.
267. There is also the issue of signage within the precinct affecting the 'public realm' of what is intended to be a high quality living and working environment. The plan change request has not addressed this aspect.
268. I understand that all other signage is addressed by the Bylaw. However my understanding of the bylaw is that it only addresses signage that is "publicly visible signage" which is "signage on or visible from a road or public place" (email communications with Daniel Kinnoch, Principal Specialist Planning – Consents). Smales Farm does not have 'roads' and "public place" means
- "....any place that, at any material time, is owned, managed, maintained or controlled by the council or a council-controlled organisation and is open to or is being used by the public, whether free or on payment of a charge and includes the navigable waters of Auckland".
269. I note the AUP has another definition for 'public place' and it can include private land:
- "A place that, at any particular time, (including for the duration of an event) is accessible to or is being used by the public whether free or on payment of a charge. Excludes: • internal areas of buildings."
4. If the Bylaw does not apply to the private land and roads within Smales Farm then that leaves a gap in terms of the potential adverse effects of signage in what will increasingly become a 'public realm' environment. It may be that this is not deemed to be an issue, if it has not been an issue to date, but the situation and environment within Smales Farm is changing.
270. The above situation would seem to require a greater degree of certainty and control than is proposed.
271. I consider there is also the potential for large signs (not being 'billboards') that are placed high on tall buildings, and further back than 30m from road frontages, to have adverse effects beyond the site and potentially for traffic safety. I disagree with the applicant:
- "Comprehensive development signage more than 30m from the Site's road frontages are identified as permitted activities because, at that distance, they are unlikely to have an effect on visual amenity or traffic safety, which are the primary matters of concern under the standard provisions relating to signs in the Unitary plan." (AEE 6.18)
272. In the council's clause 23 request, the transport expert stated that without a specific proposal to assess, it would seem difficult to accept the applicant's blanket statement (quoted above). The request was made therefore for more information/comment concerning this, to which the applicant responded:
- "Smales Farm is a large site and signage within the property that is some distance from the boundaries is unlikely to affect road safety. This request relates to the merits of the proposal and the matter will be addressed at a hearing, if necessary."

273. The applicant was also asked: What if any significant signs are envisaged that would be within 30m of the road frontages and what activity status would apply? And: “What if any significant signs are envisaged that would be further than 30m from road frontages and also visible from the roads or areas well beyond Smales Farm? A concern is for what if any height or size limitations might need to apply to large signs that are also very high and visible from long distances from Smales Farm; for example hotel signage”. The response was:

“The extent of signage is unknown at this stage. The activity status for signs within 30m of a road frontage would be restricted discretionary under the Unitary Plan if a sign meets the definition of Comprehensive Development Signage. Otherwise, the Signs Bylaw would apply.”

274. In my opinion the situation is unclear and needs further information and evaluation from the applicant, with a view to either adding clarity/standards for the permitted activity status; altering the status (perhaps for signs over certain limits); or simply reverting to the standard Auckland-wide provisions of E23 as per the AC submission. In particular, it would be interesting to know how the Bylaw is working (or not) in terms of signage within Smales Farm, or how it is expected to work.

275. Subject to more clarity or contrary evidence being presented at the hearing, I recommend that:

- (1) The use of ‘comprehensive development signage’ be abandoned for Smales Farm – or that a new definition be created - and that any sign visible from the public or private realm (outside the precinct) be restricted discretionary and made subject to the assessment criteria of E23.8.2; and
- (2) That signage otherwise be permitted (and presumably subject to the Bylaw); and that
- (3) A policy be added to address the desired effects (given that the activity rules and standards may change).

Recommendations on submission

276. That the above submissions be **accepted in part** for the following reasons:

- The precinct ‘signage’ provisions need to be appropriate to the circumstances of the site and its context, and clear for all concerned.

277. The amendments associated with this recommendation are:

(a) Add this new policy:

Require all signs within the precinct to contribute to a high standard of visual amenity and avoid any significant off-site effects.

(b) Change activity (A25) to :

~~Comprehensive development signage~~ (A25) Signs that are further than 30m from the Shakespeare Road, Taharoto Road and Northcote Road – not visible from roads and public or private land outside the precinct = Permitted (these are understood to be subject to the Signage Bylaw 2015)

(c) Add activity (A25A): Signs that are visible from roads and public or private land outside the precinct = Restricted discretionary (and assessed against E23.8.2 AUP)

- (d) Add restricted discretionary assessment provisions to I538.8 that cross reference to and apply AUP chapter E23.8.2 Assessment criteria.

PRECINCT STANDARDS

6.17 Submissions in respect of exemptions from standards

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|----------------------------|---|---------------------|-------------------------|
| 12.3 | Sovereign Services Limited | Delete the proposed exceptions to rules in I538.6 Standards (parking; height; yards). | FS02 | Reject |
| 14.6 | Westlake Girls High School | Delete trip generation exemptions under Standards for residential development and apply the generic E27.6.1 Transport rules | FS02 FS05 | Reject |

Discussion

278. These exceptions are an integral part of forming a workable precinct and are required. The concerns of the submitters are of course for the effects of the exemptions – enabling tall buildings; reduced parking provision; reduced yards; and no traffic assessments up to new floorspace limits. Accordingly, these matters are addressed elsewhere in this report.

Recommendations on submissions

279. That the above submissions be **rejected** for the following reasons:

- The proposed precinct is required to be clear as to which rules and standards apply or not and if the merits of the need for the exemptions are substantiated then these provisions are an essential part of the precinct.

280. There are no amendments directly associated with this recommendation (but the subject matter of the exemptions are addressed elsewhere).

6.18 Submissions in respect of standard I538.6.6 Outlook space and I538.6.7 Minimum dwelling size

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|--|---------------------|-------------------------|
| 14.11 | Westlake | Delete references to Business Metropolitan zone in the plan change | FS02 | Reject |

Discussion

281. The submitter seems not so much concerned with the actual standards as the fact that the word 'metropolitan' is used. Certainly, there are elements of the proposed precinct that are akin to what would be enabled in a Business - Metropolitan zone, including height which the submitter has also expressed concern over, but the nature of these standards is not unique to the Metropolitan zone and they cannot be deemed inappropriate merely because they reside in that zone.

282. In my view the standards are appropriate. The outlook space requirements are similar to those of the 'underlying' Business Park zone, which in turn are the same as the Town Centre zone, but are borrowed from the Metropolitan zone due to the much taller buildings proposed for the precinct. If it is found that the taller (Metropolitan zone) heights proposed are acceptable, then the outlook requirements are also appropriate.

283. The minimum dwelling size standards are very similar across all the business zones.

Recommendations on submissions

284. That the above submissions be **rejected** for the following reasons:

- The Business - Metropolitan zone standards for 'outlook' and 'dwelling size' are appropriate provided the 'heights' proposed are also found to be appropriate.

285. There are no amendments associated with this recommendation.

6.19 Submissions in respect of residential activities at ground floor

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|----------|-------------------|--|---------------------|-------------------------|
| 13.30(e) | AC | AC does not support that residential activity (excluding visitor accommodation) can be established on ground floor | FS02 FS05 | Accept in part |
| 15.6 | HNZ | Ground floor residential should be prevented, as for centres zones | FS02 | Accept in part |

Discussion

286. The submitters seek control over residential at ground floor. In my view the acceptability or otherwise of ground floor residential depends on the location within the precinct relative to other key structural elements and buildings within the immediate context. A question also arises for entrances at ground floor where that dwelling is otherwise entirely above ground.

287. I consider ground floor residential should be addressed by way of policy and / or assessment criteria applying to new buildings with reference to the structuring elements, and not 'prevented' as requested.

288. The applicant has however proposed through pre-hearing discussions that a new standard I538.6.7A be inserted to restrict 'ground floor residential' in certain locations. I think this would be appropriate (**Appendix 5**). This will be supported by the assessment criteria that apply to all new buildings. A breach of the standard will not change the activity status of the 'new building' from restricted discretionary so the assessment criteria are important.

289. Rebecca Skidmore has advised:

"In my opinion, the establishment of residential activity within the Precinct will be a key aspect of creating a mixed and vibrant TOD. In order to facilitate residential development I do not consider it necessary to avoid ground level residential activity

throughout the Precinct. However, I agree that it should be discouraged along the primary linkages identified in Precinct Plan 2: Structuring Elements, given the primacy of these routes in creating high amenity and vibrant connections to the public transport hub. The amended provisions proposed by the Applicant includes a development standard to avoid dwellings, including residential units within an integrated residential development, with frontage to a primary linkage. In other locations, I consider the assessment criteria for new buildings, including those relating specifically to 'ground floor residential activity' are suitable to ensure an appropriate interface is created between dwellings and adjacent areas of public access" (5.9, page 5).

290. Further to the above, I recommend that the proposed standard be amended to also restrict ground floor residential where the dwelling/unit is within 10 metres of the edge of a primary pedestrian/active mode linkage. This reinforces that the corridor is as far as possible to be an activated edge. The purpose statement and amendment I recommend for the rule is:

I538.6.7A Residential at ground floor

Purpose:

- Protect the ground floor of buildings on or near primary pedestrian / active mode linkages for commercial use; and
 - Avoid locating activities that require privacy and which do not contribute to activation on the ground floor of buildings on or near primary pedestrian / active mode linkages.
- (1) Dwellings, including units within an integrated residential development, must not locate on the ground floor of a building where the dwelling or unit has frontage to or is within 10 metres of the edge of a primary pedestrian / active mode linkage.

Recommendations on submissions

291. That the above submissions be **accepted in part** to the extent that a form of control should apply to residential floor areas (habitable or otherwise) at ground level in terms of location within the precinct, for the following reasons:

- It would be inappropriate to apply a 'no ground floor residential' standard across a large mixed use TOD precinct of 10 hectares; and
- There will be locations and situations within parts of the new Smales Farm where dwellings at ground floor, or access to dwellings, will be acceptable.

292. The relevant amendments are set out in **Appendix 6** to this report.

6.20 Submission seeking new standard - Noise sensitive activities within 100m of State Highway

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|---|---------------------|-------------------------|
|--------|-------------------|---|---------------------|-------------------------|

| | | | | |
|-------|------|--|------|----------------|
| 10.18 | NZTA | <p>A new provision is proposed to manage potential human health effects from where buildings containing noise sensitive activities locating immediately adjacent to State highway 1.</p> <p>New text proposed:</p> <p><u>I538.6.11 Noise Sensitive Activities within 100m of a State Highway</u></p> | FS02 | Accept in part |
|-------|------|--|------|----------------|

Discussion

293. NZTA seeks the addition of the following standard, which addresses both road traffic vibration and road traffic noise:

I538.6.11 Noise Sensitive Activities within 100m of a State Highway

1. New buildings or alterations to existing buildings containing noise sensitive activities, within or partly within 40 metres of the edge line of the nearest carriageway of State Highway 1 must be designed, constructed and maintained to achieve road-traffic vibration levels complying with class C of NS 8176E:2005.
2. New buildings or alterations to existing buildings containing noise sensitive activities, within in or partly within 100 metres of the nearest carriageway edge line of State Highway 1 must be designed, constructed and maintained to achieve the indoor design noise levels from road-traffic set out in Table A.
3. If windows must be closed to achieve the design noise levels in [B], the building must be designed, constructed and maintained with a ventilation and cooling system. For habitable spaces a ventilation cooling system must achieve the following:
 - i. Ventilation must be provided to meet clause G4 of the New Zealand Building Code. At the same time, the sound of the system must not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
 - ii. The occupant must be able to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour. At the same time, the sound of the system must not exceed 35 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
 - iii. The system must provide cooling that is controllable by the occupant and can maintain the temperature at no greater than 25°C. At the same time, the sound of the system must not exceed 35 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
4. A design report prepared by a suitably qualified and experienced acoustics specialist must be submitted to the [council officer] demonstrating noise and vibration compliance prior to the construction or alteration of any building containing a noise sensitive activity in or partly in the state highway buffer area or effects area. The design must take into account the future permitted use of the state highway; for existing roads this is achieved by the addition of 2dB to existing measured or predicted noise levels.

Table A

| BUILDING TYPE | OCCUPANCY/ACTIVITY | MAXIMUM INDOOR DESIGN NOISE LEVEL $L_{Aeq(24h)}$ |
|---------------------------|---|--|
| Residential | Living spaces, sleeping spaces (including visitor accommodation and retirement accommodation) | 40 dB |
| Education | Assembly halls | 35 dB |
| | Conference rooms, drama studios | 40 dB |
| | Lecture rooms and theatres, music studios | 35 dB |
| | Libraries | 45 dB |
| | Sleeping areas in educational facilities | 40 dB |
| | Teaching areas | 40 dB |
| Health | Overnight medical care, wards | 40 dB |
| | Clinics, consulting rooms, theatres, nurses' stations | 45 dB |
| Cultural buildings | Places of worship, marae | 35 dB |

Note: Excludes areas not deemed to be habitable spaces as defined by schedule 1 of the Building Regulations 1992.

294. SG has concluded that it would not be appropriate to apply a road traffic vibration standard, and the reasoning is set out on page 12 of the report. SG concludes with:

“Due to the significant expense and effort that would be required to determine the measures necessary to ensure compliance with the proposed vibration control, and that vibration issues are most-often caused by localised defects in the pavement that it only under the control of the NZTA, we consider that the relief sought by NZTA is overly onerous on the neighbouring landowner. Given that the NZTA have an ongoing duty under s16 to maintain the vibration levels in the surrounding environment at a reasonable level, on balance we consider that no specific vibration rule is required”.

295. Regarding traffic noise, SG recommends that the general rules of Chapter E25 should apply and if this occurs then traffic noise along with other noise from commercial activities within the precinct would be appropriately addressed; and not just for the first 100m closest to the motorway but for all affected (noise-sensitive) floor areas across the precinct. SG does not therefore recommend the adoption of the standard proposed by NZTA but that the existing Auckland-wide rules apply. SG summarises the situation (from page 8 of the report, **Appendix 4**):

“As Rules E25.6.9 and E25.6.10 do not apply to the BPZ *, there are no controls to require noise sensitive activities within the Site to be acoustically insulated from the maximum noise levels provided for within the Site. If PC23 is confirmed, the relevant noise limits applying under Table E25.6.6.1 will enable a maximum noise level of 60dB L_{Aeq} (at all times) between sites in the BPZ, and there will be no inter-tenancy noise controls (other than the requirements of G6 of the New Building Code⁷).

“Without any specific insulation measures, noise levels inside bedrooms, habitable rooms and other noise sensitive spaces could be between 45-50 dB L_{Aeq} at night. Such levels are 10 to 15 decibels higher than the noise levels typically adopted for the avoidance of sleep disturbance effects for most people, being 35 dB L_{Aeq} . Noise levels in noise sensitive spaces during the day could be at approximately the same level – interfering with concentration, productivity and amenity.

“In our view, allowing noise sensitive activities into a zone with high noise limits without any acoustic controls to insulate those noise sensitive activities; will result in conflict. Quite simply, residential/ accommodation/ educational activities in the BPZ, (and under PC23 as requested) will be incompatible with the other commercial activities that are

⁷ Clause G6 only controls the construction details of inter-tenancy walls and floor/ceilings. It does not control the noise level from one unit or habitable space into another habitable space.

also provided for. Acoustic insulation controls are therefore necessary to ensure that this conflict and incompatibility does not arise.”

* Addressing ‘noise levels between units’ and ‘noise levels for noise sensitive spaces’.

296. SG recommends (at 4.2.1)

“PC23 is amended to incorporate the acoustic controls for Activities Sensitive to Noise* as set out under E25.6.9 and E25.6.10. This would treat the mixed use environment in the same way as any other Business Zone under the AUP where a similar mix of activities is provided for.”

* “Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centres, lecture theatres in tertiary education facilities, classrooms in education facilities and healthcare facilities with an overnight stay facility.”

297. SG notes that various consequential amendments would be required, in particular because the assessment criteria of E25.8 do not refer to either the Business Park zone or the Smales 1 Precinct and the criteria would be relevant.

298. I concur with the recommendations of SG, such that the same Auckland-wide requirements that would apply to mixed use business environments, with respect to managing the effects of noise and ensuring appropriate internal environments for noise-sensitive activities / spaces, also apply at Smales Farm. The details to achieve this are set out in **Appendix 6**.

Recommendations on submissions

299. That the above submission be **accepted in part** for the following reasons:

- It is appropriate to effectively manage potential adverse human health effects where buildings containing noise-sensitive residential and other activities are to be located immediately adjacent to a busy motorway or nearby noise-generating commercial or light industrial activities sited within the Smales Farm precinct.
- The introduction of the standards that apply to similar mixed use (and centres) environments are appropriate at Smales Farm given the intended intensity of development and the desire to create a high quality living and working environment.

300. The recommended changes are in **Appendix 6**.

6.21 Submission in respect of standards – purpose statements

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|--|----------------------|-------------------------|
| 13.11 | AC | Amend PPC23 to ensure land use applications are assessed in line with clear outcomes stated in the precinct provisions – objectives, policies, standard's purpose, assessment criteria - while avoiding replication or contradiction with the Auckland Unitary Plan approach of chapter C. | FS02 FS04 FS05 | Accept in part |

Discussion

301. This AC submission, largely addressed elsewhere, makes reference to a need for purpose statements for precinct-specific standards, as part of ensuring clear outcomes. Accordingly, these have been added to the recommended precinct provisions and are identified for each standard in **Appendix 6**.

Recommendation on submission

302. That submission AC 13.11 be **accepted** to the extent that the 'purpose' statements in **Appendix 6** are deemed to be acceptable, for the reason that it is appropriate to specify the purpose of precinct-specific standards as they are generally variations from those of the underlying zone or Auckland-wide provisions and warrant this form of support.

ASSESSMENT CRITERIA (INCLUDING MATTERS OF DISCRETION)

6.22 Submissions in respect of assessment of restricted discretionary activities, I538.8

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|---------------|--------------------------|--|--------------------------------------|--------------------------------|
| 10.11 | NZTA | Change the activity status of (A16) Drive-through restaurants to discretionary. Make a consequential deletion of the assessment criteria for drive-through restaurants, I538.8.2 (4). | FS01 FS02 FS03 | Accept |
| 10.19 | NZTA | Add <u>new</u> 'matters of discretion' at I538.8.8.1 (1) for traffic assessments for activities exceeding 117,000 m ² GFA business activities and 380 units, being those set out at E27.8.1 (4) and "travel management" and "on-site parking provision". | FS01 FS02 FS03 FS04 FS05 | Reject |
| 10.20 | NZTA | Add <u>new</u> assessment criteria at I538.8.8.2 (1) for traffic assessments for activities exceeding 117,000 m ² GFA business activities and 380 units, being a) Those set out at E27.8.2 (3) and b) Information demonstrating success or otherwise of travel demand management measures, and c) On-site parking provision; and d) Whether it can be demonstrated by the measures and commitments outlined in a site travel management plan ...that private vehicle travel will be minimised | FS02 FS03 FS04 FS05 | Reject |
| 13.21 | AC | Amend PPC23 to retain the Auckland Unitary Plan approach to restricted matters and assessment criteria where restricted discretionary activities are stipulated by precinct, Auckland-wide or zone provisions, and modify I538.8.1(5) and I538.8.2 (5) which are not supported in the current form | FS02 FS05 | Reject |
| 13.22, 23 | AC | Amend PPC23 to limit activity (A6) and assessment criteria – conversion of a building - to just dwellings and visitor | FS02 FS03 | Accept in part |

| | | | | |
|----------|----|---|--------------|----------------|
| | | accommodation (AND) Amend PPC23 to ensure that in the assessment of (A6) activities – conversion of building for dwellings and visitor accommodation – that appropriate and relevant considerations are considered | | |
| 13.24 | AC | Amend PPC23 to address the change of activity status of 'drive through restaurants' from restricted discretionary to non-complying (as per the Business Park underlying zone), including the removal of assessment criteria | FS02 FS03 | Accept in part |
| 13.30(b) | AC | support that conversion of a building or part of a building to dwellings or visitor accommodation be provided for as a restricted discretionary activity | FS02 FS05 | Accept in part |

Discussion

Conversion to residential

303. 13.30(b) AC's support for 'conversions' being restricted discretionary is noted and accepted. 13.23 AC requests that the assessment criteria be found to be appropriate. The provision cross references to the Metropolitan zone H9.8.1(5) and H9.8.2(5) and in my opinion the assessment would be appropriate. The matters of discretion refer to outlooks and minimum dwelling size and achieving a good standard of amenity. The assessment criteria cross references to policy H9.3(2) of the zone which refers to "managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities". This is a key consideration in a mixed use environment. I question however whether the assessment criteria that apply to 'new buildings' should also be applied by way of cross referencing so that a wider range of factors can be considered. I invite the applicant to give this further consideration and comment in the light of the AC submission 13.23. It is unclear to me whether the reference to "additions and alterations not otherwise provided for" means that the 'new building' provisions of I538.8.2 (5) would then apply to a 'conversion'.
304. The AC submission also relates to the reduction of the range of residential uses and this reduction has been addressed elsewhere (and rejected).

Drive through restaurants

305. The change of activity status from 'restricted discretionary' to discretionary means that the assessment criteria for this activity should be deleted. The AC request 13.24 that the activity status be non-complying has been addressed elsewhere.

New buildings

306. AC submission 13.21 does not support the provisions concerning 'new dwellings', being the form in which the 'matters' and 'assessment criteria' are written. I have reviewed the AUP 'best practice guide' and cannot see any particular issue with the current drafting. Once a final set of (modified) plan change provisions has been generated, it may be necessary to have them reviewed specifically in this regard. This could be done on a collaborative basis with the applicant (and the council as submitter), subject to the determinations of the hearing commissioners.

307. It is noted that all the assessment criteria have been revised by the applicant and circulated to all concerned as of 15 October 2019. There are various further modifications recommended and these are highlighted in **Appendix 6**.

Trip threshold exceeded

308. NZTA seeks in addition to a lowering of the development threshold at which a new ITA would be required that new matters of discretion and assessment criteria be added. I am not sure why this is being sought because the activity status for a new ITA is discretionary and not 'restricted discretionary' and NZTA has not sought a change of activity status. The matter of the appropriate threshold for a new ITA is addressed under TRANSPORT NETWORK, TRAFFIC AND PARKING at section 6.25. It is possible however that the hearing commissioners consider that another interim threshold is appropriate, before the significant 'discretionary' one. In which case the activity status could be the lesser one of 'restricted discretionary' and then assessment criteria would be necessary. It is noted also that the assessment criteria requested under NZTA 10.20 are not all 'assessment' but rather information requests. Further work would be required to ensure the criteria, if to be adopted, were drafted in appropriate language.

Recommendations on submissions

309. That the submissions NZTA 10.19 and 10.20 be **rejected** for the following reason:

- It is not necessary or appropriate to have assessment criteria for a discretionary activity. The evaluation of a discretionary activity is not restricted and is subject in the first instance to relevant objectives and policies and any other relevant assessment criteria, in this case from chapter E27 Transport, can be applied as appropriate

(Note: This recommendation is subject to the considerations under TRANSPORT NETWORK, TRAFFIC AND PARKING).

310. That submission NZTA 10.11 be **accepted** and AC 13.24 be **accepted in part** for the following reason:

- 'Drive through restaurants' are considered to be appropriate as discretionary activities (addressed elsewhere) and therefore the RDA assessment criteria can be deleted.

311. That submission AC 13.21 be **rejected** for the following reason:

- The form of the 'new buildings' assessment criteria are considered to be acceptable (but along with all the modified precinct provisions will be reviewed in their final form).

312. That submissions AC 13.22, 13.22 and 13.30(b) be **accepted in part** for the following reason:

- It is appropriate that the assessment criteria applying to the conversion of buildings for residential uses are comprehensive and there is some uncertainty about the comprehensiveness of the assessment that would apply.

313. The amendment associated with these recommendations is that I538.8.1(4) and I538.8.2(4) pertaining to 'Drive through restaurants' are deleted. It is noted that some minor amendments to the assessment of 'new buildings' are addressed elsewhere. Refer **Appendix 6**.

SPECIAL INFORMATION REQUIREMENTS AND PRECINCT PLANS

6.23 Submissions in respect of 'special information requirements' I538.9

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|--|------------------------------|-------------------------|
| 10.21 | NZTA | Delete existing statement and add new "Special information requirements" to provide certainty for applicants where a traffic assessment application is required for development exceeding 117,000 m ² / 380 units, requiring: a) Site travel management plan supporting a 'transit orientated development' with the following minimum information (summarised): i. The physical infrastructure to support alternative transport modes e.g covered facilities for cyclists ii. The physical linkages on the site to link with surrounding pedestrian and cycling networks and existing public transport resources iii. Operational measures that encourage reduced vehicle trips iv. Management of vehicle ownership v. Details of the management structure that would oversee the travel management measures vi. Methods of monitoring the effectiveness of the above including a commitment to undertake travel surveys vii. Monitoring of travel from the site to confirm assumptions set out in the Smales 1 Precinct Integrated Transport Assessment (ITA); applications for the release of subsequent development stages are to include an assessment of the extant transport environment relative to that set out in the ITA. | FS02 FS03 FS04 FS05 | Accept in part |
| 13.27 | AC | Amend PPC23 to contain any 'special information requirements' necessary to highlight to resource consent applicants any particular matters requiring special attention | FS02 | Accept |

Discussion

Traffic ITA

314. NZTA 10.21 seeks that in respect of a new traffic assessment application (ITA) 'special information requirements' be stipulated and required to be submitted at that time. This seems an appropriate requirement and is supported in principle. The threshold figures necessitating a new ITA are addressed under TRANSPORT NETWORK, TRAFFIC AND PARKING at section 6.25. The key question is whether this information requirement pertains to a discretionary power enabling council to decline consent to develop or whether, for some interim stage of development, it is information for monitoring purposes at a step towards a later more significant application for development consent.

315. WDHB #FS04 supports submission NZTA 10.21 and requests an amendment to subclause vii:

vii. Monitoring of travel from the site to confirm assumptions set out in the Smales 1 Precinct Integrated Transport Assessment (ITA); applications for the release of subsequent development stages are to include an assessment of the extant transport environment (together with that modelled for substantial neighbouring land uses such as the North Shore Hospital) relative to that set out in the ITA.

316. The council in its clause 23 request enquired about similar matters to those within the NZTA submission. Additionally, there were questions about numbers of parking spaces (including for residential uses), 'end of trip' facilities (for cyclists in particular) and provision for motorcyclists. The applicant at the time responded that the questions pertained to the merits of the proposal and that in any event it was not considered any 'special information requirements' were required.

317. HG has recommended that the following 'special information requirements' be added:

"The following is to be provided as requirements for 'site travel management plan':

- Traffic information and surveys of employees / residents are to be undertaken every two years
- Include an assessment of pedestrian and cycling connections to and through the site to determine if these are consistent with the objectives and policies of the Precinct
- Reporting on TDM measures, management and monitoring undertaken."

Stages of development; integration with emerging 'masterplan'

318. Rebecca Skidmore has reported as follows and I endorse her recommendations:

"Ensuring co-ordination between different stages of development (which may occur over an extended timeframe) will be critical to delivering a well-connected, legible and high amenity public realm. In addition to the policies and assessment criteria for primary linkages and landscaped open spaces, consideration could also be given to including a special information requirement for each significant stage of development to produce an 'integration plan' demonstrating how the proposal fits with the already developed and consented urban structure and form. This would assist to demonstrate how the policies and assessment criteria are being met." (5.15).

Increases in floor area

319. It would also be important with respect to the development of 'accessory activities' over time (GFA standard I.538.6.1(2)) to know at each stage of development the floor areas of various uses that exist as new areas are being established, especially given that tenancies can change over time (as permitted activities) and the figures may alter. This would complement information as to parking, trip generation, travel mode shares, and bicycle parking and end of trip facilities that had been or was to be submitted at other times. In response to the clause 23 request the applicant provided the following information. This could also be readily updated at each significant stage of new development as appropriate:

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|--------------------|--------|---------------------|-----|-------------------|-------|--------------|-----|----------------------------|-----|--|-----|-----------------------|-----|---------|------------------|------------------|--|---------|---|------------|----|---------|----|-----------|--|---------|---|------------|----|---------|---|---------------|--|---------|----|------------|----|---------|----|------------------------------|----|
| <p>Floorspace: The total floorspace area at Smales Farm at present is 58,000 m². How is this made up, and what are the various uses (businesses/tenancies and floor areas) that make up the 'ancillary' component of the 58,000m²?</p> | <table> <tr><td>Offices/ amenities</td><td>53,550</td></tr> <tr><td>Commercial services</td><td>500</td></tr> <tr><td>Food and beverage</td><td>1350</td></tr> <tr><td>Retail</td><td>400</td></tr> <tr><td>Childcare Centre</td><td>900</td></tr> <tr><td>Healthcare Centre</td><td>750</td></tr> <tr><td>Fitness Centre</td><td>550</td></tr> <tr><td></td><td>58,000 m2</td></tr> </table> | Offices/ amenities | 53,550 | Commercial services | 500 | Food and beverage | 1350 | Retail | 400 | Childcare Centre | 900 | Healthcare Centre | 750 | Fitness Centre | 550 | | 58,000 m2 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Offices/ amenities | 53,550 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commercial services | 500 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Food and beverage | 1350 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Retail | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Childcare Centre | 900 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Healthcare Centre | 750 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fitness Centre | 550 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 58,000 m2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Parking: What is the current total of carparking spaces at Smales Farm, and how is this allocated? (offices, 'ancillary' uses, visitor and short term parking).</p> | <p>Parking supply 2,044 spaces, made up as follows:</p> <table> <tr><td>Basement/Allocated</td><td>590</td></tr> <tr><td>On Grade:</td><td></td></tr> <tr><td>Unallocated</td><td>1,026</td></tr> <tr><td>Time Limited</td><td>225</td></tr> <tr><td>Time Limited Pay & Display</td><td>58</td></tr> <tr><td colspan="2">(of these 10 are motorbike parks and 9 are Mobility parks)</td></tr> <tr><td>All Day Pay & Display</td><td>145</td></tr> </table> | Basement/Allocated | 590 | On Grade: | | Unallocated | 1,026 | Time Limited | 225 | Time Limited Pay & Display | 58 | (of these 10 are motorbike parks and 9 are Mobility parks) | | All Day Pay & Display | 145 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Basement/Allocated | 590 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| On Grade: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Unallocated | 1,026 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Time Limited | 225 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Time Limited Pay & Display | 58 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (of these 10 are motorbike parks and 9 are Mobility parks) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| All Day Pay & Display | 145 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Bicycle parking and 'end of trip facilities': What provision exists and what are the details (number of 'parking' spaces; nature of 'end of trip facilities')?</p> | <table> <tr><td>Vodafone</td><td></td></tr> <tr><td>Showers</td><td>10</td></tr> <tr><td>Bike Parks</td><td>46</td></tr> <tr><td>Lockers</td><td>68</td></tr> <tr><td>Air NZ</td><td></td></tr> <tr><td>Showers</td><td>7</td></tr> <tr><td>Bike Parks</td><td>20</td></tr> <tr><td>Lockers</td><td>10</td></tr> <tr><td>Sovereign</td><td></td></tr> <tr><td>Showers</td><td>6</td></tr> <tr><td>Bike Parks</td><td>16</td></tr> <tr><td>Lockers</td><td>24</td></tr> <tr><td>Q4</td><td></td></tr> <tr><td>Showers</td><td>3</td></tr> <tr><td>Bike Parks</td><td>12</td></tr> <tr><td>Lockers</td><td>6</td></tr> <tr><td>B:HIVE</td><td></td></tr> <tr><td>Showers</td><td>11</td></tr> <tr><td>Bike Parks</td><td>66</td></tr> <tr><td>Lockers</td><td>70</td></tr> <tr><td>Visitor cycle parking</td><td>13</td></tr> </table> | Vodafone | | Showers | 10 | Bike Parks | 46 | Lockers | 68 | Air NZ | | Showers | 7 | Bike Parks | 20 | Lockers | 10 | Sovereign | | Showers | 6 | Bike Parks | 16 | Lockers | 24 | Q4 | | Showers | 3 | Bike Parks | 12 | Lockers | 6 | B:HIVE | | Showers | 11 | Bike Parks | 66 | Lockers | 70 | Visitor cycle parking | 13 |
| Vodafone | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Showers | 10 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bike Parks | 46 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lockers | 68 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Air NZ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Showers | 7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bike Parks | 20 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lockers | 10 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sovereign | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Showers | 6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bike Parks | 16 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lockers | 24 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Q4 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Showers | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bike Parks | 12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lockers | 6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B:HIVE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Showers | 11 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bike Parks | 66 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lockers | 70 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Visitor cycle parking | 13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Recommendations on submissions

320. That the submission by NZTA 10.21 be **accepted in part** to the extent that the stipulated 'special information requirements' (or similar) be required as part of any resource consent application for the passing of a development threshold that necessitates a new ITA, for the reason that it is necessary and appropriate that such information (and related information) be required for such an important application.
321. That the submission by AC 13.27 be **accepted** to the extent that a 'special information requirement' be added along the lines recommended by Rebecca Skidmore, so that at each stage of development the extent of the emerging urban structure and form, with respect to the main linkages and the bus station, can be visualised; for the reason that

this information will enable the council to see the extent to which the objectives and policies of the precinct are being delivered at each stage.

322. These proposed amendments are set out in **Appendix 6** to this report. Further modification is required.

6.24 Submission in respect of 'precinct plans' I538.10

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|-------------------|---|---------------------|-------------------------|
| 13.16 | AC | Amend PPC23 to ensure that the precinct plans clearly relate to the relevant precinct standards or provisions and conform with Auckland Unitary Plan drafting standards | FS02 FS05 | Accept in part |

Discussion

323. The precinct plans have been recreated by council's GIS/AUP team in conformity with AC drafting standards – refer Appendix 6. I consider the cross references to these plans in the text are appropriately made.

Recommendation on submission

324. That AC submission 13.16 be accepted the reason that the precinct plans need to be to AC/AUP drafting standards.

325. The revised precinct plans are in **Appendix 6**.

TRANSPORT NETWORK, TRAFFIC AND PARKING

6.25 Submissions in respect of effects on and for the transport network; threshold/s for exemption from ITAs; implications of central plaza; parking standards

| Sub ## | Name of submitter | Summary of the relief sought by the submitter | Further submissions | Planners recommendation |
|--------|--------------------------------|--|--------------------------------------|-------------------------|
| 1.2 | Shorecare Medical Services Ltd | (Ensure) sufficient car parking for staff and patients of an Urgent Care Clinic. | | Accept in part |
| 4.1 | Jungho Hong | Decline the plan modification (due to concerns regarding traffic; parking...) | | Accept in part |
| 7.2 | Sally Slawson | (Applicant to provide) a realistic analysis of number of cars accessing the new proposed areas and let the public know what changes to roading / traffic lights there will be. | FS03 | Accept in part |
| 8.1 | Soon bok Ko | Decline the plan modification (due to traffic and parking effects; the ITA is weak; 25% reduction in background traffic is very questionable; lack of alternative transport options c.f central city; local streets already under parking pressure from employees at Smales Farm | FS01 | Accept in part |
| 9.1 | Charles Crisp | Decline the plan modification (due to traffic effects and the inability of the existing road network and public transport options to cope with any further high density residential or commercial activity on the Smales Farm site). | | Accept in part |
| 10.15 | NZTA | Parking – Reconsider and reduce the parking number maximums for non-residential development in line with the details set out in the submission and achieve greater consistency with policy 4. | FS02 FS03 FS05 | Accept in part |
| 10.16 | NZTA | Parking, residential: Introduce parking maximums for residential development and consequentially delete I538.6.2 (2) which states there are not parking standards for residential activity. | FS02 FS03 FS05 | Accept in part |
| 10.17 | NZTA | Trip generation standard, I538.6.3(1) and – Adopt reduced thresholds as set out at 10.7 {policies} (117,000 m ² and 380 residential units) and exempt traffic assessments up to this extent of development. | FS02 FS03 FS04 | Accept in part |
| 10.19 | NZTA | Add new 'matters of discretion' at I538.8.8.1 (1) for traffic assessments for activities exceeding 117,000 m ² GFA business activities and 380 units, being those set out at E27.8.1 (4) and "travel management" and "on-site parking provision". | FS01 FS02 FS03 FS04 FS05 | Accept in part |
| 10.20 | NZTA | Add new assessment criteria at I538.8.8.2 (1) for traffic assessments for activities exceeding 117,000 m ² GFA business activities and 380 units, being a) Those set out at E27.8.2 (3) and b) Information demonstrating success or otherwise of travel demand management measures, and c) On-site parking provision; and d) Whether it can be demonstrated by the measures and commitments outlined in a site travel management plan ...that private vehicle travel will be minimised. | FS02 FS03 FS04 FS05 | Accept in part |
| 11.3 | AT | <u>Strategic transport infrastructure</u> (including bus station): Provide assessment of impacts on strategic transport infrastructure, especially access to and from bus station; give particular consideration to peak periods and functioning of Shakespeare Road and access to Westlake | FS01 FS02 FS04 | Accept in part |

| | | | | |
|-------|-----------|---|----------------------|----------------|
| | | Girls; identify how the effects identified will be managed including by network design changes and travel demand management etc; depending on the outcome of these assessments, modify PPC23 accordingly | | |
| 11.7 | AT | <u>Walking/cycling</u> : Provide further assessment for the full scale of development of surrounding walking and cycling facilities to provide safe and attractive access for these users; review the provisions and the need for amendments to PPC23 to provide appropriate mitigation measures for safe and attractive pedestrian and cycle access to the site from surrounding areas | FS01 FS02 | Accept in part |
| 11.8 | AT | <u>Parking</u> : Provide further information and assessment to support the PPC23 parking provisions, consistent with proposed mode share and resulting traffic generation of activities; depending on the outcomes, review the need to amend PPC23 parking provisions | FS02 FS05 | Accept in part |
| 11.9 | AT | <u>TOD principles, Design</u> The ITA has not adequately addressed how the provision of appropriate pedestrian-oriented access to the bus station can be satisfactorily integrated with the vehicle access requirements of the site through the proposed provisions. | FS02 FS05 | Accept in part |
| 11.10 | AT | <u>Timing and staging in relation to future transport network changes</u> : Provide further clarification and as necessary assessment of the transport effects of PPC23 without the assumed (unfunded) infrastructure improvements; clearly identify what projects and services are required and how they will be delivered; depending on the outcomes, review the provisions and need for amendments to PPC23 to address any transport effects identified. | FS02 FS04 FS05 | Accept in part |
| 12.4 | Sovereign | Delete proposed I538.6.2(2) - no parking standards for residential | FS02 FS03 | Accept in part |
| 14.6 | WGHS | Delete trip generation exemptions under Standards for residential development and apply the generic E27.6.1 Transport rules | FS02 FS03 FS04 | Accept in part |
| 14.7 | WGHS | Maintain the trip rule exemption for non-residential development only, up to 105,000 square metres as operative (not 162,000) | FS02 FS03 | Accept in part |
| 15.5 | HNZ | Development of >100 dwellings should be subject to the generic traffic assessment provisions (for trip generation) of chapter E27.6.1, and not have special exemptions | FS02 FS03 | Reject |

Discussion

326. The above submissions generate the following key questions:

- (1) Thresholds for ITA: Will the transport network cope with the additional precinct traffic beyond the current ITA threshold of 105,000 square metres of development, and should the new threshold be at 162,000 square metres of development or at some prior stage? (cf current built floor area 58,000^m²)
- (2) Residential trips: What are the trip generation characteristics of residential uses and are these significant necessitating particular interventions? Should there be parking requirements for residential uses (maximums and or minimums)?
- (3) Non-residential parking standard: Should the non-residential parking requirement, standard I538.6.2 remain unchanged, with a maximum of 5094 spaces?

- (4) On-site or off-site special requirements: Are there any improvements of the transport network that Smales Farm should be responsible for? For example, pedestrian and cycling facility improvements; intersection improvements; road design improvements, in order that the traffic effects of the mixed use precinct will be acceptable over time?
- (5) Central pedestrian plaza: What are the implications of the formation of the central plaza for traffic circulation within Smales Farm and what are the implications outside the precinct?

327. Council's transport expert Harrison Grierson (HG) has reviewed the ITA prepared for the applicant by Stantec and has made the following observations (refer Appendix 4):

- (a) Smales Farm is suitable for a transit oriented development in terms of the generally accepted principles, but in respect of the four key design principles adopted in the Stantec ITA, HG has found as follows:

Pedestrian connectivity:

It is agreed a central pedestrian plaza can help Smales Farm develop as a vibrant TOD community but the design and details would need to be further reviewed at resource consent stage; there is currently a roundabout at this location. It is also noted that:

“Even though active mode trips can improve the effectiveness of the TOD, cycling is not noted as a design principle. With the cycling improvements noted in the ITA, cycling should be looked to as an important means to increase active mode trips to/from Smales Farm and wider areas. (page 17) Internal cycling routes should be incorporated into the design of the Precinct Plan”

Reliable and frequent public transport: p 15

“Before additional residential and commercial uses are established within the site, there needs to be a sound understanding of the current capacity and operations of the public transport network in the vicinity of the Smales Farm Bus Station and the expected burden on the road network based on the increased number of travel trips from transit and roadway users.

“While the ITA focuses on wider access to areas such as Albany, additional information should be included to explore the effects on local access via the public transport network for trips originating at Smales Farm.

“To improve efficiencies in the bus network for local trips from Takapuna and other centres and suburbs across the North Shore, considerations should be made to add T2/T3 lanes onto the surrounding road network. An assumption of services cannot be made and must be supported by further investment in public transport.”

Private vehicles: p 15

Parking needs to be limited. “If parking is included in residential or commercial activities, the Smart Transport programme should include a TDM strategy termed ‘unbundled parking’ to ensure that the cost of parking is clearly shown as a

separate cost. Showing the true cost of parking will serve as a deterrent for tenants and serve as disincentive to private car ownership.

“While the Plan Change mentions locating and screening ‘parking, loading and service areas’ to maintain pedestrian amenity, the focus here is based on aesthetics rather than safety. The Urban Design Assessment acknowledges that creating ‘pedestrian-priority streets and public spaces’ will require the ‘redesign of existing internal streets and circulation spaces over time.’ Yet the Plan Change does not provide enough detail as to how this detail will be carried out. In order to properly assess the safety and any potential conflict between vehicles and pedestrians, the location and design details of the internal streets and circulation would need to be further reviewed during the resource consent stage.”

“... the proposed rules (related to parking) are not consistent with a TOD and there is not sufficient discouragement of vehicle trips by the proposed parking provisions.” (page 28 conclusion)

Mixed use activities: p 16

“To align with TOD principles, adding residential activities should be the focus rather than adding a large number of commercial activities at the site. Commercial activities should be limited to those that do not currently exist and will be an amenity for residents.”

“There are a few commerce-related activities of note that potentially conflict with TOD principles:” Supermarkets; drive through restaurants; service stations; retail and big box retail. HG considers that activities should have an activity status that reflects their unsuitability for a TOD (as addressed elsewhere).

- (b) HG has also found as follows in respect of the key topics within the ITA, of ‘existing accessibility’, ‘future accessibility’, ‘modelling’ and ‘transport policy’:

Existing accessibility

“The Smales Farm site is handily located close to the Smales Farm Bus Station and the Northern Motorway. Therefore the site is well connected for those looking to access the site by bus or private vehicle. We consider that the site is easily accessible by public transit and appropriate to be the base for a TOD. Access to walking and cycling infrastructure is also very good.” (from conclusion second para). However it is noted that in terms of mode share, the last survey of Smales Farm staff was done in 2016 and a reassessment is required given the New Bus Services Network. (page 5 mode share). Further, the ‘Smart Transport by Smales Farm’ programme under development needs to be implemented through the provisions of the plan change (page 7).

Future accessibility

There are a number of future regional projects that, when implemented, will improve the mode choice availability for people associated with activities on the site. (conclusion) However, these are unfunded and –

“While these improvements will create additional access for all road users, they could negatively influence the current mode split to continue to favour private vehicles and add more congestion. There is also the potential that adding more

roadway users would increase the likelihood of conflict between cyclists, pedestrians, private vehicles and public transport.

“It will be incumbent on Smales Farm to provide infrastructure that minimises the need for a private vehicle and promotes access by other modes of travel to ensure that road network improvements do not increase the current number (or mode share) of private vehicle trips. This should come in the form of a Transportation Demand Management Plan that includes Westlake School for Girls and North Shore Hospital as organisational partners.” (page 7)

Modelling

“The modelling undertaken is comprehensive. However, there has been an assumption that a 25% reduction in a specific traffic movement is considered as being necessary for the traffic-related impacts of the proposed development not to adversely affect maintaining the safe and efficient operation of the local road network.

“This is generally an optimistic assumption that is not a proven assumption or empirically determined outcome. There is consequently a level of uncertainty with regard to the traffic effects that might eventuate.” Conclusions page 28

“We noted that there is no traffic model developed for 2031 and 2051 based on the proposed development as set out (above, Table 8 of the ITA, development staging). The developed traffic model includes only 125,000^{m2} of the proposed commercial development and 855 residential units.

“The traffic model does not reflect the proposed final development on the site by 2051. We are concerned that 37,000^{m2} of commercial activity and 525 apartments units are not included in the model.

“We understand that the developed model is based on the base model from the MSM8 model in the year 2026 and 2036. We consider this is acceptable to use MSM models as the base model for the assessment. The recommended threshold in the proposed plan change would therefore also need to be based on this developed model.”

“The proposed Plan Change increases the threshold for commercial activities mentioned in 105,000^{m2} at Smales Farm to 162,000^{m2}. We consider this is not acceptable given the level of the effect for developing 162,000^{m2} commercial activity is not included in the model.” (page 8)

“As can be seen in Figure 3 (being Table 20 of the Stantec ITA), the proposed residential activity on-site would generate the smallest proportion of the trips on the surrounding road network..(and) ..”it is expected that the effects would not be significant”.(page 11, just below Table)

Transport policy

“The proposed development of a TOD at Smales Farm is consistent with national and regional policies.” (page 28)

⁸ MSM model is Macro Strategic Model which is a regional macroscopic model built using the EMME software package.

(c) Taking into account the above findings, and after considering the submissions (in section 8.0 of the report) HG makes the following key recommendations:

- i. Amend the objectives and policies (as referred to elsewhere).
- ii. Development thresholds: In order to address the concerns described we recommend a two-stage 'soft check-in' followed by a 'hard check-in' as follows:
 - a preliminary check-in at the five-year (2026) level, that is 92,000 m² GFA of commercial/retail activity together with 190 residential apartments
 - a second 'soft check-in' at the 10-year (2031) level, that is 117,000 m² GFA of commercial/retail activity together with 380 residential apartments
 - a 'hard check-in' at the 15-year (2036) level, that is 125,000 m² GFA of commercial/retail activity together with 570 residential apartments. That is, (A1) - delete reference to the maximum (of 162,000) in standard I538.6.1. Non-residential activity exceeding 125,000m² GFA and 570 units should be – **RD** and exceeding 162,000m² GFA should be – **D**.

HG considers that: "The above reviews will allow the applicant sufficient time to implement the principles of a TOD. They will also enable Council to discuss the implementation of 'corrective measures' should the development progress be considered not to be achieving the principles of a TOD."

- iii. Activities:
 - (A13) - Service stations D
 - A (14) - Supermarkets up to 2000 m² GFA per tenancy but with a restriction on parking at one per 60m² – P
 - A (16) - Drive through restaurants – D
- iv. Parking:
 - a maximum parking rate of one space per 60m² GFA (for GFA over and above that currently developed, 58,000 GFA) is implemented for non-residential activities
 - Parking for residential activity should have no minimum requirements but be limited to a maximum of one space per unit
- v. Special information requirements: The following is to be provided as requirements for 'site travel management plan':
 - Traffic information and surveys of employees / residents are to be undertaken every two years
 - Include an assessment of pedestrian and cycling connections to and through the site to determine if these are consistent with the objectives and policies of the Precinct
 - Reporting on TDM measures, management and monitoring undertaken
- vi. Other restrictions: Add a further rule –
 - To protect safe and efficient operation of key FTN/RTN services, no new vehicle access is permitted on Shakespeare Road extension.

328. In the light of the HG report and recommendations, I discuss below the five key questions:

329. Thresholds for ITA: I agree in principle with the conclusions of HG set out above that in terms of the modelling and its assumptions, it would seem inappropriate to shift the threshold from 105,000 GFA to 162,000, without any checks between now and potentially 2051. This represents adding over 100,000 GFA of business development while taking no account of residential development. Accordingly, it is necessary and appropriate that different thresholds are put in place that enable the effects of development over the next 5 to 15 years to be evaluated.
330. This time frame will see progress with major transport projects that may improve accessibility; will enable the results of staff surveys, traffic counts and TDM initiatives to be reported; and will also likely see changes to the AUP as result of national planning requirements, other local development issues or changes in the current 'masterplan' development scenarios being planned and modelled by the applicant.
331. The 'soft' checks at circa 2026 and 2031 would be controlled activities such that there is no potential stop to development but a clear expectation of robust monitoring information being provided to understand the extent to which the ITA assumptions of traffic generation and mode share shifts were being achieved.
332. It is understood that at the time of completion of this report the applicant is discussing with key submitters the concept of a 'soft check' which would be a controlled activity at 125,000 GFA or 570 dwellings, whichever occurs the soonest. A report would be required addressing trip generation at peak hour and mode shares for residential and non-residential activities. However, HG clearly considers that this stage in development is too far on and that this point should be a 'hard check' which would be a restricted discretionary activity such that there was no guarantee of the applicant being able to develop beyond this point if the effects were not found to be acceptable. I note also that this coincides with the stage at which the central pedestrian plaza is to be in place.
333. I recommend further that the threshold/s not refer to dwellings at all. The reference to 'whichever occurs first' creates the situation whereabouts the dwellings are developed first, triggering the rule, and the non-residential developments then bypass the consent requirement. It is proposed however that at the stage of consent for non-residential development, that the implications of any quantum of residential is also considered at that stage, as part of the overall assessment.
334. Residential trips: The trip generation of residential activity is agreed to be not significant. However, the lack of any restriction on parking does not seem appropriate in a TOD environment nor conducive to discouraging private car trips or mode shift. The Stantec ITA maintains that the Smales Farm situation is much the same as the Auckland city centre but does not adopt the same parking requirements.
335. The applicant's summary statement in respect of residential parking is:
- "No minimum or maximum limit is proposed for parking associated with residential activity. That is the case with the Metropolitan Centre, Town Centre, Local Centre, Mixed Use and THAB zones and it will be consistent for residential activity in the Business Park Zone to be treated in the same way. It is considered that the lack of a maximum or minimum parking requirement will facilitate residential development on the Site and is, therefore, appropriate for achieving the objectives of the precinct" (AEE 11.1.27)."
336. NZTA 10.16 promotes maximums for residential uses and notes the city centre rates as:
- Studio / One Bedroom: 0.7 spaces per dwelling

Two Bedroom: 1.4 spaces per dwelling
More than two bedrooms: 1.7 spaces per dwelling
Visitors: 0.2 spaces per dwelling

“Given the congestion on the surrounding road network and high level of access for alternative modes, the adoption of parking maximums needs to be considered and parking maximums specified. This would provide a greater level of consistency with proposed policy 4.”

337. The HG report considers in section 11.0 the New South Wales Road and Maritime Services' Guide to Traffic Generating Developments (RMS Guide). The RMS Guide has recommendations for the provision of parking for high density residential flat buildings. For Metropolitan Sub-Regional Centres, the recommended minimum number of parking spaces is 0.6 spaces per one-bedroom unit, 0.9 spaces per two-bedroom unit and 1.2 spaces per three-bedroom unit. It is noted also that the RMS Guide states, 'Councils may wish to reduce this requirement for buildings located in close proximity to public transport, or where short-term unit leasing is expected.'

338. HG concludes: “We therefore consider that, in order to achieve the design principles of a TOD, the provision of parking for residential activity should have no minimum requirements but be limited to a maximum of one space per unit. We consider that this rate represents a reasonable average taking into account the uncertainty of the mix of various-sized apartments.” I recommend this rate accordingly (refer **Appendix 6**).

339. Non-residential parking standard: The applicant's summary statement in respect of parking is:

“It is not proposed to amend the parking provisions that currently apply to development in the Smales 1 Precinct for business activities....” (AEE 11.1.27).”

The Stantec ITA states (section 9.3): “Parking will be provided at a rate appropriate to support the future activities within Smales Farm, while remaining sufficiently constrained to not undermine the benefits associated with having high levels of accessibility to non-car travel modes”.

340. NZTA 10.15 comments on the proposal to not alter the operative parking rates for non-residential development:

“Given the additional activity proposed onsite, the Agency has concerns over the level of parking provision and the extent to which this will have a detrimental effect on mode share and achieving the level of PT, walking and cycling relied on by the ITA. In particular, it (NZTA) considers some of the parking maximums are more reflective of existing business zones (outside of the City Centre); these zones are typically not based on seeking to discourage parking provision and encouraging alternative modes (a feature typical of TODs).

“The Agency seeks that the applicant reconsiders the maximum parking rates within the precinct. **Table 1** (in the submission) sets out a comparison of maximum parking rates within the Unitary Plan and selected precinct plans. The ITA relies on a significant mode share to be accommodated by public transport and active modes. This is typically found in the 'City centre' or 'Mixed use / centre' type land uses where parking maximums support the intention for alternative travel modes.”

341. The HG report recommends a change to standard I538.6.2 such that any non-residential development beyond the extant floor area of 58,000^m² is subject to a rate of one space per 60^m² of GFA, and that a new overall maximum is stipulated. I recommend accordingly (refer **Appendix 6**).

342. On-site or off-site special requirements: AT's submission point 11.7 refers to connections between Smales Farm and the adjoining transport environment with respect to walking and cycling. Council's clause 23 request in respect to these matters was:

"The walking/cycling environment to/from the development to other land uses is not addressed. The location as a standalone island between SH1, Wairau/Taharoto and Northcote Road results in a poor walking/cycling environment. Future cycling routes do not connect to Smales well (still multiple stage crossings, slip lanes etc.). There is also little walking and cycling connectivity to surrounding land uses - e.g. nearest supermarkets -1km away, Milford Centre at 1.5km, Takapuna 2km. Could the applicant please comment on measures required to encourage walking and cycling trips, the implications of increased retail activities on site in terms of external walking and cycling, and how external measures could reduce the use of car traffic for everyday journeys."

343. The applicant's response was:

"External measures are the responsibility of Auckland Transport and the network of cycleways is steadily increasing. Smales Farm is currently a major employment centre and adjacent to other major educational and healthcare facilities. It is for Auckland Transport to identify and promote appropriate improvements to the pedestrian and cycling network, not the applicant as a private landowner. Retail activities are intended to primarily address demand from within the site and it for that reason that their extent is tied to the development of Smales Farm office and residential development."

344. I note also the views of HG that consideration should be given to adding T2/T3 lanes onto the surrounding road network. I have no recommendation to make in this regard. I do agree however that a greater emphasis should be put on cycling facilities and design within the precinct provisions in terms of the 'primary pedestrian linkages' and the 'central pedestrian plaza'.

345. Central pedestrian plaza: I consider the implications of the formation of the central plaza for traffic circulation and pedestrian/cyclist amenity within Smales Farm are potentially such that a restricted discretionary status should apply to its formation. It was stated by the applicant during discussions over the urban design provisions of the proposed precinct that the main vehicular access routes through the precinct would be undergrounded at the position of the current roundabout, as part of the development of the central plaza. The traffic implications for within or outside the precinct of this have not been addressed by the Stantec ITA and are expressed as concerns within submissions and in the HG report. The ITA states at the bottom of page 29, section 5.1:

"One of the key linkages is to the Smales Farm Bus Station, which will allow the high frequency public transport routes to be readily accessed. Central to these linkages is a pedestrian plaza in the centre of the site, which will prioritise pedestrian mobility. Vehicles may be directed around the perimeter of the site towards underground or above-ground parking, which would provide more space for active travel modes such as cycling and walking. This will also enable more space to be dedicated towards the proposed commercial and residential activities" (underlining added)

346. Within the precinct the amenity effects of three sets of ramps running down into the central part of the precinct would be more than minor in my opinion and should therefore be specifically evaluated at the time. This undergrounding also has implications for the creation of the new section of 'primary pedestrian linkage' connecting with the bus station – a 'key linkage'. Aside from undergrounding, this part of the internal layout is of such importance that its formation should also be a restricted discretionary activity. I recommend accordingly.
347. The applicant has proposed controlled activity status for the creation of the central plaza and 'new and redeveloped primary pedestrian linkages' and much of the proposed assessment criteria would be applicable to a restricted discretionary activity. Other assessment criteria would also be required. The 'activity' description and 'matters of discretion' for the restricted discretionary activity are set out here (refer also **Appendix 6**):
- (6) [The formation of a new primary pedestrian linkage and or the central pedestrian plaza and or the undergrounding of any part of a primary pedestrian / active mode linkage at any time or stage in the development of the precinct \(as depicted in Precinct Plan 2 Structuring Elements\) - RDA](#)
 - (a) [Consistency with Precinct Plan 2](#)
 - (b) [Linkage design](#)
 - (c) [Traffic circulation and road design](#)
 - (d) [The design of the central pedestrian plaza](#)

Recommendations on submissions

348. That all the above submissions be **accepted in part**, to the extent that the following modifications satisfy those requests:
- 1) The first main trip generation threshold, necessitating a new ITA, be set at 125,000^{m²} – a restricted discretionary activity;
 - 2) That there be two prior 'check in' thresholds that necessitate transport/traffic monitoring and reporting, as controlled activities;
 - 3) That the parking rate for non-residential activities be set at one space per 60^{m²} for all development beyond 58,000^{m²};
 - 4) That the parking rate for residential units be one space per unit;
 - 5) That the formation of the central pedestrian plaza, assumed to involve either undergrounding or significant modification to vehicle circulation within the precinct, affecting the primary pedestrian / active mode linkages, be a restricted discretionary activity;
 - 6) That the formation of the one new 'leg' of primary pedestrian / active mode linkage (which connects to the bus station) also be a restricted discretionary activity; and
 - 7) That consequential changes are made to the proposed precinct provisions to achieve the above outcomes;

for the reason that these changes would better promote the achievement of a high quality transit-oriented mixed use node at Smales Farm and this would more appropriately and effectively promote the revised (recommended) objectives and policies and thereby promote the RPS of the AUP.

349. These amendments are set out in **Appendix 6** to this report.

7. CONCLUSIONS

350. Private plan change 23 Smales Farm requested by Northcote RD1 Holdings Ltd seeks to provide the planning framework whereby the present Smales Farm business park can transition over a 20 to 30-year timeframe to a mixed use, transit oriented precinct that provides well for office developments and employment while also providing a high amenity residential environment with appropriate ancillary facilities and services.

351. The application demonstrates that an intensively developed transit oriented precinct at this location, well served by public transport and the roading network, would either be consistent with or would promote the various high level planning and transport documents that sit above the district plan level provisions of the AUP that the private plan change seeks to amend. The statutory planning assessment in the request and in the specialist reports in support of it, along with the peer reviews of those assessments and the findings of this report all find that the plan change is worthy of approval in terms of the relevant statutory considerations, subject to various amendments.

352. The application was 'accepted' by the council and processed as a private plan change. It was notified and 18 submissions and six further submissions were received. The submissions were both in support of and opposed to the plan change, with those in support seeking a large number of either further assessments by the applicant or text changes to the Smales 1 Precinct.

353. This report has evaluated all the submissions received and the requests for changes made with the support of council's experts while taking account of the applicant's evaluations and further plan change text amendments. Preceding the recommendations, various 'without prejudice' meetings were held with the applicant, particularly concerning the Auckland Council submission and with the key transport agencies. A number of agreed positions have been established, but various further important amendments to the plan change are recommended. It is expected that the process of refinement of the plan change text will continue through to, and during the course of the hearing, all being subject finally to the endorsement of the hearing commissioners.

354. The key issues are in respect of:

- 1) Traffic generation and its effects, and the capacity of the plan change to bring about a shift away from private car trips over time to more sustainable modes of travel to and from the Smales Farm precinct.
- 2) Urban design considerations, including the 'structure' of the precinct as it develops, the height and bulk of structures, and the function and amenity of the precinct at ground level particularly in terms of movement across and through the precinct.
- 3) Urban amenity considerations in terms of residential amenity both within and for nearby residential properties.
- 4) Economic considerations and the potential of the 'accessory' retail and commercial activities intended to support only Smales Farm workers, residents and their visitors to also attract other people and additional traffic to an extent that could have adverse effects for other established centres or for the roading network.

355. A number of changes to the proposed and modified (15 October 2019) text have been recommended in this report (**Appendix 6**). These changes are considered to be

appropriate and necessary to ensure that the objectives and policies of the revised Smales 1 Precinct will be satisfied or promoted in ways that are efficient and effective and will thereby:

- a) Give effect to and promote the objectives and policies of the regional policy statement; and
- b) Be consistent with or promote the directions and aims of the Auckland Plan 2050; and
- c) Will assist the council in achieving the overall purpose of the Resource Management Act 1991.

The recommended provisions of **Appendix 6** are not necessarily final and are expected to be further revised, including prior to the hearing, as interested parties might agree.

8. FINAL RECOMMENDATION

That the Hearing Commissioners consider the recommendations of this report, and subject to the evidence and submissions presented at the hearing, approve a modified private plan change 23, Smales Farm.

SIGNATORIES

| Name and title of signatories | |
|-------------------------------|---|
| Author | <p>Ewen Patience, Principal Planner, Team 3, North West and Islands Unit, Plans and Places Department</p>  |
| Reviewer / Approver | <p>David Sanders, Team Leader Team 3, North West and Islands Unit, Plans and Places Department</p>  |

APPENDIX 2

SUMMARY OF SUBMISSIONS, SUBMISSIONS AND FURTHER SUBMISSIONS

Summary of Decisions Requested

| Private Plan Change 23 - Smales Farm | | | | |
|--------------------------------------|---|---|-----------|--|
| Summary of Decisions Requested | | | | |
| Sub # | Submitter Name | Contact details | Sub Point | |
| Summary of submission | | | | |
| 1 | Shorecare Medical Services Limited Attn: Stephanie Quinn | stephenie.quinn@shorecare.co.nz | 1.1 | Accept the plan modification with amendments |
| 1 | Shorecare Medical Services Limited Attn: Stephanie Quinn | stephenie.quinn@shorecare.co.nz | 1.2 | Seeks to ensure sufficient car parking for staff and patients of an Urgent Care Clinic |
| 2 | Anthony Kang | dongoh82@gmail.com | 2.1 | Decline the plan modification (due to traffic & safety concerns for pedestrians; overcrowding at bus station; high buildings out of character for NZ; privacy/overlooking concerns; history of non-complying noise events) |
| 3 | Les Probert Attn: Toho Consulting | les@toho.co.nz | 3.1 | Accept the plan modification (the site and locality are well suited for residential developments) |
| 4 | Jungho Hong | isonobe@hotmail.com | 4.1 | Decline the plan modification (due to concerns regarding traffic; parking; personal privacy; shading; impacts on bus station and schools; construction effects; high rise 'eyesores') |
| 5 | Susan Peace | 25 Nile Rd Milford, Auckland 0620 | 5.1 | The maximum height should be 10 storeys. |
| 5 | Susan Peace | 25 Nile Rd Milford, Auckland 0620 | 5.2 | Policy I538.3 (3) is opposed. The traffic assessment threshold should stay at 105,000 square metres. |
| 6 | Simon O'Connor (Sentinel Planning Ltd) | simon@sentinelplanning.co.nz | 6.1 | Accept the plan change with amendments (not specified; to be determined in light of the review by Council's urban design team; reasonable and moderate improvements are expected). |
| 7 | Sally Slawson | sallyslawson@gmail.com | 7.1 | Amend the plan modification if it is not declined (due to traffic effects). |

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| Sub # | Submitter Name | Contact details | Sub Point |
| 7 | Sally Slawson | sallyslawson@gmail.com | 7.2 |
| 8 | Soon bok Ko | knkitd@hotmail.com | 8.1 |
| 9 | Charles Crisp | charlie.crisp@tab.co.nz | 9.1 |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.1 |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.2 |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.3 |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.4 |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.5 |

Summary of submission

(Applicant to provide) a realistic analysis of number of cars accessing the new proposed areas and let the public know what changes to roading / traffic lights there will be.

Decline the plan modification (due to traffic and parking effects; the ITA is weak; 25% reduction in background traffic is very questionable; lack of alternative transport options c.f central city; local streets already under parking pressure from employees at Smales Farm; excessive noise and vibration effects from ad hoc events – ‘noise events’ should not be ‘permitted’ activities).

Decline the plan modification (due to traffic effects and the inability of the existing road network and public transport options to cope with any further high density residential or commercial activity on the Smales Farm site).

Precinct description: Amend the description to promote/direct changes in commuting behaviour reflecting a ‘transit orientated development’ (a Smart Transport Approach similar to the Wynyard Quarter Transport Management Plan).

Objective (A1): Retain as notified.

Objective (1): Do not delete “on the safe and efficient operation of the transport network”.

Objectives (2) and (3): Retain as notified.

Policy (1B): Amend to ensure an emphasis for ‘pedestrian connections’ being provided or maintained to the Smales Farm Bus Station.

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| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.6 | Policy (2): Add underlined words - 'while limiting <u>uses</u> and the extent of those activities' to clarify that the range of accessory activities (commerce) also needs to be limited to ensure consistency with Table I538.4.1 which limits commerce activities so as to manage potential adverse effects on the function and amenity of the Business – Metropolitan Centre and Business – Town Centre zones. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.7 | Policy (3) and the trigger for transport assessments: Amend the policy to better align with objective 1, promote alternative forms of travel and better align with future investment in alternative transport infrastructure: " <u>Require development over 162 117,000 m2 gross floor area of business activity or 380 residential units in the Smales 1 Precinct to demonstrate that the activity will not significantly adversely affect the safe and efficient operation of the transport (system), or that such effects will be mitigated</u> ". |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.8 | Policy (4) Retain as notified. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.9 | Add new policy "(5)": "Encourage walking, cycling and the provision of passenger transport services and facilities compatible with the character and amenity of the area". |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.10 | Add new policy "(6)": " <u>Require the overall development of the Smales 1 Precinct to incorporate traffic demand management approaches to encourage changes in commuting behaviour to reflect a Transit Orientated Development</u> " |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.11 | Change the activity status of (A15) 'Supermarkets greater than 2000 m2 GFA per tenancy' to non-complying, and of (A16) Drive-through restaurants to discretionary. Make a consequential deletion of the assessment criteria for drive-through restaurants, I538.8.2 (4). |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.12 | Retain provisions for community activities as permitted activities, to contribute to Smales 1 Precinct being a vibrant and attractive place for residents, workers and visitors. |

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| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.13 | Standard I538.6, first and second bullet points (exemption from traffic assessments supported): Retain in modified form, with the lesser thresholds set out in submission point 10.7 (117,000 m2 and 380 residential units). |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.14 | Standard I538.6.1 (1) – Alter the thresholds as set out in 10.7. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.15 | Parking – Reconsider and reduce the parking number maximums for non-residential development in line with the details set out in the submission and achieve greater consistency with policy 4. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.16 | Parking, residential: Introduce parking maximums for residential development and consequentially delete I538.6.2 (2) which states there are not parking standards for residential activity. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.17 | Trip generation standard, I538.6.3(1) and – Adopt reduced thresholds as set out at 10.7 above (117,000 m2 and 380 residential units, and exempt traffic assessments up to this extent of development). |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.18 | Residential amenity relative to State Highway 1 (noise): Add new standard I538.6.10 – Noise Sensitive Activities within 100m of a State Highway – four clauses, addressing road-traffic vibration effects; indoor design levels from road traffic for various types of indoor occupancies/activities; ventilation systems in the event of windows needing to be closed; design report from a suitably qualified specialist in connection with the required outcomes. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.19 | Add new 'matters of discretion' at I538.8.8.1 (1) for traffic assessments for activities exceeding 117,000 m2 GFA business activities and 380 units, being those set out at E27.8.1 (4) and "travel management" and "on-site parking provision". |

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| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.20 | <p>Add new assessment criteria at I538.8.8.2 (1) for traffic assessments for activities exceeding 117,000 m2 GFA business activities and 380 units, being</p> <p>a) Those set out at E27.8.2 (3) and</p> <p>b) Information demonstrating success or otherwise of travel demand management measures, and</p> <p>c) On-site parking provision; and</p> <p>d) Whether it can be demonstrated by the measures and commitments outlined in a site travel management plan ...that private vehicle travel will be minimised.</p> |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.21 | <p>Delete existing statement and add new "Special information requirements" to provide certainty for applicants where a traffic assessment application is required for development exceeding 117,000 m2 / 380 units, requiring:</p> <p>a) Site travel management plan supporting a 'transit orientated development' with the following minimum information (summarised):</p> <ul style="list-style-type: none"> i. The physical infrastructure to support alternative transport modes e.g covered facilities for cyclists ii. The physical linkages on the site to link with surrounding pedestrian and cycling networks and existing public transport resources iii. Operational measures that encourage reduced vehicle trips iv. Management of vehicle ownership v. Details of the management structure that would oversee the travel management measures vi. Methods of monitoring the effectiveness of the above including a commitment to undertake travel surveys vii. Monitoring of travel from the site to confirm assumptions set out in the Smales 1 Precinct Integrated Transport Assessment (ITA); applications for the release of subsequent development stages are to include an assessment of the extant transport |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.1 | <p>That the Council approves PPC23, provided that AT's various transport requirements / concerns are resolved and/or that Council identifies appropriate provisions that will address these matters; and if the concerns are not resolved, then the plan change should be declined.</p> |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.2 | <p><u>Transit oriented principles (TOD):</u> Provide further assessment as to how proposed private plan change 23 (PPC23) will align with 'TOD' principles; and modify PPC23 in line with that assessment to achieve the TOD objective in I538.2(A1).</p> |

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| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.3 | <u>Strategic transport infrastructure</u> (including bus station): Provide assessment of impacts on strategic transport infrastructure, especially access to and from bus station; give particular consideration to peak periods and functioning of Shakespeare Road and access to Westlake Girls; identify how the effects identified will be managed including by network design changes and travel demand management etc; depending on the outcome of these assessments, modify PPC23 accordingly |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.4 | <u>Quantum and mix of activities and associated trip characteristics</u> : Provide further assessment of full scale of development proposed, including further traffic modelling; provide further information and assessment to support the identified mode share and resulting traffic generation; provide further assessment for high trip generating activities, such as retail, drive-through restaurants and entertainment activities; depending on the outcome of those assessments: modify PPC23 to restrict certain activities provided without mitigation or to provide mitigation measures with the staged development of the site; providing for assessment via future resource consents of development that can be accommodated by the transport network without any identified mitigation measures; and providing for appropriate activity status and assessment criteria for high trip generating activities. |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.5 | <u>Integration of development with public transport</u> : Provide further information and assessment to support the identified mode share and traffic generation of proposed activities, including capacity analysis of the Smales Farm bus station and bus services; depending on the outcomes, provide further traffic modelling; review the provisions and the need for amendments to PPC23 accordingly. |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.6 | <u>Transport modelling and mitigation measures</u> Provide a complete summary and explanation of the land use and transport assumptions and dependencies underpinning the modelling; assess the full scale of development; provide information to support traffic generation assumptions; depending on the outcomes, provide further traffic modelling using appropriate trip generation rates and mode share assumptions; justify the removal of background traffic from the road network and consider the modelling effects of any assumptions made in that regard; depending on the outcomes, review the provisions and the need for amendments to PPC23 accordingly |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.7 | <u>Walking/cycling</u> : Provide further assessment for the full scale of development of surrounding walking and cycling facilities to provide safe and attractive access for these users; review the provisions and the need for amendments to PPC23 to provide appropriate mitigation measures for safe and attractive pedestrian and cycle access to the site from surrounding areas |

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| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.8 | <u>Parking</u> : Provide further information and assessment to support the PPC23 parking provisions, consistent with proposed mode share and resulting traffic generation of activities; depending on the outcomes, review the need to amend PPC23 parking provisions |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.9 | <u>Vehicle circulation and access, precinct plan 2</u> : Provide clarification and as necessary further assessment of changes in traffic assignment to the external network resulting from the internal arrangements within Smales Farm shown in precinct plan 2; depending on the outcomes, review the provisions and need for amendments to PPC23 to provide for appropriate mitigation. |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.10 | <u>Timing and staging in relation to future transport network changes</u> : Provide further clarification and as necessary assessment of the transport effects of PPC23 without the assumed (unfunded) infrastructure improvements; clearly identify what projects and services are required and how they will be delivered; depending on the outcomes, review the provisions and need for amendments to PPC23 to address any transport effects identified. |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.11 | Modify PPC23 as required to address any of the above matters of concern. |
| 12 | Sovereign Services Limited Attn: Kristy Redfern | kristy.redfern@aia.com | 12.1 | Decline the plan change or if not declined, amend as shown in submission |
| 12 | Sovereign Services Limited Attn: Kristy Redfern | kristy.redfern@aia.com | 12.2 | Amend proposed policy (1A) as set out in the submission, so as to 'avoid adverse effects on the function and amenity of the existing business park development' |
| 12 | Sovereign Services Limited Attn: Kristy Redfern | kristy.redfern@aia.com | 12.3 | Delete the proposed exceptions to rules in I538.6 Standards (parking; height; yards). |
| 12 | Sovereign Services Limited Attn: Kristy Redfern | kristy.redfern@aia.com | 12.4 | Delete proposed I538.6.2(2) - no parking standards for residential |

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| 12 | Sovereign Services Limited Attn: Kristy Redfern | kristy.redfern@aia.com | 12.5 | Delete proposed I538.6.4, building height |
| 12 | Sovereign Services Limited Attn: Kristy Redfern | kristy.redfern@aia.com | 12.6 | Delete proposed I538.6.5, tower controls |
| 12 | Sovereign Services Limited Attn: Kristy Redfern | kristy.redfern@aia.com | 12.7 | Delete proposed Figure I538.6.5.1 tower dimensions. |
| 12 | Sovereign Services Limited Attn: Kristy Redfern | kristy.redfern@aia.com | 12.8 | Any other consequential amendments or relief as necessary to address above concerns. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.1 | That PPC23 is supported in part, subject to amendments, as follows: |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.2 | Achieve the outcomes stated in the 'reasons' for the submission, points 1. to 11, to address such things as enabling business growth and employment; providing for some residential and capped non-office accessory activities; not creating a new 'centre'; not departing significantly from 'business park' in function or built form; achieving a 'transit-oriented' rather than just 'transit-adjacent' node of activity; ensuring the precinct is worded in line with Auckland Unitary Plan conventions. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.3 | Amend PPC23's precinct description and objectives to better explain the planning context, precinct purpose and reasoning driving the introduction of additional land use activity opportunities and building scale. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.4 | Amend PPC23 to provide better policy support for the precinct outcomes sought, especially 'height' and the different outcomes of Areas 1 and 2; objectives and policies should inform the lower-tiered provisions. |

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| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.5 | Amend PPC23 to remove the tension between the underlying zoning of Business Park and the precinct's provisions, through changes which avoid the creation of a new 'centre' such as via activity status and scale/height of buildings (which is akin to a Metropolitan centre zone). |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.6 | Amend PPC23 to better integrate new developments with the adjacent bus station, via efficient, accessible, safe and interesting pedestrian networks that support transit-oriented development; include policies, activities, standards, criteria and other methods to achieve these outcomes and require transit-oriented development. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.7 | Amend PPC23 to achieve assessments of building form, height, bulk, scale and amenity through new or amended standards and criteria addressing a range of matters (as detailed in the submission, page 3). |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.8 | Amend PPC23 to produce a high quality environment at ground level, at the public/private interface, including avoiding residential at ground level, avoiding blank walls, requiring active frontages, providing a human-scaled edge to streets, and providing shelter for pedestrians. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.9 | Amend PPC23 to reduce the scale and wide range of residential uses or activities so the equivalent of a 'city centre' is not enabled, but still achieve a vibrant mixed use transit-oriented development; refine objectives (A1), (2) and (3) accordingly; achieve vertical alignment of all provisions including with policy H15.3 (18) Business Parks. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.10 | Amend PPC23 to ensure the integration of developments with the land transport network, by managing adverse effects on the transport network including by controlling the types and scale of land use activities, especially those that are reliant on private motor vehicle trips and car parking spaces, and by promoting other modes of travel; recognise different trip generation of activities at different times of the day; amend objective, policies, activities, standards and assessment criteria accordingly. |

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| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.11 | Amend PPC23 to ensure land use applications are assessed in line with clear outcomes stated in the precinct provisions – objectives, policies, standard's purpose, assessment criteria - while avoiding replication or contradiction with the Auckland Unitary Plan approach of chapter C. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.12 | Amend PPC23 to remove 'temporary activities' from the provisions. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.13 | Amend PPC23 to remove 'signage activities' from the provisions. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.14 | Amend PPC23 to ensure a vertical alignment and 'cascading' of provisions, from precinct description and objectives down through to activity rules, assessment criteria and precinct plans. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.15 | Amend PPC23 to achieve consistency with Auckland Unitary Plan drafting conventions and to enable effective and efficient implementation of the plan change provisions and avoid uncertainty for plan users, including by such things as 'purpose' statements for standards and ensuring activities in tables relate to the relevant standards as between the precinct and the underlying zoning. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.16 | Amend PPC23 to ensure that the precinct plans clearly relate to the relevant precinct standards or provisions and conform with Auckland Unitary Plan drafting standards. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.17 | Amend PPC23 to remove reference to Auckland Unitary Plan overlay provisions, as none apply to the precinct. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.18 | Amend PPC23 to modify the changes proposed to policy H15.3 (18) of the Business Park zone to address a more limited range of residential uses for Business Park zones generally, and amend the precinct objectives and policies accordingly and the text that introduces (and follows) the precinct policies at I538.3. |

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| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.19(a) | Amend PPC23 to correct errors in the proposed provisions, pertaining to: (a) The text of I538.6.1(2) and the GFA of retail and “commercial services activities” as impacting on the safe and efficient operation of the transport network and the function and amenity of centre zones. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.19(b) | Amend PPC23 to correct errors in the proposed provisions, pertaining to: (b) The text of I538.6.1(2) and the uncertainty in the use of the word ‘development’. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.19(c) | Amend PPC23 to correct errors in the proposed provisions, pertaining to: (c) The text of I538.6.4 (height) and the imprecision that exists between the standard, the table and the precinct plan. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.19(d) | Amend PPC23 to correct errors in the proposed provisions, pertaining to: (d) The text of I538.6.4(2) (building mass above height) and its lack of clarity. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.19(e) | Amend PPC23 to correct errors in the proposed provisions, pertaining to: (e) The text of I538.6.9 (plaza) – the provisions are incapable of objective discernment and effective implementation. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.20 | Amend PPC23 to retain the Auckland Unitary Plan approach to restricted matters and assessment criteria for infringement of standards and remove duplication. The precinct should not introduce new matters and should refer to Business Park zone policies as appropriate. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.21 | Amend PPC23 to retain the Auckland Unitary Plan approach to restricted matters and assessment criteria where restricted discretionary activities are stipulated by precinct, Auckland-wide or zone provisions, and modify I538.8.1(5) and I538.8.2 (5) which are not supported in the current form. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.22 | Amend PPC23 to limit activity (A6) and assessment criteria – conversion of a building - to just dwellings and visitor accommodation. |

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| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.23 | Amend PPC23 to ensure that in the assessment of (A6) activities – conversion of building for dwellings and visitor accommodation – that appropriate and relevant considerations are considered. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.24 | Amend PPC23 to address the change of activity status of 'drive through restaurants' from restricted discretionary to non-complying (as per the Business Park underlying zone), including the removal of assessment criteria. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.25 | Amend PPC23 to remove the 'restricted matters' and 'assessment criteria' pertaining to compliance with precinct plan 2 - see I538.8.1(5) and I538.8.2(5). |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.26 | Amend PPC23's assessment criteria to ensure that all relevant matters can be effectively and efficiently evaluated to achieve the urban form outcomes outlined in this submission and consistency with the objectives and policies of the underlying zoning and modified precinct. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.27 | Amend PPC23 to contain any 'special information requirements' necessary to highlight to resource consent applicants any particular matters requiring special attention. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.28 | PPC 23 is supported in so far as it retains a cap on retailing activity. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.29 | PPC 23 is supported in so far as typographical errors in the operative precinct are corrected. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30 | PPC 23 is supported in so far as limited provision is made for residential activity |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30(a) | PPC 23 is supported in so far as limited provision is made for residential activity: (a) support that no provision is made to enable camping grounds or retirement villages; |

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| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30(b) | PPC 23 is supported in so far as limited provision is made for residential activity: (b) support that conversion of a building or part of a building to dwellings or visitor accommodation be provided for as a restricted discretionary activity; |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30(c) | PPC 23 is supported in so far as limited provision is made for residential activity: (c) support that provision is made for dwellings as a permitted activity, subject to compliance with appropriate standards (noting that new buildings are a restricted discretionary activity); |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30(d) | PPC 23 is supported in so far as limited provision is made for residential activity: (d) do not support provision for 'integrated residential development', 'supported residential care' or 'boarding house'; |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30(e) | PPC 23 is supported in so far as limited provision is made for residential activity: (e) do not support that residential activity (excluding visitor accommodation) can be established on ground floor. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.31 | PPC 23 is supported in that 'service stations' are non-complying, activity (A13) in Table I538.4.1 |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.1 | Amend the plan modification if it is not declined |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.2 | Traffic generation assessments - amend policy 3 to address 'any development over 105,000 sq metres gross floor area'. |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.3 | Any activities (including residential) exceeding 162,000 GFA to be discretionary |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.4 | All new buildings should be restricted discretionary and subject to assessment criteria, in particular I538.8.2.5 (e) and (f) |

| Private Plan Change 23 - Smales Farm | | | | |
|--------------------------------------|--|--|-----------|--|
| Summary of Decisions Requested | | | | |
| Sub # | Submitter Name | Contact details | Sub Point | |
| Summary of submission | | | | |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.5 | Activity {A4} – should be a discretionary activity (where limits of rule 6.4 height are exceeded) |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.6 | Delete trip generation exemptions under Standards for residential development and apply the generic E27.6.1 Transport rules |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.7 | Maintain the trip rule exemption for non-residential development only, up to 105,000 square metres as operative (not 162,000) |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.8 | Retain the height in Area 1 (road frontage) to 25m (do not amend rule 6.4(1)) |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.9 | Extend Area 1 (25m height limit) the same depth along Northcote Road to the motorway and along adjacent to the bus station; do not allow 75m/100m buildings in these areas |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.10 | "Height to boundary" near WGHS (Mixed Housing Urban zone) - apply H15.6.2 Business Park zone rules to interface with MHU zone |
| 14 | Westlake Girls High School Attn: Joy Bradfield | joybradfield@gmail.com | 14.11 | Delete references to Business Metropolitan zone in the plan change |
| 15 | Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg | matt.lindenberg@beca.com; gurv.singh@hnzc.co.nz | 15.1 | HNZ generally supports the purpose, being to facilitate a transit-oriented development, but opposes the provisions of PPC23 and seeks specific changes. |
| 15 | Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg | matt.lindenberg@beca.com; gurv.singh@hnzc.co.nz | 15.2 | The underlying zoning should be Business Mixed Use |

| Private Plan Change 23 - Smales Farm | | | | |
|--------------------------------------|--|--|-----------|---|
| Summary of Decisions Requested | | | | |
| Sub # | Submitter Name | Contact details | Sub Point | |
| Summary of submission | | | | |
| 15 | Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg | matt.lindenberg@beca.com; gurv.singh@hnzc.co.nz | 15.3 | There should be a minimum level of non-residential development required; and |
| 15 | Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg | matt.lindenberg@beca.com; gurv.singh@hnzc.co.nz | 15.4 | There should be no overall floor area limit (of 162,000) |
| 15 | Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg | matt.lindenberg@beca.com; gurv.singh@hnzc.co.nz | 15.5 | Development of >100 dwellings should be subject to the generic traffic assessment provisions (for trip generation) of chapter E27.6.1, and not have special exemptions |
| 15 | Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg | matt.lindenberg@beca.com; gurv.singh@hnzc.co.nz | 15.6 | Ground floor residential should be prevented, as for centres zones |
| 15 | Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg | matt.lindenberg@beca.com; gurv.singh@hnzc.co.nz | 15.7 | Include adequate assessment criteria for residential developments - the Business Mixed Use zone contains an 'appropriate assessment framework' |
| 15 | Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg | matt.lindenberg@beca.com; gurv.singh@hnzc.co.nz | 15.8 | The proposed heights (up to 100m) would be better managed via the Business Mixed Use zone and a 'height variation control' over the zone |
| 15 | Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg | matt.lindenberg@beca.com; gurv.singh@hnzc.co.nz | 15.9 | The plan change documentation should be amended to assess the "reduced delivery" of office/commercial activities where the future development of the site could be predominantly residential in nature. |
| 15 | Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg | matt.lindenberg@beca.com; gurv.singh@hnzc.co.nz | 15.10 | Such further or other relief, or consequential or other amendments, as considered appropriate and necessary to address the concerns set out in the submission. |

| Private Plan Change 23 - Smales Farm | | | |
|--------------------------------------|---|----------------------------|---|
| Summary of Decisions Requested | | | |
| Sub # | Submitter Name | Contact details | Sub Point |
| 16 | Watercare / Mark Bourne Attn: Lindsay Wilson | lindsay.wilson@water.co.nz | 16.1 |
| 16 | Watercare / Mark Bourne Attn: Lindsay Wilson | lindsay.wilson@water.co.nz | 16.2 |
| 17 | Svetla Grigorova | svetlag7@gmail.com | 17.1 |
| 18 | Atanas Gornakov | atanas@moderntiling.co.nz | 18.1 |
| | | | Summary of submission |
| | | | Accept the plan modification |
| | | | Watercare seeks further information: (a) comprehensive development assumptions and staging; (b) assessment of upgrades that may be required; (c) confirmation that the upgrades will be funded by the developer (applicant). |
| | | | Decline the plan modification (due to proposed zoning breach; traffic impacts – roads not equipped to support the changes; noise impacts on local area; health impacts - population growth and effects on North Shore Hospital services). |
| | | | Decline the plan modification (due to proposed zoning breach; traffic impacts – roads not equipped to support the changes; noise impacts on local area; health impacts - population growth and effects on North Shore Hospital services). |

Submissions

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stephenie Quinn

Organisation name: Shorecare Medical Services Limited

Agent's full name:

Email address: stephenie.quinn@shorecare.co.nz

Contact phone number:

Postal address:
74 Taharoto Road,
Takapuna
Auckland 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:

Property address: 74 Taharoto Road, Takapuna

Map or maps:

Other provisions:

Concern over sufficient car parking for patients and staff of an Urgent Care Clinic

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

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

The reason for my or our views are:

Concern over lack of parking for patients and staff of an Urgent Care Clinic

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

1.2 | Details of amendments: Sufficient car parking for staff and patients of an Urgent Car Clinic

Submission date: 23 April 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anthony Kang

Organisation name:

Agent's full name:

Email address: dongoh82@gmail.com

Contact phone number:

Postal address:
3/52 Taharoto Road
Takapuna
Auckland 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:

Property address: 68 – 94 TAHAROTO ROAD, TAKAPUNA

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

My submission is related to the Plan Change from Business Park zone to Mixed Use that will allow high density, high rise residential development to take place right next to an extremely busy intersection and motorway interchange. Mixed Use can also allow commercial activities such as a supermarket (with a limit on its GFA) that typically generates high volume of traffic (note this scenario wasn't even considered in the ITA). 1. Significant, negative traffic impacts (and these are not fully reflected in the ITA). The site is surrounded by large residential catchments in Milford and Takapuna, and Taharoto and Northcote Roads serve as the main arterial routes connecting to the motorway and the local network. Subsequently, the background traffic flow on the nearby road network is highly tidal, with the peak movement heading to the motorway in the morning peak and vice versa in the evening peak (note there is a school peak just before the evening peak, resulting in a busy start for the evening peak). With the current business park zoning and office activities, the direction of trip generation at Smales Farm is opposite to the peak flows, utilising the spare capacity on the road network, and their contribution to traffic congestion is relatively low compared to the actual trip

generation volumes. The proposed residential development will add extra trips in the exact same peak direction as the background traffic, in particular the most congested movement at the right turn from Taharoto Road into Northcote Road in the morning peak (this is covered in more detail below, and also under Item 2). This will amplify the traffic congestion and result in direct impacts on the existing road users. The Taharoto / Northcote intersection is already operating at capacity at peak hours. The right-turn queues from Taharoto Road into Northcote Road extend beyond Shakespeare Road every weekday morning during school terms. The SH1/Northcote interchange is also operating near its capacity with the queues from the southbound on-ramp often overflowing on to Taharoto Road at morning peak hours, and the both on-ramps queueing back in the afternoon peak hours. Increase in traffic volumes will most definitely exacerbate traffic congestion at these locations. This is not sustainable and will have significant negative impacts on accessibility for existing road users, and the extent will be far greater than what the ITA tries to picture. The very fact that the consultants (Stantec who prepared the ITA) had to reduce 25% of the right-turning, non-development background traffic from Taharoto Road into Northcote Road in their 2026 and 2036 traffic modelling further demonstrates that this Plan Change will require significant behavioural changes from the existing road users, which is totally unwarranted and illogical. This is the most critical movement at the intersection and reducing the volumes at this movement makes the whole assessment very weak and implausible. Their rationale is also very vague and not supported with evidence. If anything, their modelling results clearly show that the road network is not capable of accommodating the new development traffic and the development will have direct, major impacts on the existing road users. Also, I note in the ITA that the traffic modelling was only done for the two forecast years of 2026 and 2036 and these only capture partial development for both commercial and residential activities (125,000 GFA in 2036 vs 162,000 GFA on completion for commercial; 855 residential units in 2036 vs 1380 units on completion). Am concerned that the modelling doesn't capture the full traffic impacts of the development, especially the residential trips. It should also be noted that the ITA does not include any scenario that include a supermarket, or other types of permitted commercial activities under Mixed Use zoning, that would generate much higher trips than offices.

2. Safety concerns for pedestrians. The congestion at the Taharoto / Northcote intersection is already causing safety issues where frustrated drivers undertake illegal and risky manoeuvres. The aforementioned heavy congestion and queuing at right-turn from Taharoto Road into Northcote Road causes a considerable number of drivers to travel straight through the intersection (since the through queues are not as long) then u-turn over 150 metres downstream and take the left-turn at the left-turn slip-lane. These u-turns happen in a very risky manner as they have to take place over a short distance through a very small gap. These drivers often fail to stop for pedestrians at the zebra crossing at the left-turn slip-lane. I see this happening every weekday morning over my short drive down Taharoto Road (less than 170m). This intersection is used by a large number of pedestrians (and also a considerable number of cyclists during summer because of the nearby Northcote Safe Cycle Route) in peak hours, and a large portion of them are school students from the numerous nearby schools, including Takapuna Normal Intermediate, Westlake Girls High School, Camel College, Rosmini College and St Joseph's catholic School. Since the right-turn out of The Avenue access from Smales Farm into Northcote Road is banned during the morning peak, all of the southbound development traffic (which will apply to the majority of development trips as that's the direction for most of the large employment centres including the CBD, Takapuna and Newmarket) will have to use the accesses off Taharoto Road in the morning peak, directly adding to the already congested right-turn movement from Taharoto Road into Northcote Road. This will exacerbate the existing u-turn problem and the subsequent safety issues.

3. Impact of construction traffic. The ITA does not include assessment of the construction traffic. Construction of such large scale development will see a significant increase in heavy truck volumes in the nearby road network. In addition to the traffic congestion issues as noted above, this will pose an increased safety risk to the pedestrians and cyclists using the nearby roads and footpaths, and these include a large number of school students as mentioned above.

4. 5. Overcapacity on buses and bus station platform at Smales Farm. At Smales Farm bus station, the city-bound buses are already operating at or over capacity at peak hours during school days. In morning peak, buses often pass by because they are full, and the city-bound platform is full and often overflow. If the large portion of the residents at the new development use public transport (as the ITA claims), it will further aggravate the overcrowding issue at Smales Farm bus station due to its sheer scale.

6. Style and scale of development that is out of character for NZ. The ultimate number of residential units being proposed is 1380. This is equivalent to four or five 30-storey buildings with 10 units each. This is undesirably high density, and at an unnecessary scale. As a reference, all new apartments in Central Takapuna, Newmarket and Albany (which are considered larger, better established metropolitan centres than Smales Farm) are 6-8 storeys high and they are usually in a cluster of two or three buildings. The

proposed scale is more suitable for cities like Singapore or Hong Kong, not definitely for New Zealand, especially North shore. Auckland Unitary Plan already allows for higher yield through the new zonings, in a more sustainable manner. Loading 1000+ residential units at such high concentration at a single location will put undue pressure on the infrastructure (water, power, wastewater and roading just to name a few) and amenities. 7. Personal concerns for privacy. We live close by and have a skylight on our bathroom roof and our complex has a swimming pool where residents, including small children, enjoy sunbathing in summer. We have a concern for our privacy and our ability to enjoy our life style if high-rise buildings were to tower over our place.

2.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 30 April 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anthony Kang

Organisation name:

Agent's full name:

Email address: dongoh82@gmail.com

Contact phone number:

Postal address:
3/52 Taharoto Road
Takapuna
Aucklan 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:

Property address: 68 – 94 TAHAROTO ROAD, TAKAPUNA

Map or maps:

Other provisions:

Variations that allow for high density residential activities and other traffic-generating commercial activities Noise Events becoming a "Permitted" activity

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

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

The reason for my or our views are:

Please note this is in addition to my original submission made on 30 April (copied at the bottom), and is specifically related to the proposed change to make Noise Events as a "Permitted" activity. Also note that the "Agent's Name" field in my original submission should have been blank - Auto-complete on my computer filled it with my wife's name. Jimin Hong is my wife, not my agent. Even with the current provision and control in place, Smales Farm already has a marred history of causing disruption to local residents with excessive noise and vibration levels from their noise events, including a couple of non-compliance. We are extremely concerned that making Noise Events as a "Permitted" activity would aggravate these ongoing noise problems by not having sufficient control on the frequency or extent of these events. Smales Farm hosted the Highlife New Years Day 2018 event on 1 January 2018. Full-on commercial speakers and amplifiers were all playing in full volume well after 10pm, breaching the Auckland Unitary Plan noise requirement. This would have required a

resource consent, however, they did not have one at the time (non-compliance #1). Subsequently, they got their current Resource Consent LUC60325517 and have been hosting a number of noise events since. According to Auckland Council's own noise complaints record, the log entries by contractors indicates that there have been multiple complaints received on each day these events were held (you will have to search for multiple addresses as there are more than one addresses applicable to Smales Farm). For example, for Fiesta Del Sol event held on 24 November 2018, complaint #8100311016 indicates "multiple callers complaining" about the same issue. Item 6 under "Conditions" on the Council's consent decision letter for the application LUC60325517 clearly states "Not less than two weeks prior to a noise event, a letter drop advising of the upcoming concert shall occur to all residential properties in the vicinity of the event (this shall, at a minimum, include the residential properties between Takapuna Golf Course and Sunnybrae Road, residential properties to the south-east of Smales Farm on Northcote Road, and residential properties to the north-east of Smales Farm on Taharoto Road). The letter shall include details of the start and finish times of the sound checks and the concert, and overview of the noise monitoring and management regime, and a contact phone number for complaints. A copy of this letter shall be sent to Team Leader North West Compliance Monitoring...". Letter drop did not happen with their most recent noise event, Takapuna Food, Wine & Music Festival, which was held on 16 February 2019 (non-compliance #2). This was not picked up by Auckland Council. Auckland Council is already letting the residents down by not monitoring and regulating the noise events at Smales Farm, even without the proposed provision regarding Noise Events (attached email correspondence between my wife and Auckland Council officials for your reference – we found the noise assessment report (that supposedly supported the resource consent decision) very dubious, especially around the modelling results and interpretation so asked questions. We never got clear answers from your officials). It would cause significant, out-of-control, irreversible noise impacts on the surrounding if the proposed provision is approved. This would have particularly dire health and environment impacts, given that the site is surrounded by well-established residential areas, North Shore Hospital and Poynton retirement Village, requiring increased sensitivity to noise and vibration levels. For your reference, my original submission is as follows: 1. Significant, negative traffic impacts (and these are not fully reflected in the ITA). The site is surrounded by large residential catchments in Milford and Takapuna, and Taharoto and Northcote Roads serve as the main arterial routes connecting to the motorway and the local network. Subsequently, the background traffic flow on the nearby road network is highly tidal, with the peak movement heading to the motorway in the morning peak and vice versa in the evening peak (note there is a school peak just before the evening peak, resulting in a busy start for the evening peak). With the current business park zoning and office activities, the direction of trip generation at Smales Farm is opposite to the peak flows, utilising the spare capacity on the road network, and their contribution to traffic congestion is relatively low compared to the actual trip generation volumes. The proposed residential development will add extra trips in the exact same peak direction as the background traffic, in particular the most congested movement at the right turn from Taharoto Road into Northcote Road in the morning peak (this is covered in more detail below, and also under Item 2). This will amplify the traffic congestion and result in direct impacts on the existing road users. The Taharoto / Northcote intersection is already operating at capacity at peak hours. The right-turn queues from Taharoto Road into Northcote Road extend beyond Shakespeare Road every weekday morning during school terms. The SH1/Northcote interchange is also operating near its capacity with the queues from the southbound on-ramp often overflowing on to Taharoto Road at morning peak hours, and the both on-ramps queueing back in the afternoon peak hours. Increase in traffic volumes will most definitely exacerbate traffic congestion at these locations. This is not sustainable and will have significant negative impacts on accessibility for existing road users, and the extent will be far greater than what the ITA tries to picture. The very fact that the consultants (Stantec who prepared the ITA) had to reduce 25% of the right-turning, non-development background traffic from Taharoto Road into Northcote Road in their 2026 and 2036 traffic modelling further demonstrates that this Plan Change will require significant behavioural changes from the existing road users, which is totally unwarranted and illogical. This is the most critical movement at the intersection and reducing the volumes at this movement makes the whole assessment very weak and implausible. Their rationale is also very vague and not supported with evidence. If anything, their modelling results clearly show that the road network is not capable of accommodating the new development traffic and the development will have direct, major impacts on the existing road users. Also, I note in the ITA that the traffic modelling was only done for the two forecast years of 2026 and 2036 and these only capture partial development for both commercial and residential activities (125,000 GFA in 2036 vs 162,000 GFA on completion for commercial; 855 residential units in 2036 vs 1380 units on completion). Am concerned that the modelling doesn't capture the full traffic impacts of the development, especially the residential trips. It

should also be noted that the ITA does not include any scenario that include a supermarket, or other types of permitted commercial activities under Mixed Use zoning, that would generate much higher trips than offices. 2. Safety concerns for pedestrians. The congestion at the Taharoto / Northcote intersection is already causing safety issues where frustrated drivers undertake illegal and risky manoeuvres. The aforementioned heavy congestion and queuing at right-turn from Taharoto Road into Northcote Road causes a considerable number of drivers to travel straight through the intersection (since the through queues are not as long) then u-turn over 150 metres downstream and take the left-turn at the left-turn slip-lane. These u-turns happen in a very risky manner as they have to take place over a short distance through a very small gap. These drivers often fail to stop for pedestrians at the zebra crossing at the left-turn slip-lane. I see this happening every weekday morning over my short drive down Taharoto Road (less than 170m). This intersection is used by a large number of pedestrians (and also a considerable number of cyclists during summer because of the nearby Northcote Safe Cycle Route) in peak hours, and a large portion of them are school students from the numerous nearby schools, including Takapuna Normal Intermediate, Westlake Girls High School, Camel College, Rosmini College and St Joseph's catholic School. Since the right-turn out of The Avenue access from Smales Farm into Northcote Road is banned during the morning peak, all of the southbound development traffic (which will apply to the majority of development trips as that's the direction for most of the large employment centres including the CBD, Takapuna and Newmarket) will have to use the accesses off Taharoto Road in the morning peak, directly adding to the already congested right-turn movement from Taharoto Road into Northcote Road. This will exacerbate the existing u-turn problem and the subsequent safety issues. 3. Impact of construction traffic. The ITA does not include assessment of the construction traffic. Construction of such large scale development will see a significant increase in heavy truck volumes in the nearby road network. In addition to the traffic congestion issues as noted above, this will pose an increased safety risk to the pedestrians and cyclists using the nearby roads and footpaths, and these include a large number of school students as mentioned above. 4. 5. Overcapacity on buses and bus station platform at Smales Farm. At Smales Farm bus station, the city-bound buses are already operating at or over capacity at peak hours during school days. In morning peak, buses often pass by because they are full, and the city-bound platform is full and often overspill. If the large portion of the residents at the new development use public transport (as the ITA claims), it will further aggravate the overcrowding issue at Smales Farm bus station due to its sheer scale. 6. Style and scale of development that is out of character for NZ. The ultimate number of residential units being proposed is 1380. This is equivalent to four or five 30-storey buildings with 10 units each. This is undesirably high density, and at an unnecessary scale. As a reference, all new apartments in Central Takapuna, Newmarket and Albany (which are considered larger, better established metropolitan centres than Smales Farm) are 6-8 storeys high and they are usually in a cluster of two or three buildings. The proposed scale is more suitable for cities like Singapore or Hong Kong, not definitely for New Zealand, especially North shore. Auckland Unitary Plan already allows for higher yield through the new zonings, in a more sustainable manner. Loading 1000+ residential units at such high concentration at a single location will put undue pressure on the infrastructure (water, power, wastewater and roading just to name a few) and amenities. 7. Personal concerns for privacy. We live close by and have a skylight on our bathroom roof and our complex has a swimming pool where residents, including small children, enjoy sunbathing in summer. We have a concern for our privacy and our ability to enjoy our life style if high-rise buildings were to tower over our place.

I or we seek the following decision by council: Decline the plan modification

Submission date: 13 May 2019

Supporting documents

Gmail - RE_ Noise from recent event at Smales Farm.pdf

LUC60325517 Decision amended under s133A.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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



Jimin Hong <jimin.hong@gmail.com>

RE: Noise from recent event at Smales Farm

Jimin Hong <jimin.hong@gmail.com>

Thu, Feb 7, 2019 at 5:57 PM

To: Nick McCool <Nick.McCool@aucklandcouncil.govt.nz>

Cc: David Pawson <David.Pawson@aucklandcouncil.govt.nz>

Hi Nick,

Thank you for your response, and again, really appreciate your time.

Just further on Point 2, there seem to be significant discrepancies between Marshall Day's predictions (Appendix F Predicted Noise Contours; which I believe is the contour map you referred to) and the actual measurements reported in their letter (Appendix D; Table 1) and that undermines the credibility of Marshall Day's noise modelling and the subsequent assessment. For example, the contour map shows a predicted noise level of 55-60dB L_{Aeq} (between yellow and green contour lines) at 20 Northcote Road ("MP1"). The actual measurement was 70-73dB L_{Aeq}. Similarly, the predicted noise level was 55dB L_{Aeq} or lower at the Poynton Apartments ("MP3"). The actual measurement was 70dB L_{Aeq}.

Re Point 5, we can keep track of the events and let you know if they do exceed 6. They have had two already since the date of the consent, with the third one coming up next week.

It appears that you have provided all the information that you have available to me at this point, but please do feel free to send any further information through. I am content that I have sufficient information to take this further to the next step.

Regards,
Jimin

On Tue, Feb 5, 2019 at 5:54 PM Nick McCool <Nick.McCool@aucklandcouncil.govt.nz> wrote:

Hi Jimin

Sorry for the delayed response.

Point 1

As per council's report and decision, appropriate consideration was given to the environment and potentially adversely affected persons. The zoning of the receiver sites is one of the many matters taken into consideration.

Point 2

My guesstimate of where the closest residentially zoned land is irrelevant. Condition 8 states "*Noise monitoring shall be undertaken at the nearest residential receivers during the first event to determine compliance with the limits in Condition 7...*" Therefore noise monitoring shall be undertaken at the nearest residential receivers. If this has not been done then Council's Team Leader can require it to be undertaken at the next event. Condition 10 also refers to "*... measurements at the closest residential receivers.*"

I do not have evidence or data as I am not a noise specialist. Marshall Day and Council's Noise Specialist are experienced professionals and I have no reason to doubt their technical reports.

The noise assessments appear to focus more on residential receivers west of the golf course as they are expected to be affected the most due to the orientation of the stage and speakers, the lack of screening by intervening buildings and lower traffic noise levels. However, the assessments have considered other potential receivers and the Marshall Day assessment includes a Predicted Noise Level map showing noise contours. This shows compliance beyond Taharoto Road. Council's Noise Specialist states "*I agree compliance can be achieved within sites used for residential activity with a comfortable allowance. I support a noise limit of 65 dB LAeq to ensure that any slight variation in noise levels (which is typical) is compliant.*" Noise appears to have been appropriately assessed and this assessment considered all potentially affected receivers.

Point 3

The Auckland Unitary Plan Operative in Part and Resource Consent LUC60325517 set reasonable noise levels. These levels don't only apply to western receivers. If the noise levels comply with the conditions of consent then there is very little that can be done. It is noted that noise levels should drop after 11pm.

Point 4

The Auckland Unitary Plan (Operative in Part) defines a noise event as "*An event that exceeds the general noise controls for a site (or area within the coastal marine area) either in level or duration.*"

Resource Consent LUC60325517, Condition 5 outlines a noise event. The 12 month period would likely commence at the first event, however the application does refer to per annum. I will take a closer look at it but you can expect 6 noise events annually plus permitted events.

Regards

Nick McCool | Team Leader
Resource Consents | North-West
Ph 09 301 0101 | Extn (44) 3422 | DDI 09 427 3422

Auckland Council, Takapuna Service Centre, Level 1, 1 The Strand, Takapuna

Visit our website: www.aucklandcouncil.govt.nz

From: Jimin Hong <jimin.hong@gmail.com>
Sent: Thursday, 17 January 2019 7:26 PM
To: Nick McCool <Nick.McCool@aucklandcouncil.govt.nz>
Cc: David Frith <David.Frith@aucklandcouncil.govt.nz>; Haya Sulaiman <haya.sulaiman@aucklandcouncil.govt.nz>
Subject: Re: Noise from recent event at Smales Farm

Dear Nick,

Thank you for your response and for information. I apologize for having to respond with further questions below, hope you don't mind enlightening me further.

As I mentioned to David earlier, I fully appreciate that you have a difficult job and it is impossible to please everyone, however, from the residents' perspective, it is disappointing to have these noise events causing disruption to our neighbourhood in an unwarranted way. We are trying to get the whole picture before considering next steps and that's why I am asking you these questions. Thank you in advance for your understanding.

1. I gather from your response that there was no consideration given to the Poynton Retirement Village and North Shore Hospital being in a close proximity of the site when you were assessing the resource consent application because in the AUP they are in the "Business – Mixed Use or Special Purpose - Healthcare Facility and Hospital Zone". Can you confirm, please?
2. You stated in your email "the closest residentially zoned land appears to be to the south-east on the other side of Northcote Road or to the North-West (Westlake Girls High School)".

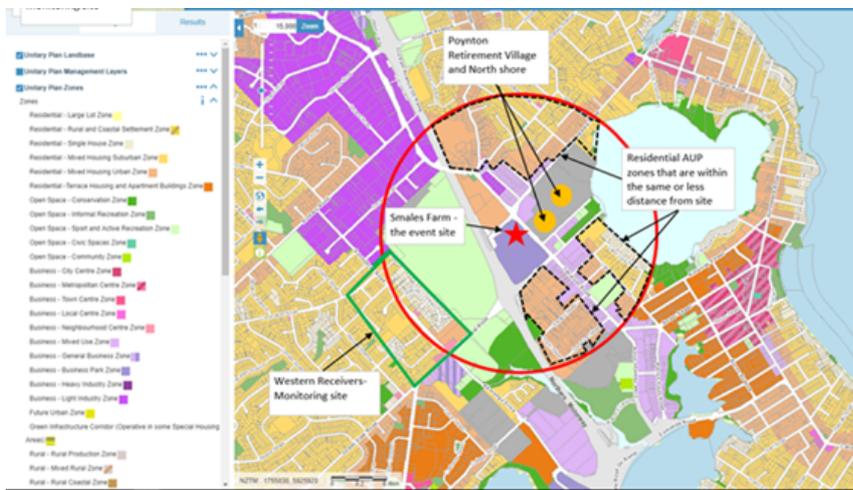
Under the Noise Conditions in the Council's decision letter, Condition 8 states "Noise monitoring shall be undertaken at the **nearest** residential receivers during the first event to determine compliance with the limits in Condition 5". Yet, in the Marshall Day Acoustics monitoring letter shows measurements from the western residential receivers west of the Golf Course only, not from the "nearest" residentially zoned receivers.

Would you be able to explain why, please?

Both Marshall Day Acoustics' Assessment of Noise Effects report and the Council's decision letter suggest that the nearest residential receivers to the north and south-east are shielded from the event noise by the traffic noise and the office buildings.

Do you have any evidence or data (e.g. site measurements) to support this claim? Can you provide them if you do, please? If you believe that the peer review technical memo by the Auckland Council Acoustic Specialist would provide this information, please provide a copy.

As shown in the map below, there is an expansive residential area that is in "Residential" AUP zones within the same or less distance from the site as these monitored western receivers, and this goes beyond Northcote Road and Taharoto Road. Apart from the few houses that are immediately on the road frontage along Northcote Road and Taharoto Road, most of these houses, including those on Taharoto Road with long driveways, are not subject to traffic noise. Also, the office buildings do not completely surround the event site and are not enough to reduce the noise.



Based on these facts and the information received from the Council so far, it is not substantiated why these residential receivers to the east of the motorway were completely excluded from the assessment. This is why I found Marshall Day Acoustics' Assessment of Noise Effects report unreliable and questionable. This was also the main point that I tried to raise in my earlier email (Items 1 and 2).

Do you have any comments on this, please?

3. At the end of your email you said "The resource consent contains a robust set of conditions aimed at managing noise". What is your recommendation for the residents who find themselves being adversely affected by the noise and vibration from these events?

From the noise complaint records provided by David, I can see that there were "multiple callers complaining" about the Fiesta Del Sol event on 24 November 2018 (noted in the contractor's log for Transaction ID# 8100311016). When the officer spoke to the event manager he advised that they have noise consent from the Council and no further action was taken. And this is what I find concerning. The consent conditions only protect the residents in the western residential receivers, not the residents in the receivers to the east of the motorway, although many of them are closer to the site. As I mentioned in Item 4 in my previous email, many of these residents did not even receive notice letter about the event.

Do you have any comments on this, please? How do you think the consent is managing noise for these residents?

4. Can you answer to Item 7 in my previous email, please? The consent was granted for the proposal "to provide up to 6 events over a period of 12-month". Can you clarify when this 12-month period starts and ends, please? Also, what exactly constitutes as the mentioned "event"? Smales Farm runs a number of events throughout the year and would like to understand which of these events are considered to be affected by this consent.

Regards,

Jimin

On Tue, Jan 15, 2019 at 3:32 PM Nick McCool <Nick.McCool@aucklandcouncil.govt.nz> wrote:

Dear Jimin

I am sorry to hear that the events are causing you concern. Your email states "*it appears counter-intuitive that events like these are allowed in a well-developed residential area that includes a hospital and a retirement village*". It is recognised that there are a number of residential uses in the area, however, with the adoption of the Auckland Unitary Plan Operative in Part (AUP(OP) the land to the north i.e. Taharoto Road is now zoned Business – Mixed Use or Special Purpose - Healthcare Facility and Hospital Zone see zoning map below. The closest residentially zoned land appears to be to the south-east on the other side of Northcote Road or to the North-West (Westlake Girls High School).

Chapter E25 Noise and vibration of the AUP(OP) indicates that in Residential zones the noise level for permitted activities is 40 – 50 dBL_{aeq} depending on the time of day. In the Business – Mixed Use zone the permitted noise level is 65dBL_{aeq} until 11pm and then 55dBL_{aeq} which is far louder than the Residential zone and helps explain the 11pm timeframe mentioned in a number of the conditions. Council therefore is highly unlikely to limit an applicant to 10pm when the AUP(OP) provides for 11pm.

The noise events are Temporary Activities. To generate noise events on private land, outside of a residential zone is a restricted discretionary activity under Rule E40.4.1(A13) of the AUP(OP).

E40.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application for a temporary activity:

- (1) the effects from the noise, lighting, hours and duration of an activity;
- (2) the effects of the activity on traffic generation, parking, pedestrian safety and access; and
- (3) the effects of any disturbance to land, foreshore, seabed or vegetation associated with an activity.

As a restricted discretionary activity the AUP(OP) restricts council to assessing only the above matters.

Marshall Day Acoustics are very experienced acoustic engineers (noise and vibration). Notwithstanding this, Council did not take the acoustic assessment on face value, it was peer reviewed by an Auckland Council Acoustic Specialist and I am happy to provide a copy of his technical memo.

The application was robustly assessed against the requirements of the Resource Management Act and Auckland Unitary Plan. The decision contains a suite of conditions aimed at mitigating potential adverse noise effects.

Condition 5 states "Up to six noise events on Saturdays are permitted in any 12-month period, provided that the noise event complies with all of the following:..." The submitted application describes a noise event as "It is proposed to hold up to six events per annum at Smales Farm, during which the general noise standards for the Site may be exceeded. By definition, these events are therefore specific temporary activities categorised as 'noise events". The Takapuna Food & Wine Festival and Fiesta del Sol are examples of noise events.

The application also notes that "The Proposal does not rely on a permitted baseline but it is noted that up to 15 noise events over a 12 month period are permitted in public places outside the City Centre and Metropolitan Zones. The maximum noise limit for such events is 70dB LAeq but three can have a noise limit of 80dB LAeq. Also, the noise limit for 6 events per year at the nearby North Shore Events Centre (on a Friday or Saturday and finishing by 10.30pm) is 75dB LAeq." The site can have a number of noise events without requiring resource consent and this is shown further below.

It is not necessary to gather signatures.

In conclusion, events such as The Takapuna Food & Wine Festival and Fiesta del Sol are authorised through Resource Consent LUC60325517. The resource consent was appropriately assessed in accordance with the requirements of the RMA and AUP, noting the restrictions provided by the AUP(OP) and the activity status. There is a good separation distance between the event location and land zoned residential. The resource consent contains a robust set of conditions aimed at managing noise.

I hope this email answers your questions and that the applicant complies with the conditions of consent.

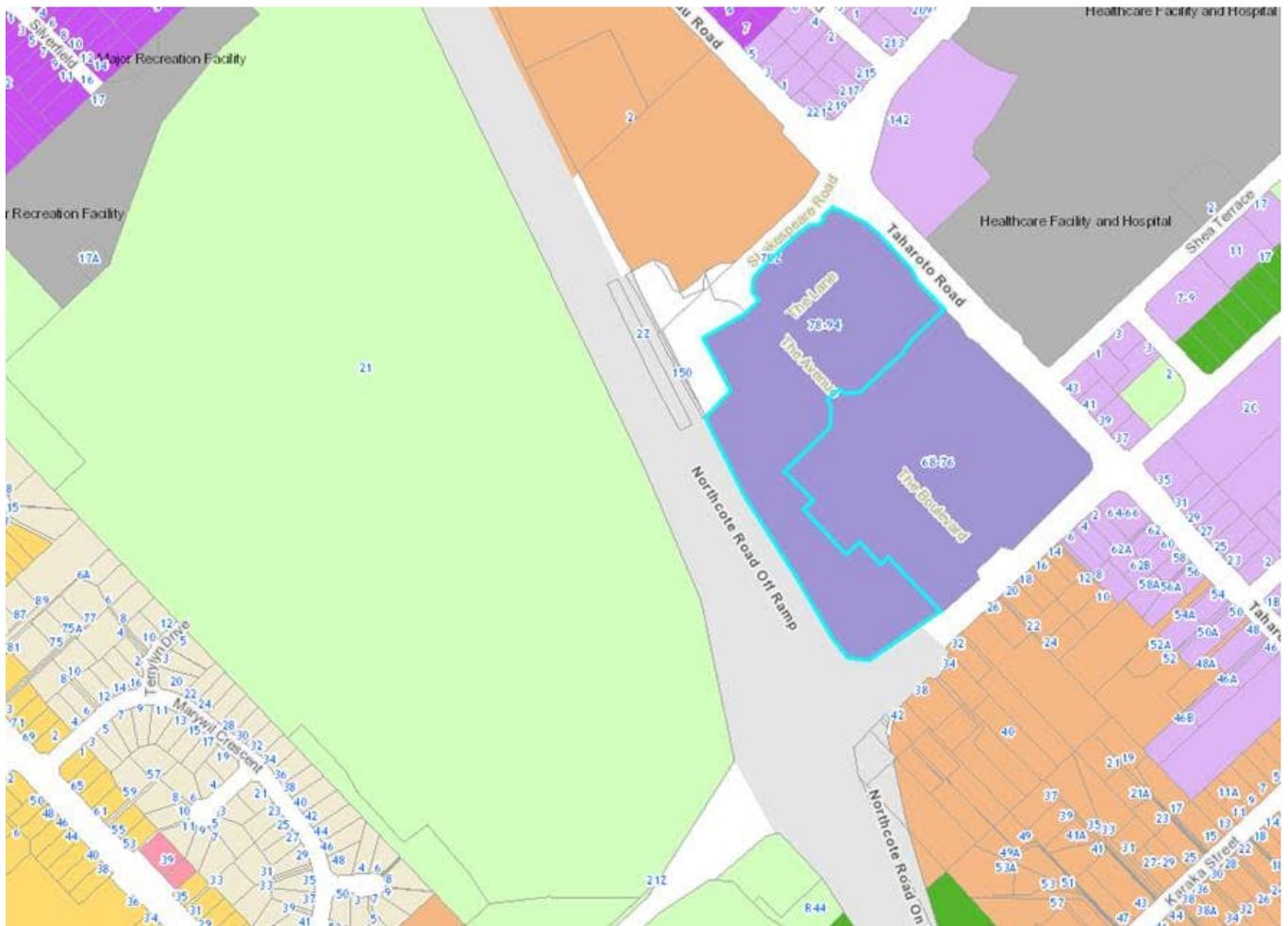
Kind regards

Nick McCool | Team Leader (Acting)
Resource Consents | North-West

Ph 09 301 0101 | Extn (44) 3422 | DDI 09 427 3422

Auckland Council, Takapuna Service Centre, Level 1, 1 The Strand, Takapuna

Visit our website: www.aucklandcouncil.govt.nz



Section E40 of The Auckland Unitary Plan – Operative in Part. Rule E40.6.4 applies to noise events outside the City Centre and Metropolitan Centres. The rule states that:

"Up to 15 events are permitted in any 12-month period, provided that no more than two noise events occur in any seven-day period, and the noise event complies with all of the following:

- a) *The noise event does not exceed six hours in duration, excluding two hours for sound testing and balancing that is undertaken between 9am and 7pm on the day of the event;*
- b) *The noise event does not exceed a noise level of 70 dB L_{Aeq} and 80 dB L_{A01} except;*
 - i. *Three noise events can have a noise limit of 80 dB L_{Aeq} and 90 dB L_{A01} for a maximum of three hours, excluding one hour for sound testing and balancing undertaken after 9am on the day of the event; and*
 - ii. *Three noise events in the Auckland Domain can be held with no noise limits applying.*
- c) *The noise event starts after 9am and ends by 11pm, except on New Year's Day where the noise event ends by 1am."*

From: Jimin Hong <jimin.hong@gmail.com>

Sent: Monday, 7 January 2019 7:00 PM

To: Nick McCool <Nick.McCool@aucklandcouncil.govt.nz>; David Frith <David.Frith@aucklandcouncil.govt.nz>

Subject: Fwd: Noise report from recent event at Smales Farm

Dear Nick McCool,

Understand that David Frith has forwarded my LGOIMA request queries dated 19 December, related to the resource consent for events at Smales Farm (Application number LUC60325517) as you are best placed to answer these questions.

David was able to clarify the item 3 in my email regarding the noise complaint and the follow up procedure (which David had forwarded to the Council's OIA team to be forwarded to me earlier, but that didn't happen; David provided the information subsequently and it is now considered closed).

Would you be able to respond to the remaining items (1,2, 4-8), please?

When making this decision, have your team considered the noise complaints that were made against this site at previous events? Also, the consent conditions only refer to the noise levels but it is actually the vibration from the commercial amplifiers that makes it even more unbearable. The "monitoring" only involves measurements of noise levels, not vibration, and this doesn't reflect the discomfort caused to the residents. Would you be able to comment on this, please?

As I explained to David, I fully appreciate that it would never be possible to appease everyone, however, it appears counter-intuitive that events like these are allowed in a well-developed residential area that includes a hospital and a retirement village, based on very limited and biased evidence, and that the majority of the affected residents were disregarded and didn't even receive the letter from the event organizer. It would be a lot more palatable if the noise and vibration level could be reduced in future (the next event is coming up in February). It is concerning that the event organizer, a commercial entity, is generating profits at ratepayers' expense – which I believe was not the Council's intention when granting the consent.

Regards,

Jimin

From: Jimin Hong <jimin.hong@gmail.com>

Sent: Wednesday, 19 December 2018 5:51 PM

To: David Frith <David.Frith@aucklandcouncil.govt.nz>

Cc: Graham Jones <Graham.Jones@aucklandcouncil.govt.nz>; Haya Sulaiman <haya.sulaiman@aucklandcouncil.govt.nz>

Subject: Re: Noise report from recent event at Smales Farm

Dear David,

Thank you for your response and sending through these documents.

I have following questions / comments:

1. It is rather disappointing to see that the Council has indeed granted consent for these events and how the decision letter overlooked the dense residential catchment to the east that is closer to the site than the "residential receivers to the west" (discussed further below). The statement in the letter "...There are no activities on adjacent sites that are sensitive to noise, with nearest residential areas across the golf course or Northcote Road..." on page 3 is categorically incorrect. The said residential receivers to the west across the golf course (positions shown as purple in the below diagram) are approximately 800 metres away from the site (marked with a red star).

There is an extensive, well-established residential area to the east well within the 800 metre-radius, as shown in blue below. Furthermore, within this area are, as I mentioned in my earlier email, the Poynton Retirement Village and the North Shore Hospital that house highly sensitive and vulnerable occupants.



2. It appears that the Council's judgment heavily relied on the Marshall Day Acoustics' Assessment of Noise Effects report (which was commissioned by the applicants), which states "The closest residential receivers to the north and south-east of the site are located on Taharoto Road and Northcote Road, both of which are busy roads with moderate to high levels of traffic noise. During the Takapuna Food & Wine Festival, music from the event was only occasionally audible over the traffic noise at these locations (discussed further in Section 5.1). These receivers are also shielded from the event site by the office buildings in Smales Farm." [Section 4.0]

This is extremely incorrect. I live on Taharoto Road and hardly ever hear any traffic from my home (which is also aided by double glazing windows in my master bedroom), however, on the day of Takapuna Food & Wine Festival (10 Feb 2018) I could clearly hear the music and the vibration from the amplifier, which was actually much worse than the music itself.

The report claims that "the residential receivers to the west of Takapuna Golf Course are considered to be the most affected by amplified music at Smales Farm" [Section 4.0] and "At other nearby receivers, music from the festival was often completely masked by traffic on Northcote Road and Taharoto Road." [Section 5.1]. However, it fails to provide any evidence as all the measurements given in this report (Appendix D) were taken from the western receivers only. It presents no measurement from the residential area to the east (the blue area in the diagram above).

3. As I mentioned in my earlier email, at least one complaint was made on 10 Feb 2018 and this should have been responded to by an officer visiting the site and measuring the noise level to decide whether it was excessive. **Neither of your response or the attached documents show that anyone from the Council actually has responded to this complaint and visited the site, contrary to what the Council website says - "When you make a noise complaint, we come out and investigate. This is why you need to make a complaint when the**

noise is happening” <https://www.aucklandcouncil.govt.nz/licences-regulations/noise/Pages/complain-about-noise.aspx> **Can you confirm that this procedure has not been followed on that day, and explain why?** #02

4. I have also spoken to residents on Brooks Street and Karaka Street (on the outer periphery of the blue area above), and they have found the two events that happened over the two consecutive weekends, Fiesta del Sol (24 Nov 2018) and Vodafone's staff party (1 December 2018), extremely disruptive, describing the noise as "constant thump" which they initially thought were large fireworks. None of them received any letter or other form of contact from the applicant regarding either event. They had no idea where the noise was coming from until they decided to take a drive around the area to investigate.

There are residents that are clearly affected, and the noise assessment report doesn't provide valid measurements or any other evidence to substantiate the noise consultants' claims yet it appears that the Council took the noise assessment report (commissioned by the applicant) for its face value and granted consent - without its own independent investigation or assessment.

5. Based on the above, I consider the Marshall Day Acoustics' assessment and the Council's consent decision flawed. I would like to object to conditions of the consent.

6. Below are what I consider as necessary changes to the conditions of the consent to make it more acceptable to the residents:

- o The allowed noise level should be reduced, with only one stage with amplified music. The total number of amplifiers should also be reduced.
- o The applicants should add more monitoring sites to sufficiently cover the affected residential areas, including the one to the east, and also monitor the vibration level.
- o The maximum duration should be reduced to 6 hours, with all events ending at 10am or earlier (not 11pm).
- o Letters should be circulated to all residents within the 800 metre-radius of the site.
- o The event organisers should be prepared to scale down the noise level should there be any complaints on the day.

7. The consent was granted for the proposal "to provide up to 6 events over a period of 12-month". Can you clarify when this 12-month period starts and ends, please? Also, what exactly constitutes as the mentioned "event"? Smales Farm runs a number of events throughout the year and would like to understand which of these events are considered to be affected by this consent.

8. I am more than happy to gather signatures from the affected residents if the Council feels that it requires further evidence before it can reassess the consent. Please do advise if this is the case.

Regards,

Jimin

On Fri, Dec 14, 2018 at 2:24 PM David Frith <David.Frith@aucklandcouncil.govt.nz> wrote:

Dear Sir/Madam

Following up on your recent request for information regarding the Fiesta del Sol on the Smales Farm property in Taharoto Road.

A noise report has just been received for this event, confirming its compliance. After reference to the monitoring team and re-checking of the computer filing system for the site, the following information has been located and is attached for your information

1. The noise report submitted to the Council on behalf of the organisers.
2. The acoustic report submitted to the Council
3. The decision for the land use consent for the events.

I trust that this information is of assistance to you and satisfies your enquiry.

Please accept our apology for not supplying this earlier

Yours sincerely

David Frith | Team Leader Compliance Response

Noise and Air Quality

Licensing and Regulatory Compliance

Mobile 0274 503 915

Auckland Council, 35 Graham Street Auckland

Visit our website: www.aucklandcouncil.govt.nz

[Redacted signature]

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Decision on an application for resource consent under the Resource Management Act 1991



Restricted discretionary activity

Application number: LUC60325517
Applicant: Northcote RD 1 Holdings Limited
Site address: 68-76 Taharoto Road Takapuna 0622
 78-94 Taharoto Road Takapuna 0622
 (Smales Farm)
Legal description: Lot 1 and Pt Lot 2 DP 204794

Proposal:

To provide up to 6 events over a period of 12-month on the subject site, with the events taking place from 9am to 11pm (14 hours maximum duration) on Saturdays. The anticipated capacity for each event is expected to be 1,200 – 5,000 people. Intended for events with music as a primary or key feature, the activity will involve amplified music up to 75 dB L_{Aeq} measured from adjacent sites.

The resource consents required are:

Land use consents (s9) – LUC60325517

Auckland Unitary Plan (Operative in part)

District land use (operative plan provisions)

Temporary Activity

- To generate noise events on private land, outside of a residential zone is a restricted discretionary activity under E40.4.1(A13).

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104C, and Part 2 of the RMA, the resource consent is **GRANTED**.

Reasons

The reasons for this decision are:

1. The application is for restricted discretionary activity resource consent, and as such under s104C only those matters over which council has restricted its discretion have been considered. Those matters are:

Auckland Unitary Plan Operative in Part (AUP OP)

- Matters under E40.8.1 for restricted discretionary activities in Activity Table E40.4.1:
 - (1) the effects from the noise, lighting, hours and duration of an activity;
 - (2) the effects of the activity on traffic generation, parking, pedestrian safety and access; and
 - (3) the effects of any disturbance to land, foreshore, seabed or vegetation associated with an activity.
- 2. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA the actual and potential effects from the proposal will be acceptable as:
 - a. The proposed event site is acceptable for noise events, given the expansive golf course and motorway nearby and the office park environment and school being underutilised during weekends. The golf course provides separation distance between the event and residential receivers to the west, while the office park buildings shield noise to the east and south, dissipating noise effects to a level that is low to nearby receivers. While the golf course, school, and some residential areas across the golf course will experience some noise; the rare, temporary, and weekend nature of the events means that the noise effects on nearby persons will be acceptable.
 - b. The amplified music and PA system will be controlled with a mixing desk by an event technician, whose contact details will be distributed to nearby persons in the event they need to make a complaint, and the applicant has proposed ongoing monitoring of noise events so that noise levels can be adjusted to suit and ensure compliance.
 - c. The proposed event site is acceptable for noise events, given the business park environment itself provides adequate parking for the number of people visiting, access from arterial roads, and the proximity to Smales Farm bus station, which is anticipated to be used for up to 30% of patrons' journeys to and from the events.
 - d. The frequency and duration of noise events will be limited to ten hours on six Saturdays per year, which will avoid adverse effects on activities operating within normal business hours, including the nearby schools, and the frequency of six events per year avoids regular or overly frequent disruption.
 - e. In terms of positive effects, the events will provide for people's social, economic and cultural wellbeing, providing for artisan markets and cultural events for the wider North Shore area.
 - f. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment.
- 3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents. In particular, the assessment criteria in E40.8.2(1) to (2), the objectives 1 and 5, and policies 1 and 5. The proposal is considered to be consistent with the relevant objectives and policies as the temporary activity will enhance the social, environmental, economic and cultural well-being of the Takapuna and North Shore area. The temporary activity is located at a site which is appropriate, being well removed from residential development, and will adopt measures to mitigate adverse effects

on amenity values, communities and the urban environment. Noise associated with the activity will be managed to reduce potential effects and all persons who may discern noise above normal levels will be given advanced notice of the events taking place. There are no activities on adjacent sites that are sensitive to noise, with nearest residential areas across the golf course or Northcote Road, and noise from the outdoor event using electronically amplified equipment will be controlled by onsite monitoring and by limiting the times and duration of operation. The event frequency is limited to six events per year, and limited to Saturdays given the proximity of offices, commuter infrastructure, and schools. Waste and litter will be effectively managed and minimised. Consistent with the advice of the consultant traffic engineer, the proximity to public transport infrastructure will ensure a high degree of public transport usage and minimise private vehicle use. Traffic will be managed by traffic management plans, and no safety concerns have been identified, particularly with regard to the effect on the motorway and busway routes. The wellbeing of residents will be addressed by flyer drops, appointment of a dedicated event manager and noise representative that can be contacted at any time, and by requiring a traffic management plan ahead of the events taking place. The event will be located at a site that has capacity to safely host the expected number of people; has excellent public transport links and sufficient parking available; and has sufficient road network capacity for the event as confirmed by Council's Consultant Transportation Specialist.

4. As a restricted discretionary activity, no other matters can be considered under s104(1)(c).
5. Overall the proposal has been assessed against the relevant statutory provisions of 104 and 104C. The proposal is considered to be consistent with the relevant objective, policies and assessment criteria of the Auckland Unitary Plan (operative in part). In addition, it has been determined that the balance of positive and adverse effect of the proposal will be acceptable.

Conditions

Under section 108 of the RMA, this consent is subject to the following conditions:

1. The noise events activity shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent number LUC60325517.
 - Application Form and Assessment of Environmental Effects prepared by Vaughan Smith of Vaughan Smith Planning Limited, dated August 2018.

| Report title and reference | Author | Dated |
|--|---|--------------|
| Smales Farm Events Assessment of Noise Effects | Benjamin Lawrence of Marshall Day Acoustics Ltd | August 2018 |
| Smales Farm Events: Transportation Assessment | Michael Hall of Stantec New Zealand | 23/08/2018 |
| Other additional information | Author | Dated |
| Smales Farm Events – S92 Response | Benjamin Lawrence of Marshall Day Acoustics Ltd | 25/09/2018 |

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
 - a. The consent is given effect to; or
 - b. The council extends the period after which the consent lapses.
3. The consent holder shall pay the council an initial consent compliance monitoring charge of \$990 inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to this consent/s.

Advice note:

The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the council issue a letter confirming compliance on request of the consent holder.

Event Conditions

4. Rubbish and debris resulting from each event must be removed from the site no later than 10 working days following the completion of each event.

Noise Conditions

5. Up to six noise events on Saturdays are permitted in any 12-month period, provided that the noise event complies with all of the following:
 - a. The noise event does not exceed ten hours in duration, excluding two hours for sound testing and balancing that is undertaken between 3pm and 7pm on either the day before the event, or 9am and 7pm on the day of the event
 - b. The noise event starts after 9am and ends by 11pm the same day;
 - c. The noise event shall not exceed the following noise levels at 1m from the building of any site which is residential in use:
 - i) 65 dB L_{Aeq} from 9am – 11pm;
 - ii) The noise rules in the Auckland Unitary Plan – Operative in Part for activities undertaken within the Business – Business Park Zone at all other times;
 - d. The above noise limits must be met 1m from the building;
 - e. The L_{Aeq} noise levels to be met are incidence noise levels averaged over the duration of the event but are not to include sound testing or balancing;
 - f. No corrections can be made to the measured incident noise level;
6. Not less than two weeks prior to a noise event, a letter drop advising of the upcoming concert shall occur to all residential properties in the vicinity of the event (this shall, at a minimum, include the residential properties between Takapuna Golf Course and

Sunnybrae Road, residential properties to the south-east of Smales Farm on Northcote Road, and residential properties to the north-east of Smales Farm on Taharoto Road). The letter shall include details of the start and finish times of the sound checks and the concert, and overview of the noise monitoring and management regime, and a contact phone number for complaints. A copy of this letter shall be sent to Team Leader North West Compliance Monitoring;

7. Not less than one month prior to the first event a Noise Management Plan (NMP) shall be submitted to Auckland Council for review. The NMP shall provide the following details:
 - a. The event noise limits at both the mixing desk positions and nearest residential receivers;
 - b. The name and contact number of the Event Manager, noise representative, and sound technician(s) responsible for controlling noise from the mix position;
 - c. Confirmation that the sound checks will be monitored, to ensure that noise levels can be set at an appropriate level prior to the event;
 - d. Details of the complaints management system, including contact details and reporting protocol;
 - e. Where necessary specific noise mitigation measures.

Advice Note:

The contact details in the NMP for the event manager, noise representative and sound technician(s) shall be updated for each event as required.

8. Noise monitoring shall be undertaken at the nearest residential receivers during the first event to determine compliance with the limits in Condition 5. Additional monitoring at subsequent events shall only be undertaken in response to a complaint which is considered to be reasonable by Council's team leader of monitoring.
9. If any significant changes are proposed to the layout or sound system as described in the Marshall Day Acoustics report 'Rp 001 R01 20180340 BL Smales Farm Events (Assessment of Acoustic Effects)', dated 23 August 2018, a suitably qualified acoustic consultant shall be engaged to confirm that compliance will be achieved with the limits in Condition 5.

Condition 5 Noise monitoring

10. A suitably qualified and experienced acoustic specialist engaged by the consent holder shall provide to the Team Leader North West Compliance Monitoring, a report that:
 - a. Measures and assesses noise emitted from the first event subject to this consent;
 - b. Undertakes measurements at the closest residential receivers;
 - c. Determines the extent of any compliance or infringement of the noise limits specified in condition 5; and
 - d. Recommends specific actions, in the event of an infringement, that will ensure compliance with the noise limits specified in condition 5.

The above report shall be submitted to the Team Leader North-West Monitoring within 10 working days from completion of the monitoring. In the event of an infringement the consent holder shall:

- Ensure all remedial actions recommended by the suitably qualified and experienced acoustic specialist are implemented, to the satisfaction of the Team Leader North West Compliance Monitoring, immediately or as soon as practicable after receipt of the recommended actions.
- Notify Council's on-call Compliance Monitoring Officer of the monitoring results and the remedial actions on the same day as the monitoring was completed. Notification can be via telephone (09 301 0101) or email (monitoring@aucklandcouncil.govt.nz).

Additional noise monitoring at subsequent events shall only be undertaken when requested to in writing by the council (Team Leader North West Compliance Monitoring) if valid complaints are received and/or if council suspects noise limits in condition 5 have been infringed.

Review condition

11. Under section 128 of the RMA the conditions of this consent may be reviewed by the Manager Resource Consents at the consent holder's cost:
 - a. On an annual basis following commencement of consent in order
 - i) To deal with any adverse effect on the environment which may arise or potentially arise from the exercise of this consent and which it is appropriate to deal with at a later stage, in particular adverse effects in relation to noise and traffic safety.

Advice Note:

Under section 128 of the RMA the conditions of this consent may be reviewed by the Manager Resource Consents at the consent holder's cost in the following circumstances:

- (1) *At any time, if it is found that the information made available to the council in the application contained inaccuracies which materially influenced the decision and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions;*

In the event that the results of any monitoring undertaken by Council are such that unacceptable adverse noise or traffic effects are generated, mitigation measures such as reducing the duration of events, noise limits, or traffic management methods may be applied.

Advice notes

1. Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.
2. For the purpose of compliance with the conditions of consent, "the council" refers to the council's monitoring inspector unless otherwise specified. Please contact North-West Monitoring on monitoring@aucklandcouncil.govt.nz to identify your allocated officer.

3. *For more information on the resource consent process with Auckland Council see the council's website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: www.mfe.govt.nz.*
4. *If you as the applicant disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*
5. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*

Delegated decision maker:

Name: Jason Drury
Title: Senior Planner, Resource Consents
Signed:



Date: 12/10/2018

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: LES PROBERT

Organisation name: Toho Consulting

Agent's full name: LES PROBERT

Email address: les@toho.co.nz

Contact phone number:

Postal address:
27c Manly Esplanade
Browns bay
Browns bay 0630

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:
plan change 23

Property address: Smales farm Tahoroto road Takapuna

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Smales Farm is well suited to residential development because it is surrounded by a wide range of community facilities including schools, sports and entertainment venues, and the North Shore Hospital, and is served by the full range of transport connections. It is also very much in keeping with the containment of a needed development into an area really well suited to it

3.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 2 May 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

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

Contact details

Full name of submitter: Jungho Hong

Organisation name:

Agent's full name:

Email address: isonobe@hotmail.com

Contact phone number:

Postal address:
3/57 Karaka Street
Takapuna
Auckland 0622

Submission details**This is a submission to:**

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:

Zoning change that will allow Smales Farm to build high rise apartments.

Property address:

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

- Worse traffic jam - there is no more spare capacity on the roads around Smales Farm, especially the Taharoto / Northcote intersection and the motorway interchange. Unless you are improving these intersections and widening all the roads around it, the additional traffic will just gridlock the whole network. Don't quite understand the logic behind the "25% reduction in background traffic" assumption in the traffic modelling – why are they expecting us, the existing drivers, to stop driving? Is it because they expect us to be very annoyed by how bad the traffic jam will get because of their development? It's presumptuous and offensive. It just tells how bad the traffic problem will be with these apartments.

- Parking issues. "Transit oriented development" with low vehicle generation is just a ploy that sounds marvellous, can't see how this will be achieved in practice as there is no clear plan to ensure this. If they provide parking for each unit then they can't stop their residents from driving (hence worsening the traffic jam), if they do restrict parking then the residents will park on local streets – this is already an ongoing huge problem for the nearby residents as workers are already filling up the streets as early as 8:45am every morning. We don't want any more of this. - Will be harder for ambulances to access the hospital, they will get stuck in traffic. - 1300+ units housed in multiple 30-storey buildings

over such a small area. This sounds like a planning nightmare for any part of North Shore. In Sydney, such high density apartments are already causing the housing market to crash. With the small size and high density, it's highly likely that these apartments will turn into eyesores - there are already some very ugly cheap concrete boxes in the CBD that look like slums. These high rises will also block sunlight on the surrounding and makes it very dark and shady. It will give a negative impression on the nearby suburbs and even make Smales Farm bus station unattractive for bus passengers because it will no longer feel open and safe. - Impacts from constructions. For 30-storey buildings, they will need to dig deep, and build over a prolonged period, this means excessive noise, vibration and dusts. Smales Farm is already very noisy with their Food & Wine festival and bars, they have zero consideration for local residents. - Also I am very concerned about having high rise buildings right next to two schools – Takapuna Normal Intermediate and Westlake Girls High School – and many of the residents will have full visibility of what the school children are doing. It's unnecessarily increasing the exposure of children to indecent individuals. Also, the aforementioned noise and vibration from construction will impact their study environment significantly. My granddaughter will be attending these schools and am very concerned about her and her fellow students' safety and privacy. - We don't need these apartments – there are many newly built apartments in the area and many of them are struggling to sell. Stop building apartments that Aucklanders don't want, this is irresponsible and poor city planning. Definitely not the housing solution we want.

4.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 2 May 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

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

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



AUCKLAND COUNCIL
08 MAY 2019
CBD ALBERT ST

Send your submission to unitaryplan@aucklandcouncil.govt.nz

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

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

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

SUSAN PEACE

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

25 NIKE RD
MILFORD, AUCKLAND

Telephone: 4107865 Fax/Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 23

Plan Change/Variation Name Smales Farm

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) 1528.3 (3)

Or
Property Address

Or
Map

Or
Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

Reading the proposals one could think the Business park was becoming a residential area.

Notifical referred to buildings up to 30 storeys. This is greatly higher than Hall buildings in the area, and I don't see much taller in the future. The maximum height should be 10 storeys.

5.1

It has been very difficult to obtain information about these changes. For open government it is the council's duty to provide a hard (paper) copy of all proposals in the council offices and libraries in the area where the proposal is located.

The reasons for my views are:

Believe the floor area required ~~land~~ affect transport
should remain at 105,000 m².

5.2

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

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

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

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

Contact details

Full name of submitter: Simon O'Connor

Organisation name: Sentinel Planning Ltd

Agent's full name: Simon O'Connor

Email address: simon@sentinelplanning.co.nz

Contact phone number: 0211408114

Postal address:
PO Box 33995
Takapuna
Auckland 0740

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:

I support the use of Smales Farm as in effect a mixed use Transport Orientated Development centre.
I support in principle the inclusion of high rise buildings in the general location provided in the PPC.

Property address: Smales Farm

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I support the use of Smales Farm as in effect a mixed use Transport Orientated Development centre.
I support in principle the inclusion of high rise buildings in the general location provided in the PPC.

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

Details of amendments: We will reserve of view on this in light of a full review by Councils urban design team. No PPC is 100% beyond modifications and I would expect reasonable and moderate improvements to be made through this process.

Submission date: 8 May 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sally Slawson

Organisation name:

Agent's full name: Sally Slawson

Email address: sallyslawson@gmail.com

Contact phone number:

Postal address:
12/52 Taharoto Road,
takapuna
Auckland 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:
Transport

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The current plans appear to minimise the affect of additional vehicles on Taharoto Road and the roads off it. I currently have to access Northcote Road in the mornings turning left from Taharoto Road and many days the access is blocked wit cars that have turned approaching from Milford. Any increase in vehicle numbers will cause serious congestion. There needs to be much more realistic analysis of impact on the roads around Smales Farm proposed developments. Saying there would be "No significant impact is" not realistic. Plus the traffic will be even heavier when events are held.

7.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

7.2 | Details of amendments: A realistic analysis of number of cars accessing the new proposed areas and let the public know what changes to roading/traffic lights there will be

Submission date: 13 May 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Soon bok Ko

Organisation name:

Agent's full name:

Email address: knklttd@hotmail.com

Contact phone number:

Postal address:

Auckland

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:

- Changes to enable development of intensive residential activities - Limited parking supply for "TOD" transit orientated development - Noise Events becoming "Permitted"

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

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

The reason for my or our views are:

- Increased traffic congestion – Smales Farm is located right next to the notoriously congested intersection at Taharoto Road – Northcote Road, and the Northcote motorway interchange. Anyone who travelled through these intersections in the peak periods can tell that there is no spare capacity on the road network to accommodate additional traffic, especially in the peak direction (i.e. towards the motorway in the morning, and vice versa in the afternoon, although it can get busy in both direction in the afternoon). The whole Integrated Traffic Assessment appears very weak logically and lacks in plausible evidence to sufficiently support the Plan Change. For example, it makes highly unlikely and overly optimistic assumptions about the trip generation rates and mode share, likening Smales Farm to Auckland CBD or metropolitan centres. Smales Farm does NOT provide a comparable level of public transport connectivity or accessibility to employments or other activities as the CBD or Newmarket do. Also noticed that they did not assess the full number of units (1380) in

their modelling. Yet it still shows significant deterioration in travel times. Also the 25% reduction in the background traffic in 2036 appears very questionable as can't see any evidence to support the assumption. It appears that the modelling showed that the network got gridlocked with the development so the consultants removed the background traffic to make it look working. - "Limited the supply of on-site parking over time" is proposed but there is no clear strategy on how they will achieve this without resulting in adverse impacts e.g. overspill on the nearby local roads. Nearby streets including Karaka and Dominion Streets are already experiencing overflow of non-resident parking due to the employees at Smales Farm (evident from the fact that the on-street parking becomes empty after 6pm). While the Northern Expressway bus services at Smales Farm provide a good PT connectivity to the CBD, Albany and other employment / activity centres on North Shore, it is not as well connected to the rest of the region. It is definitely NOT like Auckland CBD or Newmarket that are geographically more central, and have access to a range of different travel modes (train, bus and ferry for the CBD) and part of more comprehensive PT network. Most of the residents at Smales will still own a car and drive. "TOD" sounds fancy and progressive but there is no clear supporting evidence in the documents how this will work at this location. It appears that TOD is being used as an excuse to be able to assume overestimated mode share in the traffic assessment. - Excessive noise and vibration pollution, that will have significant health and environment impacts on the neighbourhood – Many residents have already complained about the noise and vibration levels from Smales Farm (suggest you check your noise complaints calls records in your system) when they have events such as Takapuna Food and Wine and Music Festival and Fiesta Del Sol (this event had speakers blasting until 11pm and understand that Auckland Council gave them the consent – which is disappointing already). At least now, they can have these events only up to 6 times a year, and are subjected to a resource consent. Most of residents feel that this is already far more than what it should be, but at least now there is some form of restriction. Making Noise events a "Permitting" activity will see noise events being hosted at an excessive frequency and scale that are irresponsible and out of control (because Smales Farm will want to make their site as commercial and profitable as possible). This will result in significantly adverse impacts on the health the right to the quiet enjoyment of their environment for the nearby residents. Also note that they recently opened eateries at Smales Farm including two bars. They often play live music at an excessive volume (especially on Friday evenings). Based on our experience, Smales Farm do not appear to have a good common sense or consideration towards nearby residents, many of whom are elderly and have more sensitive sleep patterns and need more rest, not to mention the patients at North Shore Hospital.

8.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 13 May 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Charles Crisp

Organisation name:

Agent's full name:

Email address: charlie.crisp@tab.co.nz

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:

Property address: 2/52 Taharoto Rd Takapuna

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I do not believe the existing road network and public transport options would cope with any further high density residential or commercial activity on the Smales Farm site. I live in the area and with existing high traffic flows due to close proximity of schools, the hospital and the existing commercial activities in and around the Smales site any further addition to this traffic would be unmanageable.

9.1

I or we seek the following decision by council: Decline the plan modification

Submission date: 14 May 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

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



FORM 5

Submission on a notified proposal for Plan Change 23 Smales Farm (Precinct 1) under Clause 6 of Schedule 1 Resource Management Act 1991

14 May 2019

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

Via Email: unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: New Zealand Transport Agency

1. Under Section 95 of the Land Transport Management Act 2003 (LTMA), the New Zealand Transport Agency (the **Transport Agency**) has a statutory obligation to ensure that State Highways operate in an effective, efficient and safe manner for the public. The Plan Change 23 (**PC23**) area adjoins State Highway 1 in the vicinity of the Northcote Interchange.
2. Plan Change 23 seeks to facilitate the development of a Transit Orientated Development (**TOD**) on the site. The Transport Agency supports TODs where these are appropriately located, well designed and multi-mode transport opportunities are enabled.
3. Plan Change 23 provides an opportunity to demonstrate, in the Auckland context, how high density, mixed use living options can occur in close proximity to local amenities and high frequency/accessible public transport. Furthermore, the creation of urban environments of this nature allows people to live and work while reducing their private vehicle trips in favour of public transport and/or other active modes such as cycling and walking. The TOD approach supports the Access Strategic Direction under the Government Policy Statement on Land Transport 2018/2019–2027/2028 as noted –

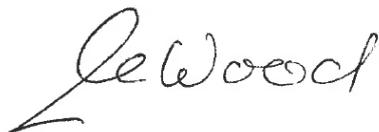
The increased focus on urban areas is to ensure that transport and land use planning reduces the need to travel by private motor vehicle (excluding commercial vehicles) by:

- *improving access by reducing the need to travel long distances to access opportunities like employment, education and recreation*
- *supporting a mode shift for trips in urban areas from private vehicles to more efficient, low cost modes like walking, cycling and public transport.*

(GPS 2018–2028, page 10).

4. The Transport Agency acknowledges the response the applicant provided to a number of queries prior to lodging this submission. The Transport Agency therefore generally supports the proposal on the basis that the amendments set out in its submission are adopted. The changes requested are made to:
 - a. Ensure that the assumed changes to the transport network (reflected in the PC23 ITA) are able to be confirmed as development progresses and that there are suitable 'response' mechanisms within PC23 to both facilitate the anticipated changes and to adapt transport management if assumptions are not borne out;
 - b. Provide additional support commensurate with achieving a TOD; and
 - c. Considered necessary for the Transport Agency to meet its obligations under Section 95 of the LTMA and are set out in Table 1.
5. The New Zealand Transport Agency could not gain an advantage in trade competition through this submission.
6. The Transport Agency would like to be heard in support of its submission. If others make a similar submission, the Transport Agency will consider presenting a joint case with them at a hearing.

Signature of person authorised to sign on behalf of Submitter:

A handwritten signature in black ink that reads "Mike Wood". The signature is written in a cursive style with a long, sweeping underline.

Mike Wood

Principal Planner Consents and Approvals

NZ Transport Agency

Table 1: Decisions Sought Plan Change 23 Smales 1 Precinct

The following table sets out where further amendments are sought to the PC23 Smales 1 Precinct provisions and also identifies those provisions which the Transport Agency supports.

Italics = PC23 notified text

Underline, not italics = proposed additions.

~~Strikethrough, italics = proposed deletions.~~

| | Provision | Support / Oppose | Reasons and Decision Sought |
|---|-------------------------------------|-------------------------|---|
| 1 | I538.1. Precinct description | Support with amendment. | <p>The Transport Agency seeks a more directive approach around how the Precinct as a whole will encourage changes in commuting behaviour which reflect a Transit Orientated Development. <i>A Smart Transport Approach</i> is proposed (see section 6.5 of the Smales 1 Precinct Integrated Transport Assessment) and this should be implemented by the Precinct provisions. Such an approach could be similar in design and implementation to the Wynard Quarter Transport Management Plan (as contained in the I214 Wynard Precinct provisions of the Auckland Unitary Plan).</p> <p>Additional text is proposed within the Precinct description to support this.</p> <p>Decision sought: Amend description as follows: <i>The Smales 1 Precinct (Smales Farm) is located on the corner of Taharoto and Northcote roads, and is adjacent to State Highway 1 and the Northern Busway.</i></p> <p><u>The Precinct is proposed as a 'transit orientated development' which supports high density residential and compatible business activities with strong links to reliable and frequent public transport. A goal of a transit orientated development is to reduce dependence on vehicles in favour of public transport, walking and cycling.</u></p> <p><i>The precinct permits non-residential activities (subject to a maximum gross floor area), residential activities, a maximum number of car parking spaces, and provides for some</i></p> |

| | | | |
|----------|--|--|--|
| | | <p><i>accessory activities to address demand from those employed on the site, residents, and visitors to the precinct.</i></p> | |
| <p>2</p> | <p>I538.2 Objective (A1)</p> | <p>Support.</p> | <p>The Transport Agency supports this objective. The proposed objective aligns with the Government Policy Statement on Land Transport (2018/2019–2027/28) and Auckland Transport Alignment Project (these are key guiding documents for the Transport Agency’s operations). These documents emphasise the need for transport to support high density (mixed use) developments; particularly where these integrate with key rapid transit corridors (eg. Northern Busway).</p> <p>Decision sought: Retain provision as notified.</p> |
| <p>3</p> | <p>I538.2 Objective (1)</p> | <p>Support with amendment.</p> | <p>The Transport Agency opposes the removal of <i>on the safe and efficient operation of the transport network</i> from this objective. The existing wording is required for consistency with Policy I538.3(3) and the Precinct provisions that address impacts on the transport network (eg. ITA requirements, parking maximums).</p> <p>Decision sought: Retain wording <i>on the safe and efficient operation of the transport network</i> within Objective (1).</p> |
| <p>4</p> | <p>I538.2 Objective (2) and (3)</p> | <p>Support.</p> | <p>The Transport Agency supports Objectives 2 and 3. These objectives support successful land use integration outcomes.</p> <p>Decision sought: Retain provisions as notified.</p> |
| <p>5</p> | <p>I538.3. Policy (1B)</p> | <p>Support with amendment.</p> | <p>This policy is supported. However, further emphasis is required on ensuring that connections are provided or maintained to the Smales Farm Bus Station; emphasising the role of the Station through these connections will ensure it continues to play a key role in supporting public transport trips to this site.</p> <p>Decision sought: Amend policy as follows: <i>Require landscaped open space and pedestrian connections, including connections to the Smales Farm Bus Station to be provided or maintained with each stage of development to</i></p> |

10.2

10.3

10.4

10.5

| | | |
|---|---|--|
| | <p>ensure an appropriate level of amenity for residents, workers and visitors to the Smales 1 Precinct.</p> | |
| <p>6</p> <p>I538.3. Policy (2)</p> | <p>Support with amendment.</p> | <p>This Policy is supported. However, the addition of the word “uses” should also be added to clarify that the range of accessory activities (commerce) also needs to be limited to ensure consistency with Table 1538.4.1. This table limits the range of commerce activities.</p> <p>Decision sought: Amend policy as follows:</p> <p><i>(2) Provide for accessory activities to meet the immediate needs of office workers, residents and visitors to the Smales 1 Precinct while limiting the uses and the extent of those activities to manage potential adverse effects on the function and amenity of the Business-Metropolitan Centre Zone and Business-Town Centre Zone.</i></p> |
| <p>7</p> <p>I538.3 Policy (3)</p> | <p>Support with amendment.</p> | <p>Under the E27 (City Wide provisions), development of the scale proposed at Smales 1 would generally require (under E27.6.1) a restricted discretionary activity consent triggered by trip generation and be accompanied by an ITA¹.</p> <p>The proposed structure of PC23 effectively exempts all development from E27.6.1 and provides for 162,000m² GFA commercial and 1380 residential units (construction period to 2051) without the need for a transport specific resource consent. This reflects the existing provisions except it allows for increased development (ie. increasing in commercial GFA from 105,000 to 162,000 and inclusion of 1380 residential units of any size).</p> <p>This means that the Transport Agency is unlikely to have the ability to be involved in any assessment of whether the assumptions outlined in the applicant’s ITA are borne out and predicted effects are able to be accommodated.</p> <p>This approach would be acceptable to the Transport Agency if we were satisfied that the ITA provided with PC23 and resulting PC23 provisions suitably addressed transport network effects (within the applicants control) for the development level proposed.</p> <p>The Transport Agency has undertaken a technical review of the PC23 information provided (and responses to other questions) and notes that it is reliant on some key assumptions. These key assumptions include:</p> |

¹ I538.6. Standards (first and second bullet points) and I538.6.3(1) Trip Generation

| | | |
|--|--|---|
| | | <p>a. Assumed Trip Generation: The assumed trip rate for residential development appears to have been adopted from the City Centre trip generation rate (0.24 trips per dwelling). There is little substantiation and assurance of how this city centre type trip rate will be achieved.</p> <p>b. Effects on Northcote offramp: The modelling describes changes implemented by FLOW to include a double right turn from Northcote Road to the northbound SH1 onramp. This change is not recommended by Stantec due to the effects to the southbound mainline; limited detail is provided as to the effects anticipated in not adopting this change.</p> <p>c. Assumed background traffic reductions: The modelling methodology assumes a level of background traffic reduction for future year models. With demands coming from the MSM model, future years account for increased levels of public transport use and traffic demand management (i.e. reduction in volumes) within the currently forecast future volumes. This is evidenced through the low level of traffic growth forecast in future years when compared to the amount of growth the wider area experiences. The ITA adopts a methodology which assumes a further reduction in background traffic</p> <p>Due to the uncertainty with some of these assumptions and heavy reliance on achieving a significant mode share target, it is not considered appropriate to extend this threshold to 162,000m² plus 1380 residential units without an 'interim' assessment trigger point to confirm if the ITA assumptions and targets are being achieved. It is proposed that this trigger point be set at 117,000m² commercial GFA or 380 residential units.</p> <p>In this regard, changes to Policy 3, modification of Table I538.4.1 and Standard I538.6.3, inclusion of new assessment criteria and special information requirements are proposed to support a restricted discretionary, transport consent.</p> <p>It is anticipated that the applicant would seek a further consent for a reasonably substantial GFA/unit area of development, rather than each individual residential unit / tenancy requiring individual consents.</p> <p>As explained in further detail within the remainder of this submission, an extension of the commercial GFA to 117,000m² and up to 380 residential units is supported without further</p> |
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| | | | <p>transport assessment; this level of build out is forecast by the applicant to be complete around 2031. This would coincide with high level forecasts of when larger infrastructure projects (eg. increased capacity within the Northern Busway, Additional Waitemata Harbour Crossing and major cycle connections) are more refined.</p> <p>Inclusion of these amendments will:</p> <ul style="list-style-type: none"> • Align with Objective 1; • Would provide the Agency with more confidence that the Precinct will actively try and promote alternative forms of travel and achieve assumptions relative to vehicle trip generation reductions relied on within the ITA; and • Will enable alignment with future investment in alternative transport infrastructure (public transport, walking and cycling). <p>Decision sought: Amend Policy 3.</p> <p><i>Require development over 162 117,000m² gross floor area of business activity or 380 residential units in the Smales 1 Precinct to demonstrate that the activity will not significantly adversely affect the safe and efficient operation of the transport, or that such effects will be mitigated.</i></p> | 10.7 |
| 8 | I538.3 Policy (4) | Support. | <p>The Transport Agency supports this policy as it recognises the transition of the Precinct from the current formation to a TOD.</p> <p>Decision sought: Retain provision as notified.</p> | 10.8 |
| 9 | I538.3 Policy (5) New Provision | Support. | <p>A new policy is proposed to support alternative transport modes.</p> <p>Decision sought: Include new provision.</p> <p><i>Policy (5) Encourage walking, cycling and the provision of passenger transport services and facilities compatible with the character and amenity of the area.</i></p> | 10.9 |

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| 10 | I538.3 Policy (6) New Provision | Support. | Additional provisions to support a TOD are proposed; the existing policy framework is proposed to be extended to reflect this. Decision sought: Include new provision. <u>Require the overall development of the Smales 1 Precinct to incorporate traffic demand management approaches to encourage changes in commuting behaviour to reflect a Transit Orientated Development.</u> | 10.10 |
| 11 | I538.4.1 Activity table Smales 1 Precinct (A15) and (A16) | Support with amendment. | Rules (A15) and (A16) provide for +2000m ² supermarkets and drive through restaurants as restricted discretionary or discretionary activities. The proposed activity status for these activities needs to be amended to signal that these type of activities need to be of an appropriate scale (supermarket) and type (drive-through restaurants) to cater for needs of residents and workers as opposed to catering for vehicular trips from beyond the site. This will be necessary to assist with reducing the future vehicle trip demands to and from the site; the reduction of vehicle trips has been identified in the Smales Farm TOD Integrated Transport Assessment as being critical to reducing pressure on the transport network. Decision sought: Amend the activity status for the following activities as follows (A15) Supermarkets greater than 2000m ² gross floor area per tenancy - Ø change to <u>NC</u> (A16) Drive-through restaurants - RØ change to <u>D</u> Consequential alterations deleting assessment criteria I538.8.2.(4) relative to drive through activities is also required. The Transport Agency supports a permitted activity status for community activities as their enablement will contribute to Smales 1 Precinct being a vibrant and attractive place for residents, workers and visitors. Decision sought: Retain provision as notified. | 10.11 |
| 12 | I538.4.1 Activity table Smales 1 Precinct - Community (A17-A19) | Support. | For the reasons set out in submission point 7 (Policy 3) above, the Transport Agency supports development of the site without further transport assessment but to a lesser level than that proposed by the applicant. Decision sought: Retain provision as amended. | 10.12 |
| 13 | I5.3.8.6 Standards First and second bullet points | Support with amendment. | For the reasons set out in submission point 7 (Policy 3) above, the Transport Agency supports development of the site without further transport assessment but to a lesser level than that proposed by the applicant. Decision sought: Retain provision as amended. | 10.13 |

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| | | | <p>The standards applicable to the underlying zone and Auckland-wide apply in this precinct, except the following:</p> <ul style="list-style-type: none"> Standard E27.6.1 Trip generation for non-residential development up to 117,000m² gross floor area or for residential development up to 380 residential units (see Standard I538.6.3); Standard E27.6.2(5); |
| 14 | I538.6.1(1) Gross floor area | Support with amendment. | <p>A consequential change relative to submission point 13 and Rule I5.3.8.6 is sought.</p> <p>Decision sought: Retain provision as amended.</p> <p>(1) The maximum gross floor area in the precinct for non-residential activities is 117,000m² subject to (2) below:</p> |
| 15 | I538.6.2(1) Standards - Parking (Non-residential) | Support with amendment. | <p>The Smales Farm Precinct 1 area is subject to maximum parking values for retail, commercial and office activities. Broadly the rates are tiered according to the level of build-out of the area.</p> <p>0m² – 45,000m² GFA: one park per 23m² (already constructed) 45,000m² – 105,000m² GFA: one park per 31.8m² (partially constructed) 105,000m² – 162m,000m² GFA: one park per 45m²</p> <p>Given the additional activity proposed onsite, the Agency has concerns over the level of parking provision and the extent to which this will have a detrimental effect on mode share and achieving the level of PT, walking and cycling relied on by the ITA. In particular, it considers some of the parking maximums are more reflective of existing business zones (outside of the City Centre); these zones are typically not based on seeking to discourage parking provision and encouraging alternative modes (a feature typical of TODs).</p> <p>The Agency seeks that the applicant reconsiders the maximum parking rates within the precinct. Table 1 sets out a comparison of maximum parking rates within the Unitary Plan and selected precinct plans. The ITA relies on a significant mode share to be accommodated by public transport and active modes. This is typically found in the 'City centre' or 'Mixed use / centre' type land uses where parking maximums support the intention for alternative travel modes.</p> |

10.13

10.14

Table 1 illustrates, particularly in relation to office and activities, that the Smales Precinct 1 parking rates are not commensurate with areas reflecting a higher public transport focus and are more similar to ‘standard’ business and residential zones in other parts of the city.

Table 2 has been provided to give applied examples of the specified parking rates.

Table 1: Comparison of maximum parking rates

| | Smales Precinct 1 (0-45k GFA) | Smales Precinct 1 (45-105k GFA) | Smales Precinct 1 (105-162k GFA) | Unitary Plan City centre rates | Unitary Plan city fringe rates | Unitary Plan area 1: Mixed, business, THAB rates | Unitary Plan area 2 rates | Wynyard Quarter precinct |
|------------|-------------------------------|---------------------------------|----------------------------------|--------------------------------|--------------------------------|--|---------------------------|--------------------------|
| Retail | | | | | no max | no max | no max | 150m ² |
| Office | 23m ² | 31.8m ² | 45m ² | 200m ² | 60m ² | 30m ² | 30m ² | 150m ² |
| Commercial | | | | | no max | no max | no max | 105m ² |

Table 2: Examples of Maximums Parking Required

| Parking Ratio | Office 2500m ² | Retail 300m ² (other) | Retail 200m ² (food and beverage) |
|--|---------------------------|----------------------------------|--|
| Smales (0-45K GFA) (already constructed) | 108 parks | 13 parks | 9 parks |
| Smales (45K to 105K GFA) (constructed up to 58K) | 79 parks | 9 parks | 7 parks |
| Smales (105K to 165K GFA) | 56 parks | 7 parks | 4.4 parks |
| City Centre | 13 parks | 2 parks | 1 park |
| Wynyard Quarter | 16 parks | 2 parks | 1 park |
| City Centre Office Fringe | 41 | No maximum (unlimited) | No maximum (unlimited) |
| Area 1 | 83 parks | 10 parks | 7 parks |
| Area 2 | 83 parks | 12 parks | 8 parks |

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| | | | <p>From the three examples provided:</p> <ul style="list-style-type: none"> a. For retail activities, Smales Farm (45K to 105K GFA) and (105K to 165K GFA) are more reflective of Area 1 and Area 2 maximums than City Centre or Wynyard Quarter. City Centre Office Fringe has potentially unlimited parking for retail. b. Office requirements for Smales (45K to 105K GFA) are very similar to Area 1 and Area 2. c. Office requirements for Smales (105K to 165K GFA) reflect City Centre Fringe but not City Centre or Wynyard Quarter. <p>Given the congestion on the surrounding road network and high level of access for alternative modes, the adoption of increased parking maximums needs to be considered and parking maximums generally reduced. This would provide a greater level of consistency with proposed policy 4.</p> <p>Decision sought: Reduce parking number maximums for non-residential development.</p> |
| <p>16</p> | <p>1538.6.2.(2) Standards - Parking (Residential)</p> | <p>Support with amendment.</p> | <p>The Transport Agency supports the <i>no minimum</i> parking requirements for residential activity. However, the Transport Agency requests that the Precinct provisions include the application of parking maximums for the residential component. This would provide consistency with proposed Policy 4 which seeks to <i>limit the supply of on-site parking over time to recognise the accessibility of the Smales 1 Precinct to public transport services.</i></p> <p>It would also be consistent with the findings of the Smales Farm TOD Integrated Transport Assessment which has identified the need to reduce traffic demand and makes use of a City Centre traffic generation rates as a key assumption in the assessment of effects. The Transport Agency also notes that the application of parking maximums to residential dwellings can be a contributing factor in the success or otherwise of TODs.</p> <p>By way of example, the City Centre parking rate for residential dwellings is noted as:</p> <p>Studio / One Bedroom: 0.7 spaces per dwelling Two Bedroom: 1.4 spaces per dwelling More than two bedrooms: 1.7 spaces per dwelling</p> |

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| | | | <p>Visitors: 0.2 spaces per dwelling</p> <p>Given the congestion on the surrounding road network and high level of access for alternative modes, the adoption of parking maximums needs to be considered and parking maximums specified. This would provide a greater level of consistency with proposed policy 4.</p> <p>Decision sought: Introduce parking maximums for residential development and consequential deletion of I538.6.2(2).</p> <p>(2) No minimum or maximum parking requirements apply to residential activity.</p> | 10.16 |
| <p>17</p> | <p>I538.6.3(1) Trip generation and I538.6. Standards</p> | <p>Support with amendment.</p> | <p>Both I538.6. Standards (first and second bullet points) and I538.6.3(1) Trip Generation seek exemptions for development up to 105,000m² GFA from complying with E27.6.1. E27.6.1 requires a restricted discretionary consent for particular size/trip generating activities (including provision of an ITA).</p> <p>PC23 proposes to retain this provision, extend it from 105,000m² to 165,000m² GFA business and also included in this 'exemption' 1380 residential units.</p> <p>As described in submission point 7 (Policy 3), this approach would be acceptable to the Transport Agency if were satisfied that the ITA provided with PC23 and resulting PC23 provisions suitably addressed transport network effects.</p> <p>Changes to this provision are sought to reflect development levels which the Agency is able to support based on the ITA and other information provided.</p> <p>Decision sought: Adopt amended new provisions.</p> <p><i>(1) Non-residential development up to 162 117,000m2 gross floor area, or and residential development of 380 residential units, will not be subject to the following:</i></p> <p><i>(1) Policy E27.3(2) Integrated transport assessment; and</i></p> <p><i>(2) Standard E27.6.1 Trip generation.</i></p> | 10.17 |
| <p>18</p> | <p>Residential Amenity New Provision I538.6.10</p> | <p>Support.</p> | <p>A new provision is proposed to manage potential human health effects from where buildings containing noise sensitive activities locating immediately adjacent to State highway 1.</p> <p>New text proposed:</p> | 10.18 |

1538.6.1.1 Noise Sensitive Activities within 100m of a State Highway

1. New buildings or alterations to existing buildings containing noise sensitive activities, within or partly within 40 metres of the edge line of the nearest carriageway of State Highway 1 must be designed, constructed and maintained to achieve road-traffic vibration levels complying with class C of NS 8176E:2005.
2. New buildings or alterations to existing buildings containing noise sensitive activities, within in or partly within 100 metres of the nearest carriageway edge line of State Highway 1 must be designed, constructed and maintained to achieve the indoor design noise levels from road-traffic set out in Table A.
3. If windows must be closed to achieve the design noise levels in [B], the building must be designed, constructed and maintained with a ventilation and cooling system. For habitable spaces a ventilation cooling system must achieve the following:
 - i. Ventilation must be provided to meet clause G4 of the New Zealand Building Code. At the same time, the sound of the system must not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
 - ii. The occupant must be able to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour. At the same time, the sound of the system must not exceed 35 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
 - iii. The system must provide cooling that is controllable by the occupant and can maintain the temperature at no greater than 25°C. At the same time, the sound of the system must not exceed 35 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
4. A design report prepared by a suitably qualified and experienced acoustics specialist must be submitted to the [council officer] demonstrating noise and vibration compliance prior to the construction or alteration of any building containing a noise sensitive activity in or partly in the state highway buffer area or effects area. The design must take into account the future permitted use of the state highway, for existing roads this is achieved by the addition of 2dB to existing measured or predicted noise levels.

| Table A | | |
|---------------------------|---|--|
| BUILDING TYPE | OCCUPANCY/ACTIVITY | MAXIMUM INDOOR DESIGN NOISE LEVEL $L_{Aeq}(24h)$ |
| Residential | Living spaces, sleeping spaces (including visitor accommodation and retirement accommodation) | 40 dB |
| | Assembly halls | 35 dB |
| | Conference rooms, drama studios | 40 dB |
| Education | Lecture rooms and theatres, music studios | 35 dB |
| | Libraries | 45 dB |
| | Sleeping areas in educational facilities | 40 dB |
| Health | Teaching areas | 40 dB |
| | Overnight medical care, wards | 40 dB |
| | Clinics, consulting rooms, theatres, nurses' stations | 45 dB |
| Cultural buildings | Places of worship, marae | 35 dB |

Note: Excludes areas not deemed to be habitable spaces as defined by schedule 1 of the Building Regulations 1992.

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| 19 | I538.8.1(1) Matters of discretion New Provision | Support. | <p>A new provision is proposed to provide matters of discretion for activities exceeding 117,000m² GFA of business activities or 380 residential units.</p> <p>Decision Sought: Adopt proposed provisions.</p> <p>(1) <u>Activities exceeding the limits in Standard I538.6.1</u> (a) <u>Refer to E27 Transport Rule E27.8.1(4)</u> (b) <u>travel management</u>; (c) <u>on-site parking provision</u>.</p> | 10.19 |
| 20 | I538.8.2. Assessment criteria | Support. | <p>A new provision is proposed to provide matters of discretion for activities exceeding 117,000m² GFA of business activities or 380 residential units.</p> <p>Decision Sought: Adopt proposed provisions.</p> <p>(1) <u>Activities exceeding the limits in Standard I538.6.1.</u> (a) <u>Refer to E27 Transport, Rule E27.8.2(3).</u></p> | 10.20 |

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| | | | <p><u>(b) information demonstrating the success or otherwise of travel management measures implemented within the precinct;</u> <u>(c) on-site parking provision; and</u> <u>(d) whether it can be demonstrated by the measures and commitments outlined in a site travel management plan (encompassing the entire Precinct) that the activity or activities will be managed to minimise private vehicle travel to and from precinct to achieve Policies 3, 4 and 5;</u></p> |
| <p>21</p> | <p>1538.9 Special Information Requirements</p> | <p>Support with amendment.</p> | <p>Additional, transport specific special information requirements are proposed to provide certainty for applicants where an application is required under 1538.6.3(1) Trip generation and 1538.6. Standards.</p> <p>Decision Sought: Adopt proposed provisions and delete existing provision.</p> <p>a) <u>a site travel management plan must be provided corresponding to the scale and significance of the activity and containing the following information as a minimum to demonstrate how the development will achieve a Transit-Orientated Development at Smales Farm including:</u></p> <p><u>(i) the physical infrastructure to be established or currently established onsite to support the use of alternative forms of transport, such as adequate covered facilities for cyclists (in addition to that required by E27 provisions), scooters, showering, locker and changing facilities; carpool parking areas, shared car parking areas;</u></p> <p><u>(ii) the physical linkages to be provided on the site to link with surrounding pedestrian and cycle networks and existing public transport resources;</u></p> <p><u>(iii) operational measures to be established or currently implemented on-site to encourage reduced vehicle trips including car sharing schemes, public transport use incentives, flexitime, staggered working hours;</u></p> <p><u>(iv) Management of vehicle ownership – parking restrictions, provision of space for ‘shared’ vehicles and parking management to incentivise lower vehicle ownership;</u></p> <p><u>(v) details of the management structure which has overall responsibility to oversee the implementation and monitoring of travel management measures.</u></p> |

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| | | | <p>(vii) <u>the methods by which the effectiveness of the proposed measures outlined in the site travel management plan can be independently measured/monitored and reviewed, including a commitment to undertake travel surveys at the time of building occupation or as otherwise required to provide on-going information regarding travel behaviour. and</u></p> <p>(viii) <u>Monitoring of travel from the site to confirm assumptions contained within prior to release of subsequent development stages; this is to include an assessment of the existing (at time of application) transport environment relative to the environment as assumed at time of application by Smales 1 Precinct Integrated Transport Assessment.</u></p> <p>Delete:</p> <p>There are no special information requirements in this precinct.</p> |
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10.21

15 May 2019

Attention: Planning Technician
Auckland Council
Private Bag 92300
Auckland 1142

Dear Sir / Madam

PROPOSED PRIVATE PLAN CHANGE 23 – SMALES FARM

Please find attached Auckland Transport's submission on the Proposed Private Plan Change 23 to the Auckland Unitary Plan Operative in Part.

If you have any queries in relation to this submission, please contact Kevin Wong Toi on 09 4474200.



Cynthia Gillespie
Executive General Manager, Planning & Investment

Enc: Auckland Transport's submission on Proposed Private Plan Change 23 – Smales Farm

SUBMISSION ON PROPOSED PRIVATE PLAN CHANGE 23 – SMALES FARM

Auckland Council – Plans and Places
 Level 24, 135 Albert Street
 Private Bag 92300
 Auckland 1142

From: Auckland Transport – Planning and Investment
 Private Bag 92250
 Auckland 1142

This is Auckland Transport’s submission on Proposed Private Plan Change 23 (PPC23) to the Auckland Unitary Plan Operative in Part (AUPOIP). The submission relates to the proposed amendments to H15 Business – Business Park Zone and I538 Smales 1 Precinct provisions. The amendments seek to enable a transit-oriented form of mixed-use development and includes providing for residential development in addition to the existing provision for offices.

Auckland Transport’s submission is:

To support PPC23 in part, provided that Auckland Transport’s various transport concerns are appropriately considered and addressed to ensure that the extent, scale and intensity of effects and the methods for mitigating these, including to achieve a transition in the mix of land uses and level of development that is appropriate to the transport context. The actual and potential effects of the proposal on the transport system need to be appropriately avoided and mitigated.

The reason for Auckland Transport’s submission is:

Auckland Transport (AT) is a Council Controlled Organisation (CCO) of Auckland Council with the legislated purpose to contribute to an “effective, efficient and safe Auckland land transport system in the public interest”.¹ In fulfilling this role, AT is responsible for:

- a. The planning and funding of public transport;
- b. Promoting alternative modes of transport (i.e. alternatives to the private motor vehicle);
- c. Operating the local roading network; and
- d. Developing and enhancing the local road, public transport, walking and cycling networks.

Plan change proposals, such as PPC23, must ensure that a full and appropriate assessment is undertaken. Such assessments must clearly identify how the proposal will appropriately manage any adverse effects on the local and wider transport network, including identifying what infrastructure is necessary to service the implementation of the zone/precinct and development of the site(s) and how this will be provided for by the applicant (or future developers). If such infrastructure cannot feasibly be provided or enabled, then alternative less intensive activities should be considered, or the plan change / proposal declined.

AT makes this submission to ensure that PPC23 appropriately manages the effects of the proposal (amended provisions and the resulting anticipated development enabled by these

¹ Local Government (Auckland Council

amendments) on the local and wider transport network. Specifically, the submission addresses matters relating to the assessment of:

- Transit oriented development (TOD) principles
- Strategic transport infrastructure
- Potential quantum and mix of land use activities and associated trip characteristics
- Potential integration of the development with public transport
- Traffic generation / network effects and identified mitigation measures
- Demand and provision of walking and cycling facilities
- Parking provisions and associated effects
- Vehicle access and circulation
- Timing and staging in relation to future transport network changes.

There are a range and number of transport points outlined in **Attachment 1** to this submission relating to the Integrated Transportation Assessment (ITA) and proposed provisions that require further clarification or explanation. This is to provide AT with a greater level of confidence that the ITA has appropriately identified the extent, scale and intensity of potential effects and the methods for mitigating these effects where this is required, including provisions that are appropriately representative of the transport context.

AT seeks resolution of the various matters raised in this submission which, for example could include revised provisions that are reflective of a TOD and representative of the transport context (e.g. provisions that control the intensity of activity enabled) and/or methods to ensure any transport effects are managed in support of the proposal.

Auckland Transport seeks the following decision from Auckland Council:

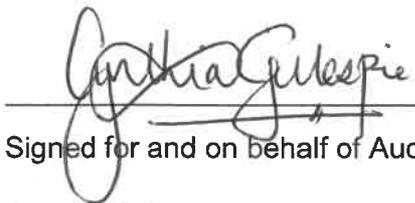
That the Council approves PPC23, provided that the various transport requirements / concerns raised in this submission are resolved and/or that Council identifies an appropriate suite of provisions that will address these matters.

11.1

If AT's concerns are not resolved, then the Plan Change should be declined.

AT is available and willing to work through the matters raised in this submission with the applicant.

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



Signed for and on behalf of Auckland Transport

Cynthia Gillespie
Executive General Manager, Planning & Investment
15 May 2019

Address for service of submitter:
Kevin Wong Toi
Auckland Transport
20 Viaduct Harbour Avenue
Auckland Central
Auckland 1010

Attachment 1 – Comments and points requiring addressing / further clarification

| Issue | Position & reasons | Recommendations sought from the Council |
|--|--|--|
| <p>Transit oriented development principles</p> | <p>Transit oriented development (TOD) is a well understood concept that is characterised by compact developments with moderate to high densities, located within walking distance of a transit station or stop, generally with a mix of residential and non-residential opportunities, designed for pedestrians, that does not exclude vehicles.²</p> <p>The main principles underpinning the TOD concept can be summarised in terms of the following:</p> <p><u>Urban Structure and Accessibility</u></p> <ul style="list-style-type: none"> Development is anchored around a transit station or node that ideally provides opportunities for public transport uptake. The barriers to accessibility (e.g. busy roads, areas with safety risks) should be avoided or appropriately mitigated to maximise safety, permeability and connectivity.³ <p><u>Density</u></p> <ul style="list-style-type: none"> Modal shift to public transport is most likely to occur within a 400 metre or five minute walk of a public transport station or stop and increased density of land use within this catchment supports increased public transport patronage. <p><u>Diversity</u></p> <ul style="list-style-type: none"> The diversity or range of land use activities located within a defined catchment has the potential to reduce travel distances and vehicle trips with origins/destinations (e.g. housing, offices and institutional activities) being in close | <ul style="list-style-type: none"> Applicant to provide further assessment to confirm how PPC23 will align with these main TOD principles. Depending on the outcome of that assessment, include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within the PPC23 that enable proposed Objective I538.2.1 to be achieved. |

11.2

² Refer to GB Arrington, 2007. Transit Oriented Development: Understanding the Fundamentals of TOD.

³ Falconer, R and Richardson, E, Rethinking urban land use and transport planning – opportunities for transit oriented development in Australian cities, Australian Planner, Vol 47, No 1, March 2010.

| Issue | Position & reasons | Recommendations sought from the Council |
|-------|--|---|
| | <p>proximity and providing opportunities for multi-purpose walking and/or public transport trips as an alternative to private vehicle trips.</p> <p><u>Design</u></p> <ul style="list-style-type: none"> The functional and amenity-based design of the physical built-form elements within a TOD (e.g. streets, public transport facilities, buildings and public spaces) can influence and encourage the realisation of TOD benefits, such as increasing the levels of walking between local destinations and transit stations / stops. <p><u>Parking</u></p> <ul style="list-style-type: none"> Car parking is discouraged and provided in lower numbers compared to surrounding development (non-TOD developments).⁴ <p>These TOD attributes are consistent with AT's transport and land use outcomes, when implemented in an integrated and appropriate manner in terms of optimising investment in public transport, providing for transport alternatives and managing network impacts and effects.</p> <p>AT recognises the potential transport and land use integration benefits of a TOD and supports the appropriate redevelopment of the Smales Farm site in a manner that is consistent with these principles.</p> <p>Currently, the ITA for the PPC23 does not address how these principles will be achieved, including the following:</p> | |

⁴ Falconer, R and Richardson, E, Rethinking urban land use and transport planning – opportunities for transit oriented development in Australian cities, Australian Planner, Vol 47, No 1, March 2010.

| Issue | Position & reasons | Recommendations sought from the Council |
|-------|--|---|
| | <p><u>Urban Structure and Accessibility</u></p> <ul style="list-style-type: none"> PPC23 has the potential to be anchored around the transit station to provide opportunities for increased PT uptake, however, the ITA has not adequately addressed improvements to the active transport network on the adjacent roads to maximise safety, permeability and connectivity. <p><u>Density</u></p> <ul style="list-style-type: none"> PPC23 can achieve medium to high densities in part of the eastern and southern catchment within 300-400m of the Smales Farm Bus Station. There is, however, still significant catchment within 400m of the bus station, where medium to high density cannot be achieved to support increased patronage. <p><u>Diversity</u></p> <ul style="list-style-type: none"> PPC23 potentially supports a diverse range of activities within a small portion of the bus station catchment. There are, however, potentially adverse impacts on the surrounding transport network of the identified non-residential activities that have not been adequately addressed in the ITA. <p><u>Design</u></p> <ul style="list-style-type: none"> The ITA has not adequately addressed how the provision of appropriate pedestrian-oriented access to the bus station can be satisfactorily integrated with the vehicle access requirements of the site through the proposed provisions. <p><u>Parking</u></p> <ul style="list-style-type: none"> Explanation is required on the anticipated levels of on-site (accessory) parking enabled by the proposed plan change to understand how this aspect of the development supports the | |

| Issue | Position & reasons | Recommendations sought from the Council |
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| Strategic transport infrastructure | <p>wider travel demand management outcomes associated with a TOD.</p> <p>Smales Farm is adjacent to strategic transport infrastructure, including:</p> <ul style="list-style-type: none"> • Smales Farm Busway Station • Taharoto Road, Northcote Road and Shakespeare Road arterial routes • Northcote Interchange and State Highway 1 – Northern Motorway. <p>The use of strategic transport infrastructure and services provides access to Smales Farm and also the local and wider business and residential areas, including the Takapuna and Albany centres, the City Centre, a number of schools and the North Shore Hospital.</p> <p>This location is already heavily congested at times during the day. A key focus of any additional development on this site should be enabling future growth while avoiding and mitigating additional transport network effects, particularly in respect to public transport accessibility and the functioning of key public transport routes into the busway station. Access to the State Highway and on the adjoining arterials is also critical.</p> <p>Consideration needs to be given to ensuring that the proposal does not adversely affect the strategic transport infrastructure and services that it intends to leverage off.</p> | <ul style="list-style-type: none"> • Applicant to provide further assessment of the impacts of the proposal on accessibility to and from the busway station for all modes including public transport in particular. • Applicant to give particular consideration to peak periods and the functioning of Shakespeare Road as a key public transport route and access to Westlake Girls. • Applicant to provide a similar assessment of the other key strategic transport infrastructure in the vicinity. • Applicant to identify how any effects will be managed by the proposal including Smales Farm network design changes, transport improvements such as bus priority measures, travel demand management etc. • Depending on the outcome of that assessment, include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PPC23 that address any transport effects identified from the above. |
| Potential quantum and mix of land use activities and associated trip characteristics | <p>The proposed provisions for PPC23 seek to increase the overall quantum of activity that can be provided within Smales Farm. In addition, PPC23 seeks more permissive provisions in relation to the certain types of high trip generating activities (particularly</p> | <ul style="list-style-type: none"> • Applicant to provide further assessment for the full scale of development proposed in PPC23, including through further traffic modelling. |

| Issue | Position & reasons | Recommendations sought from the Council |
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| | <p>retail, drive-through restaurants and entertainment activities) that can occur.</p> <p>The ITA has not fully addressed the proposed quantum of non-residential (including office) and residential activities proposed. The traffic modelling within the ITA has only addressed up to 125,000m² Gross Floor Area (GFA) of non-residential activity and 855 residential apartments by 2036, when compared with the potential to enable a total of 162,000m² GFA non-residential and 1,380 residential apartments.⁵ As such, the impact of the proposed activities (and their trip characteristics in terms of intensity, timing, duration and potential to be serviced by public transport) on the surrounding transport network is not adequately addressed in order to understand whether this level of development can be satisfactorily accommodated or the mitigation measures that would be required.</p> <p>The ITA takes an optimistic view of the likely public transport mode share that could be achieved for both non-residential and residential development within Smales Farm (also refer to 'Potential integration of the development with public transport'). The ITA seeks to equate the proposed PPC23 development to the Auckland City Centre without reasonably substantiating or providing adequate evidence for such a comparison. It is considered the Smales Farm site is highly unlikely to achieve equivalent trip generation or demonstrate characteristics to similar activities in the City Centre, that are better served and benefit from being located within the key hub for the entire regional public transport network, with a greater density over a much wider catchment and investment in supporting pedestrian and cycle networks.</p> | <ul style="list-style-type: none"> • Applicant to provide further information and assessment to support the identified mode share and resulting traffic generation associated with the proposed activities in this location. • Applicant to provide further assessment in relation to the more permissive provisions associated with the proposed high trip generating activities (particularly retail, drive-through restaurants and entertainment activities). • Depending on the outcome of those assessments, include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PPC23 that: <ul style="list-style-type: none"> ○ Restrict the overall scale and intensity of activities that can be provided without any identified transport mitigation measures OR provide for appropriate transport mitigation measures with the staged development of PPC23 ○ Provide for the further assessment (through later resource consents or similar) of any development at a scale beyond that which can be shown to be satisfactorily accommodated by the transport |

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⁵ ITA, section 7.4.1, page 45

| Issue | Position & reasons | Recommendations sought from the Council |
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| | <p>The proposed provisions in Appendix B of the AEE, seek to provide more permissive provisions in relation to the certain types of high trip generating activities. Supermarkets are identified as permitted or discretionary activity (depending on the scale), while drive-through restaurants are a restricted discretionary activity and entertainment facilities are a discretionary activity. The current provisions do not provide for these activities. No adequate assessment is provided within the ITA to support the proposed enabling status of these activities. In particular, drive-through restaurants are a restricted discretionary, but no assessment of the effects of traffic generation of this activity on the adjacent congested transport network is considered in the ITA. The assessment criteria for this restricted discretionary activity do not then include any traffic and transport matters relevant to the effects of this activity on the operation of the transport network that will enable this to be subsequently considered.</p> <p>In terms of the TOD principles, the assessment has not clearly demonstrated how providing for a proposed quantum and mix of activities (including potentially high vehicle trip generating activities) will support TOD outcomes around optimising investment in public transport.</p> | <p>network, without any identified transport mitigation measures</p> <ul style="list-style-type: none"> o Provide for an appropriate activity status for high trip generating activities, including associated assessment criteria to consider effects on the operation of the transport network. |
| <p>Potential integration of the development with public transport</p> | <p>As mentioned above, it is considered that the ITA takes an optimistic view of the likely public transport mode share that could be achieved for both non-residential and residential development within Smales Farm. The ITA seeks to equate the proposed PPC23 development to the Auckland City Centre without reasonably substantiating or providing adequate evidence for such a comparison. It is considered the Smales Farm site is highly unlikely to achieve equivalent trip generation to similar activities in the City Centre, that are better served and at the key hub for the entire regional public transport network, with a greater</p> | <ul style="list-style-type: none"> • Applicant to provide further information and assessment to support the identified mode share and resulting traffic generation associated with the proposed activities in this location, including capacity analysis of the Smales Farm bus station and bus services. • Depending on the outcome of those assessments, provide further traffic |

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| Issue | Position & reasons | Recommendations sought from the Council |
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| | <p>density over a much wider catchment and supporting pedestrian and cycle networks.</p> <p>It is considered that the ITA needs to provide further evidence on the ability to achieve the potential public transport mode share, based on similar and more comparable locations as the basis for supporting these TOD related outcomes.</p> | <p>modelling to determine the potential effects on the transport network.</p> <ul style="list-style-type: none"> Review the need to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PPC23 that address any transport effects identified from the above. |
| <p>Traffic generation / network effects, modelling analysis and identified mitigation measures</p> | <p>Similar to the above, the ITA has not fully addressed the proposed quantum of residential activities and non-residential activities proposed. The traffic modelling within the ITA for the 2036 future year has only addressed the impact of within the ITA has only addressed up to 125,000m² GFA (or 77%) of non-residential activity and 855 (or 62%) residential apartments by 2036, when compared with the potential to enable a total of 162,000m² GFA non-residential and 1,380 residential apartments.⁶ As such, the impact of the proposed residential and non-residential activities on the surrounding transport network is not adequately addressed to understand whether this level of development can be satisfactorily accommodated or the mitigation measures that would be required.</p> <p>Additionally, as noted above, it is considered that the traffic generation rates applied to the retail and commercial aspects of the non-residential, as well as the residential activities, are not reflective of what it is considered would more realistically be achieved at this location. This is on the basis that the public transport mode share used in the ITA assumes that the proposed PPC23 development would achieve a public transport mode share similar to the Auckland City Centre, without providing adequate evidence for such a comparison.</p> | <p>AT is concerned that the full traffic and transport impacts of the proposed plan change are not captured or assessed, or a solution for the assessment presented. As such, it is requested that the applicant:</p> <ul style="list-style-type: none"> Provide a complete summary and explanation of the land use and transport assumptions and dependencies underpinning the modelling. Provide further assessment for the full scale of development proposed in PPC23. Provide further information and assessment to support the identified traffic generation associated with the proposed activities in this location. Depending on the outcome of those assessments, provide further traffic modelling to determine the potential effects on the transport network using appropriate trip generation rates and mode share assumptions. |

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11.6

⁶ ITA, section 7.4.1, page 45

| Issue | Position & reasons | Recommendations sought from the Council |
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| | <p>The traffic modelling undertaken has made assumptions to substantiate the removal of background traffic from the adjacent road network to accommodate the proposed PPC23 development traffic. This includes assuming background traffic is diverted to other routes, will be spread across a longer morning or evening peak period or will simply shift to improved public transport services. However, it is considered that the quantum of the reduction (25% of background traffic) in vehicle movements left or right from Taharoto Road into Northcote Road is not appropriately substantiated in the ITA or the resulting effects on the transport network then considered.</p> <p>For example, there is no consideration or assessment provided of where on the network vehicle trips, that currently use Northcote Road, would divert to and the effects on that part of the network.</p> <p>AT is interested in the assumptions/dependencies for the modelling. With this in mind, a list and explanation is requested of all transport assumptions and dependencies, including land use and development, trips rate and/or mode share assumptions, transport projects and/or services.</p> <p>Additionally, the traffic modelling is undertaken without the New Network bus services for the North Shore or any further future enhancements by 2026 or 2036, which could potentially achieve some of the reduction in vehicle movements. Hence, the impacts of the additional buses with those services have not been modelled. In relation to this, the ITA also needs to identify the traffic impact on buses accessing Smales Farm Bus Station and the requirement for mitigation to address any delays. The outcomes of understanding these impacts would inform the extent to which the development enabled by PPC23 supports TOD principles, such as modal shift to public transport.</p> | <ul style="list-style-type: none"> • In undertaking that modelling, provide further information to substantiate the removal of background traffic from the adjacent road network to accommodate the proposed PPC23 development traffic and consider the identified modelling effects of any assumptions that are made in that regard. • Review the need to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PPC23 that address any transport effects identified from the above. |

| Issue | Position & reasons | Recommendations sought from the Council |
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| | <p>The demand profile for the weekday evening (PM) peak period in this area is already relatively flat, indicating that peak spreading already occurs across the modelled period. It is queried whether it is reasonable assumption that further peak spreading would occur in the PM peak period in 2026 and 2036.</p> <p>The proposed provisions for PPC23 in Appendix B of the AEE do not identify a need for any further transport assessment to be undertaken.⁷ This is not supported due to the uncertainty around the traffic and transport network effects associated with the above matters.</p> | |
| <p>Demand and provision of walking and cycling facilities</p> | <p>As a TOD, it would be expected that the Smales Farm site would provide and enable suitable connections to the wider external walking and cycling network. It is considered that the ITA needs to satisfactorily address these matters, as part of confirming the suitability of the site and proposal as a TOD and need for any external pedestrian and cycle improvements.</p> <p>It is recognised that the Smales Farm site will soon be immediately adjacent to the new Northcote Safe Cycle Route project that is to be provided along Northcote Road frontage and will connect with Northcote Point Ferry Terminal via Lake Road and Queen Street. However, while it is noted there on-road cycle lanes on Taharoto Road and Shakespeare Road, as well as some</p> | <p>AT is concerned that the demand and appropriate facilities for pedestrians and cyclists to access the Smales Farm TOD are not adequately assessed in the ITA. As such, it is requested that the applicant:</p> <ul style="list-style-type: none"> • Provide further assessment for the full scale of development proposed in PPC23 of the appropriateness of surrounding walking and cycling facilities to provide safe and attractive access for these users. • Review the need to include amended and / or additional provisions |

11.7

⁷ AEE, Appendix B

1538.2. Objectives (1)(2) Ongoing development of the Smales Farm Technology Office-Park1 Precinct as an employment node is enabled while managing significant adverse effects on the safe and efficient operation of the transport network, on the amenity of neighbouring zones, and on the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone.

1538.6.3. Trip generation

(1) Development Non-residential development up to 405162,000m2 gross floor area, and residential development, will not be subject to the following:

(1) Policy E27.3(2) Integrated transport assessment; and

(2) Standard E27.6.1 Trip generation.

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| | <p>similar provision on Wairau Road, it is considered that such provisions are not consistent with the form of facility that would now be expected on an arterial road corridor with high traffic volumes.</p> <p>Depending on the likely demand from the surrounding area, it expected upgrades would be necessary to make cycling facilities on those corridors sufficiently safe and attractive to support access to and from the Smales Farm TOD.</p> <p>The ITA does not provide adequate assessment of the potential demand from the surrounding catchment for the Smales Farm TOD for the use of those facilities by cyclists or any upgrades required. Consideration of the number and the safety / attractiveness of the routes for pedestrians accessing the Smales Farm TOD from the surrounding area are also not addressed.</p> <p>It is considered that this should provide reference to the safety record and high traffic volumes of the surrounding arterial transport corridors, noting that the current safety record of the busy Taharoto Road / Northcote Road signalised intersection was also not addressed in the ITA.</p> | <p>(objectives, policies, rules, standards and assessment criteria) within PPC23 to provide appropriate mitigation measures for providing safe and attractive pedestrian and cycle access to the site from the surrounding area.</p> |
| <p>Parking provisions associated effects</p> | <p>The proposed provisions for PPC23 in Appendix B of the AEE identify that the number of parking spaces accessory to non-residential activities will remain unchanged from the current Smales 1 Precinct provisions.⁸</p> <p>However, the ITA has been informed by the current traffic generation at Smales Farm (post-opening of the Smales Farm Bus Station), with improved public transport mode share, as well as longer-term assumptions around the public transport mode</p> | <ul style="list-style-type: none"> • Applicant to provide further information and assessment to support the identified parking provisions for both non-residential and residential activities within PPC23 that are consistent with the proposed mode share and resulting traffic generation of the proposed activities. |

⁸ AEE (Appendix B), I538.6.2.1, page 4

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| | <p>share for the site, based on an assumed comparison with the Auckland City Centre (as discussed previously).</p> <p>The ITA and the precinct provisions need to consider and assess the appropriateness of the proposed parking provisions for non-residential activities (as well as those for residential activities) in the context of the outcomes that are sought in terms of the Smales Farm TOD.</p> <p>It is considered that, to achieve the TOD outcomes for the Smales Farm site, it would be necessary to consider how the levels of on-site (accessory) parking are managed, such as applying 'caps' on the provision of parking for non-residential and residential development, to achieve the desired levels of public transport and active modes use that would be commensurate with the traffic generation and modelling assumptions included in the ITA.</p> | <p>11.8</p> <ul style="list-style-type: none"> Subsequent to that assessment, review the need to amend and / or add to the proposed parking provisions (objectives, policies, rules, standards and assessment criteria) within PPC23. |
| <p>Vehicle access and circulation</p> | <p>The proposed provisions for PPC23 in Appendix B of the AEE include Precinct Plan 2 (Structuring elements),⁹ which is also shown in Figure 9 of the ITA. Precinct Plan 2 maintains the same vehicle access points as the existing site layout but places a significantly greater emphasis on providing high quality pedestrian linkages within the site. This includes a key linkage to the Smales Farm Bus Station, which will allow the high frequency public transport routes to be readily accessed. This is considered an appropriate approach to support the desired TOD principles of the development.</p> <p>Central to these linkages is a pedestrian plaza in the centre of the site, which will prioritise pedestrian mobility. The ITA indicates that vehicles may be directed around the perimeter of the site towards underground or above-ground parking, which would</p> | <p>11.9</p> <p>AT is concerned that the implications of the proposed internal pedestrian circulation on proposed Precinct Plan 2 in Appendix B of the AEE have not been adequately assessed in the ITA and associated traffic modelling. As such, it is requested that the applicant:</p> <ul style="list-style-type: none"> Provide further clarification and, as necessary, further assessment of any changes in traffic assignment to the external transport network that will result from the internal arrangements on proposed Precinct Plan 2. Review the need to include amended and / or additional provisions |

⁹ AEE (Appendix B), Precinct Plan 2 and ITA, Figure 9, page 30

| Issue | Position & reasons | Recommendations sought from the Council |
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| | <p>provide more space for active travel modes, such as cycling and walking. This will also enable more space to be dedicated towards the proposed non-residential and residential activities.</p> <p>Precinct Plan 2 shows the pedestrian paths and vehicle accesses points from the external road network. The pedestrian linkages within the site are then shown to connect through the existing roundabout, which will be replaced with a pedestrianised plaza. The proposed Precinct Plan does not however show any internal vehicle roads to confirm how this would be addressed or provide associated provisions in that regard.</p> <p>The traffic modelling relies on an assignment to the surrounding transport network, based on the current flexibility that the existing road-focussed site layout provides. However, with the supported pedestrian improvements within the proposed Smales Farm TOD, it is not clear how this can occur to achieve a similar assignment of vehicles to the external network. For example, a person leaving office activity in the northern part of the site could currently exit directly onto Northcote Road, via the internal roads. However, with the proposed Precinct Plan 2 layout, that person may need to exit onto Taharoto Road and then drive south along that road to Northcote Road. This has the potential to result in additional adverse transport effects on the external transport network and it is unclear whether these effects, of the proposed internal pedestrian improvements, are adequately considered in the ITA.</p> | <p>(objectives, policies, rules, standards and assessment criteria) within PPC23 to provide appropriate mitigation measures for adverse effects resulting from the above, as necessary.</p> |
| <p>Timing and staging in relation to future transport network changes</p> | <p>The ITA states that, beyond 2028, the Auckland Transport Alignment Project (ATAP) has identified that a rapid transit line from the Auckland City Centre to Orewa is a priority, which the ITA indicates would likely be achieved by upgrading the existing Northern Busway into the form of light rail, with a new crossing of the Waitemata Harbour.¹⁰</p> | <p>AT is concerned that the ITA and associated traffic modelling potentially rely on yet to be committed and funded public transport infrastructure. The ITA does not identify all transport projects and services required to support the development enabled by the</p> |

¹⁰ ITA, Section 6.1, page 33

| Issue | Position & reasons | Recommendations sought from the Council |
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| | <p>The ITA identifies that this infrastructure and services would increase the capacity of the public transport network and further improve journey times and reliability, which would strongly promote mode shifts away from private vehicle travel. The ITA states that this is a key component of the vision for the Smales Farm development becoming a TOD.</p> <p>However, it is unclear from the ITA whether the mode share and associated traffic generation assumed in the assessment of the proposed PPC23 rely on the completion of light rail (City Centre to Orewa), with a new crossing of the Waitemata Harbour. It is noted that, whilst identified as a priority in ATAP, further investigation and a business case need to be undertaken, before any funding is confirmed/ committed for these projects.</p> <p>As such, should the ITA be relying on these identified ATAP projects in its assessment of the effects of the full scale of the proposed PPC23, then assessments should also consider the implications of this infrastructure not being in place.</p> <p>The ITA needs to identify any transport projects and/or services relied on by the land use and development, including whether they are funded and if not how they will be delivered and by whom. This information and analysis is not explicitly discussed in the ITA but is required.</p> | <p>proposed plan change and how these will be provided for. As such, it is requested that the applicant:</p> <ul style="list-style-type: none"> • Provide further clarification and, as necessary, further assessment of the transport effects of the proposed PPC23 development without this infrastructure, as necessary. • Clearly identify what projects and services are required and how they will be delivered. • Review the need to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within the PPC23 provisions that address any additional transport effects identified from the above. |
| <p>Amendments to the Business Park Zone and Smales 1 Precinct provisions</p> | <p>As a result of the above matters in this submission, the precinct provisions will need to be amended to align with the principles of this TOD, to manage adverse effects on strategic transport infrastructure and services and ensure additional development enabled on this site appropriately avoids and/or mitigates additional transport network effects.</p> | <p>AT notes that the plan change provisions will likely require a number of amendments to reflect the various matters of concern addressed in AT's submission above.</p> |

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| Issue | Position & reasons | Recommendations sought from the Council |
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| | <p>In this respect the proposed new and amended provisions appear insufficient and do not appear to appropriately address, for example:</p> <ul style="list-style-type: none"> • Adverse effects on the transport network • Effects on key strategic transport infrastructure services • Assessment of proposed high trip generating non-residential activities • Provision of walking and cycling facilities in line with TOD principles • Travel demand management • Car parking and in particular managing the amount of parking in line with TOD principles • Encouraging alternative modes of transport • Managing vehicle access and circulation • Identification of transport projects and services required to support the proposed development | |

**SUBMISSION BY SOVEREIGN SERVICES LIMITED ON PROPOSED PLAN CHANGE 23 (PRIVATE):
SMALES FARM TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)**

TO: Auckland Council (“Council”)
Private Bag 92300
Auckland 1142
Attention: Planning Technician
Email: unitaryplan@aucklandcouncil.govt.nz

SUBMISSION ON: Proposed Plan Change 23 (Private): Smales Farm (“PC23) to the Auckland Unitary Plan (Operative in Part) (“AUP”)

FROM: Sovereign Services Limited (“AIA Sovereign”)

1. INTRODUCTION

- 1.1 AIA Sovereign is New Zealand’s largest life insurer and one of the country’s leading private health insurers. AIA Sovereign has been part of the AIA Group since 2018. AIA House (formerly known as Sovereign House) is AIA Sovereign’s head office in New Zealand, with approximately 1000 staff.
- 1.2 AIA Sovereign and Northcote Rd 1 Holdings Limited are parties to a Deed of Lease dated 7 March 2014, as amended, in relation to the lease of AIA House, 74 Taharoto Road, Smales Farm, Takapuna 0622 (the “Lease”). The commencement date of the Lease was 1 October 2007 and, subject to any rights of renewal being exercised, the initial term expires on 30 September 2025. The final expiry date of the Lease if all renewals are exercised is 30 September 2042.
- 1.3 As a predominant business in Smales Farm Business Park, AIA Sovereign wishes to ensure that PC23 appropriately recognises and provides for AIA Sovereign’s operations that are affected by PC23.
- 1.4 AIA Sovereign could not gain any advantage in trade competition through this submission.

2. SCOPE OF SUBMISSION

- 2.1 This submission relates to PC23 in its entirety.

3. SUBMISSION

- 3.1 AIA Sovereign:
- (a) opposes the proposed plan change in general; or
 - (b) supports the proposed plan change subject to amendments set out in Section 5 below.

4. REASONS FOR SUBMISSION

4.1 AIA Sovereign seeks to better understand the implications of the proposed plan change. In particular, the reasons for this submission are that:

- (a) PC23, if granted subject to the amendments sought by AIA Sovereign below:
 - (i) will promote the sustainable management of resources, and will achieve the purpose of the Resource Management Act 1991 (“RMA”);
 - (ii) is consistent with Part 2 and other provisions of the RMA;
 - (iii) will meet the reasonably foreseeable needs of future generations;
 - (iv) avoids, remedies or mitigates the adverse effects of the proposed activity;
 - (v) will enable social, economic and cultural wellbeing; and
 - (vi) represents the most appropriate way to achieve the objectives of the Unitary Plan, in terms of s32 of the RMA.
- (b) In particular, but without limiting the generality of the above, AIA Sovereign is concerned with introducing residential activities into an already built and operating business park. As a long term tenant, AIA Sovereign had an expectation that the business park would continue to develop office and commercial activities, and related services and amenities. AIA Sovereign expected that in the future further office-type business activities would be established grouping together in a park or campus like environment, creating an attractive commercial hub. Such a business park is an inviting environment for workers, while attracting ongoing investment, promoting commercial activity, and providing employment. Introducing residential activities to the scale anticipated by PC23 may adversely impact and effect the existing business park development and substantially change the commercial amenity and sense of place of the area.
- (c) AIA Sovereign is concerned with the proposed building height limit of up to 100m for residential activities in Height Area 2 being a permitted activity standard (proposed permitted standard I538.6.4 building height). Should residential activity be provided for within the precinct, a permitted height limit more in keeping with the existing business park of 5-6 stories should be implemented. Such a proposed scale of intensified residential activity will significantly dilute the effectiveness, operation and benefits of the business park locating office and commercial activities together. Services and amenities that would have attracted workers from the business park, will now be overloaded with non-workers detracting from the attractive and established business environment.
- (d) The form, scale and design quality of the established business park will be adversely affected by the proposed amendments to the Smales 1 Precinct by exempting the yard and parking rates from the underlying Business Park Zone for assessment of residential activities. The proposed maximum tower dimensions and tower separation further adversely impact the existing attractive business park.
- (d) PC23 currently includes a proposed standard I538.6.2(2) of “no minimum or maximum parking requirements apply[ing] to residential activity”. With no required parking for

residential dwellings, pressure will be put on existing parking provided within the business park. AIA Sovereign is concerned that a lack of car parks will adversely impact established businesses in the business park.

- (e) AIA Sovereign is also concerned that existing amenities may be significantly overloaded by the proposed extent of residential activity.

5. RELIEF

5.1 AIA Sovereign seek the following decision by Council:

- 12.1 | (a) Decline proposed PC23; or
- 12.1 | (b) If the proposed plan change is not declined, amend PC23 as set out as follows:
 - Amend I538 Smales 1 Precinct as follows (proposed amendments shown in redline):
 - 12.2 | (i) Policy I538.3 (1A): Enable the development of intensive residential activities at Smales 1 Precinct and require it to be designed to provide privacy and outlook and have access to daylight and sunlight, while avoiding adverse effects on the function and amenity of the existing business park development.
 - 12.3 | (ii) Amend I538.6 Standards by deleting the following listed exceptions:
 - Standard E27.6.2(5)
 - Standard H15.6.1 Building height; and
 - Standard H15.6.3 Yards
 - 12.4 | (iii) Delete I538.6.2(2)
 - 12.5 | (iv) Delete I538.6.4 Building Height
 - 12.6 | (v) Delete I538.6.5 Maximum tower dimension and tower separation
 - 12.7 | (vi) Delete Figure I538.6.5.1
- 12.8 | (c) Any other consequential amendments or relief as may be necessary to address AIA Sovereign's above concerns.

5.2 AIA Sovereign wishes to be heard in support of this submission.

5.3 If others are making a similar submission, AIA Sovereign would be prepared to consider presenting a joint case with them at any hearing.

Signature: SOVEREIGN SERVICES LIMITED by its authorised agent



Kristy Redfern

Date: 15 May 2019

Address for Service: AIA House
74 Taharoto Road
Takapuna
Auckland 0622

Attention: Kristy Redfern

Phone: 021 809 094

Email: kristy.redfern@aia.com

**Submission on publicly notified private plan change request:
Plan Change 23 ('Smales Farm' business park)**

Auckland Council
135 Albert Street
Private Bag 92300
Auckland 1142

Submitter:

Auckland Council

Scope of submission:

This is a submission on the whole of proposed private Plan Change 23 – 'Smales Farm'.

The specific provisions which my submission relates to are:

All provisions of proposed private Plan Change 23 including:

- Chapter H15 Business – Business Park Zone
- Chapter I538 Smales 1 Precinct
- Auckland Unitary Plan planning maps (geospatial maps)

Submission:

My submission is:

13.1 | Plan Change 23 is supported in part, subject to amendments.

The reasons underpinning this submission are:

1. Smales 1 Precinct is presently an under-developed business park zoned site. Its further development can enable business growth and employment growth over time.
2. Some provision for residential activity, in conjunction with capped non-office accessory activities, would contribute to the diversity of activity at Smales 1 Precinct.
3. Limited provision for residential activity allows the land to be used more efficiently and could be complementary to the limitations on office activity (generally within the Business – Business Park Zone, and specifically at Smales 1 Precinct).
4. The degree of flexibility in provision for different land use activities is a significant departure from the Business – Business Park Zone. The breadth of activities provided for by the plan change is contrary to the purpose and outcomes of the zone. The precinct would no longer have a moderate – intensive office focus in a park- or campus-like environment.
5. The range of activities that would be enabled is better aligned with a business – centre zoning. The precinct as proposed by the plan change would be multi-functional, by enabling activities that are:
 - a. Commercial
 - b. Cultural
 - c. Community oriented
 - d. Social
 - e. Residential

at a scale greater than that provided for in centres that are focal points in Auckland's urban form. This is where these activities are encouraged and investment can be prioritised.

Metropolitan centres act as focal points for community interaction, commercial growth, contain hubs serving high frequency transport and provide for a wide range of activities including all scales of commercial activity.

6. Business – Business Park Zoning would not be the most relevant or appropriate zone for Smales 1 precinct if plan change 23 was approved in its notified form.
7. The creation of an additional centre challenges the Auckland Unitary Plan’s regional policy statement. While the plan change promotes urban growth and intensification within Auckland’s urban area it utilises a precinct to potentially create a new centre outside the hierarchy of centres that support a quality compact urban form.
8. Activities such as drive-through restaurants and supermarkets conflict with the high standard of visual, landscaped and pedestrian amenity sought in the Business – Business Park Zone.
9. The Business – Business Park Zone controls the scale of built development so it remains compatible with a landscaped high-quality business setting. Significant development uplift is enabled by the plan change. The scale of potential building forms and overall bulk greatly exceed that contemplated in the Business – Business Park Zone.
10. The plan change does not contain policies, activities, standards, criteria or other methods to require development to respond to the Northern Busway station. The precinct is transit adjacent; it is not transit oriented.
11. The present form of the plan change is inconsistent with Auckland Unitary Plan drafting conventions which will prevent its effective implementation.

I seek the following decision:

Proposed plan change 23 be:

- | | |
|------|---|
| 13.2 | A. amended to achieve the outcomes set out above. |
| 13.3 | B. amended to strengthen the rationale for the place-based response. <ol style="list-style-type: none"> a. The precinct description and precinct objectives are insufficient in explaining the planning context, precinct purpose and the reasoning driving the introduction of additional land use activity opportunities and building scale. |
| 13.4 | C. amended to provide a rationale for different outcomes sought within the precinct. <ol style="list-style-type: none"> a. There is no policy support for the significant maximum height introduced by the plan change generally, nor the specific and different outcomes within proposed height areas 1 and 2. These outcomes should be explained within the precinct description. b. The introduction of sub-precincts would assist as the outcomes are related to particular places within the precinct. c. Objectives and policies should inform lower-tiered provisions in the hierarchy such as the introduction of different height standards as depicted on precinct plan 1. |
| 13.5 | D. amended to remove the tension between the precinct and its underlying zoning: Business – Business Park Zone, and to avoid the creation of a new centre through amendments such as: <ol style="list-style-type: none"> a. through a narrower range of non-office activity being specifically enabled as permitted activities such as (A10), (A12), (A14), (A17)-(A19) from Table I538.4.1 |

- 13.5
- b. through a narrower range of non-office activity being provided for as restricted discretionary or discretionary activities such as (A11), (A15), (A16) from Table I538.4.1
 - c. reducing the potential scale of development which exceeds the maximum height enabled in the Business – Metropolitan Centre Zone, which is second only to the city centre in overall scale and intensity. Metropolitan centres allow a building height of 72.5 metres. Maximum building height in Business Park zone is 20.5 metres. The operative I538 precinct enables maximum height of approximately 25 metres. Plan change 23 enables height of approximately 100 metres.
- 13.6
- E. amended to enable building height where building forms and locations, and private and public street and pedestrian networks:
- a. respond to and integrate with the Northern Busway station to create a high quality built environment and transit oriented development that is accessible for pedestrians of all mobility needs
 - b. provide shelter, active edges in key locations, and avoid dominance by vehicles including heavy vehicles
 - c. are designed to enhance personal safety
- and include policies, activities, standards, criteria or other methods to achieve these outcomes and require transit oriented development.
- 13.7
- F. amended to require building form, height, bulk and scale to be assessed through application of additional standards and criteria such as, but not limited to:
- a. increasing minimum landscaping requirements
 - b. introducing floor area ratio controls, and/or other methods to modulate building mass
 - c. varying building setbacks at upper floors
 - d. introducing a minimum height control to discourage inefficient use of land within the precinct
 - e. varying the activity classification for infringements of the maximum height standard
 - f. amending (reducing) the proposed maximum height standard and consequential changes to precinct plan 1
 - g. providing adequate sunlight access to private and public streets and adequate sunlight and outlook around buildings
 - h. enabling buildings are not overly bulky, and are slender in appearance
 - i. controlling dominance.
- 13.8
- G. amended to produce a high quality built environment, especially at ground level regardless of street ownership by:

- 13.8
- a. building form at ground floor relating to street frontages, with active frontages in key locations
 - b. avoiding residential activity at ground floor
 - c. avoiding blank walls at ground floor
 - d. avoiding at-grade car parking between building frontages and street frontages
 - e. providing a consistent human-scaled edge to the street
 - f. providing shelter for pedestrians and supporting patronage of public transport through high quality connections.

The site and existing roads are privately owned yet many of the desired outcomes are at the 'private/public' interface at ground level including between building frontages and street edges. This generates particular challenges as to the methods and rules that are best applied and administered.

- 13.9
- H. amended to enable some residential activity within the precinct but less than the intensive and enabling approach promoted in the plan change. Amendments include:
 - a. refinement of objectives I538.2 (A1), (2) and (3). The plan change would enable intensive residential activities, at a scale equalling that of the city centre, but does not contain provisions to direct a vibrant mixed use transit oriented development outcome.
 - b. a principled approach to explain the context for limited residential activity within the Business - Business Park Zone where it is specifically discouraged
 - c. achieving vertical alignment of all relevant provisions including Policy H15.3.18
 - d. removal of provision for a wide range of residential activities:
 - i. generally residential activities should have the same non-complying status as in the underlying Business – Business Park zone including
 - 1. integrated residential development (whose definition includes retirement villages and hospital care)
 - 2. supported residential care (whose definition includes rest homes)
 - 3. boarding houses.
- However as limited provision for residential activity is supported:
- ii. Retain dwellings as permitted (above ground level only)
 - iii. Retain visitor accommodation as permitted.

- 13.10
- I. amended to retain precinct provisions that integrate development and land transport network by:
 - a. amending objectives, policies, activities, standards and assessment criteria
 - b. responding to the precinct's location and the transport network
 - c. managing adverse effects on the safe and efficient operation of the transport network
 - d. recognising the trip generating characteristics of different land uses, including at different times of the day
 - e. limiting land use activities that are reliant on private motor vehicle trips and that do not support the establishment of a transit oriented development such as supermarkets servicing people not living or working on the site, drive through restaurants, large format retailing, or retailing that is not accessory to the needs of workers or residents in the precinct
 - f. controlling the scale of land use activities

- 13.10
- g. limiting provision of car parking, including for residential activity
 - h. promoting modal shift from private vehicular trips to active and public transport modes utilising different methods which could include:
 - i. providing end of trip facilities
 - ii. creating pedestrian and cycling connections to public transport that is safe convenient and attractive.
- 13.11
- J. amended to ensure land use consent applications are assessed against objectives, policies, standards' purpose, restricted matters and assessment criteria that direct outcomes relative to the purpose of the zone. Amendments include but are not limited to:
 - a. replacing language that does not guide assessment¹ with language that specifies the desired outcomes
 - b. introduction of each standard's purpose
 - c. removal of proposed criteria for infringements of standards where it replicates or contradicts the Auckland Unitary Plan approach as described in Chapter C.
- 13.12
- K. amended to remove temporary activities from the precinct.
 - a. Auckland Unitary Plan has an existing management regime in its Auckland-wide provisions.
 - b. A precinct should respond to a particular opportunity or constraint, rather than including wide-ranging content better managed elsewhere in the Auckland Unitary Plan.
 - c. Auckland Unitary Plan enables temporary activities in locations that have capacity to accommodate lots of people, and are accessible and convenient in terms of public transport and parking availability. These locations exclude business park zones.
 - d. Enabling temporary structures and temporary activities (including noise events) at Smales 1 Precinct highlights the tension between the proposed precinct and Business – Business Park Zone.
- 13.13
- L. amended to remove signage activities from the precinct.
 - a. Auckland Unitary Plan has an existing management regime in its Auckland-wide provisions.
 - b. A precinct should respond to a particular opportunity or constraint, rather than including wide-ranging content better managed elsewhere in the Auckland Unitary Plan.
 - c. Provision for comprehensive signage in combination with more enabling retailing, supermarket, and drive through activities, enables activities at a scale and of a nature contrary to the Business – Business Park Zone.
- 13.14
- M. amended to achieve vertical alignment between precinct provisions. Resource management issues and opportunities do not cascade through the hierarchy of:
 - a. Precinct description
 - b. Objectives
 - c. Policies
 - d. Activity table with associated classifications
 - e. Standards
 - f. Restricted matters
 - g. Assessment criteria

¹ See for example I538.3(1B); I538.8.1; I538.8.2 for various terms such as: "the effects on", "an appropriate level of amenity", "the extent to which".

- 13.14 | h. Precinct plans.
- N. amended to be consistent with Auckland Unitary Plan drafting conventions to enable the precinct's effective implementation, and to avoid uncertainty for plan users. The provisions need to be clear and unambiguous, well integrated, and effective for their intended purposes. Changes are sought to:
- a. Language, such as consistent use of terms defined in Auckland Unitary Plan Chapter J Definitions
 - b. Structure, where information appears within the precinct
 - c. Standards, to include the purpose of each standard
 - d. Cross-referencing to figures, tables and provisions within the precinct, and other parts of the Auckland Unitary Plan
 - e. Numbering and naming of precinct provisions, including precinct plans
 - f. Content, format and style of precinct plans including clear and accurate information.
- 13.15 | O. amended to specify whether particular Auckland-wide and zonal provisions do not apply. Plan Change 23 introduces activities to Table I538.4.1 that already trigger resource consent applications in the Auckland-wide and zonal chapters. Auckland Unitary Plan Chapter C determines the activity status when the same activity is regulated in Auckland-wide, zone and/or precinct provisions. The activity status of the same activity in the precinct provisions takes precedence over that in the Auckland-wide and zone, however resource consent is still required.
- Notwithstanding the decisions requested elsewhere in this submission to remove signage and temporary activities from Table I538.4.1, this submission point highlights the desirability of:
- a. well-integrated provisions
 - b. avoiding duplication of Auckland Unitary Plan content in precincts
 - c. effectiveness of provisions to avoid unnecessarily complicated resource consent processing.
- P. amended by adding an additional row or rows to Table I538.4.1 to enable the application of standards to new buildings. The activity status field should be left blank to indicate the status of the underlying Business – Business Park zone applies.
- 13.16 | Q. amended by additions, deletions and/or modifications to the proposed precinct plans:
- a. to ensure that any rules that pertain to them are clear and effective
 - b. precinct plans must be clear, unambiguous, contain adequate information including labelling of dimensions, and be effective for their intended purpose
 - c. naming, numbering, orientation, design and format (using cadastral data) should conform to Auckland Unitary Plan drafting standards
- 13.17 | R. amended to remove reference to the application of overlay provisions. No overlays apply to Smales 1 Precinct.

- S. amended to remove changes proposed to Policy H15.3 (18)(b) and (c) in Chapter H15 Business – Business Park Zone
- T. amended to insert text within I538 Smales 1 Precinct at Policies I538.3 by
 - a. amending the introductory statements preceding and following the precinct-specific policies that apply Auckland-wide and underlying zone policies to create an exception to the application of Policy H15.3 (18)(b) and (c) within the precinct; except that:
 - i. Policy H15.3 (18)(b) and (c) should be varied as follows:

“Policy H15.3

(18) Require a plan change for new business parks and any amendment to the provisions of existing business parks, to:

...

(b) limit retail to those services such as food and beverage and convenience goods which meet the day to day needs of workers and residents within ~~visitors to~~ the zone;

(c) limit residential activity except for visitor accommodation and dwellings;

...”
 - b. make consequential change to precinct objectives and policies
 - c. for the avoidance of doubt, the application of all other Auckland-wide and underlying zone policies continues.
- U. amended to correct errors in the proposed provisions:

13.18

13.19(a)

| | |
|----|--|
| a. | Provision |
| | I538.6.1(2) Gross floor area (GFA) |
| | Error type |
| | Relationship between terms and terms defined in Chapter J Auckland Unitary Plan |
| | Detail |
| | Provision controls GFA of retail and “commercial services activities”. Disconnect between provision and defined terms within nesting table J1.3.1 Commerce |
| | Consequence |
| | Provision is ineffective. Does not control GFA of activities enabled in Table I538.4.1 that may have effects on safe and efficient operation of the transport network, and on the functions and amenity of centre zones such as: <ul style="list-style-type: none"> • Conference facilities • Entertainment facilities |

| | |
|--|---|
| | <ul style="list-style-type: none"> • Community facilities • Education facilities • Tertiary education facilities |
|--|---|

13.19(b)

| | |
|----|---|
| b. | Provision |
| | I538.6.1(2) Gross floor area (GFA) |
| | Error type |
| | undefined terms, language |
| | Detail |
| | Provision controls GFA of retail and “commercial services activities”. Provision refers to “development’ whose meaning is unclear. |
| | Consequence |
| | This is a key method in the precinct. Its wording should be clear and unambiguous to assist in achieving the precinct’s purpose and objectives. |

13.19(c)

| | |
|----|---|
| c. | Provision |
| | I538.6.4 Building height, Table I538.6.4.1 building height and precinct plan 1 |
| | Error |
| | The standard, table and precinct plan are imprecise. |
| | Detail |
| | Inadequate and inconsistent information is provided in the three provisions each of which is intended to work together. There is inadequate cross referencing, the heights are not specified as maxima, the average RL at Taharoto Road frontage is not adequately stated nor shown on the precinct plan, heights are variously expressed as GLs and RLs. |
| | Consequence |
| | This is a key method in the precinct. Its wording should be clear and unambiguous to assist in achieving the precinct’s purpose and objectives. |

13.19(d)

| | |
|----|-----------------------------|
| d. | Provision |
| | I538.6.4(2) Building height |
| | Error type |

13.19(d)

| | |
|--|---|
| | The standard is ambiguous. |
| | Detail |
| | The second part of the standard appears to control the building mass above a specified height by limiting floor area, rather than the total height of buildings. The standard is unclear as it relates to cumulative areas however it goes on to specify it does not constrain the total floor area above the specified height. |
| | Consequence |
| | Provision is unclear and ineffective. |

13.19(e)

| | |
|----|---|
| e. | Provision |
| | I538.6.9 Pedestrian plaza |
| | Error type |
| | This provision is an activity, included within the standards section of the precinct. |
| | Detail |
| | Missing vertical cascade, no activity trigger in table I538.4.1, reliant on precinct plan 2 which is unclear and ineffective, includes imprecise language (such as “adequate sun”, “appropriately sheltered” “having regard to”) and CPTED acronym (whereas “designed for safety” is preferred) |
| | Consequence |
| | Provision and precinct plan 2 is incapable of objective discernment and effective implementation |

13.20

- V. amended to retain Auckland Unitary Plan approach to restricted matters and assessment criteria for infringements of standards:
 - a. the precinct should not introduce new restricted matters, as is proposed at I538.8.1(2) and I538.8.2(2) for example.
 - i. Cross-references should be made to the relevant policies. In this instance these could include Business – Business Park zone Policies H15.3.3; H15.3.5; H15.3.8; H15.3.11; H15.3.13; H15.3.18; H15.3.20.
 - ii. The language proposed does not guide assessment or direct outcomes.
 - iii. The proposed approach contradicts Chapter C which directs how resource consent applications should be assessed.
 - b. new assessment criteria are also proposed at I538.8.2(5)(f) Buildings extending above RL50.4. This is duplication as the criteria relate to infringement of maximum height, the same standard addressed at I538.8.1(2) and criteria I538.8.2(2).

- 13.20
- i. Remove duplication. Where additional provisions are necessary group them together.
 - ii. Cross-references should be made to the relevant policies
 - iii. The language proposed does not guide assessment or direct outcomes
 - iv. The proposed approach contradicts Auckland Unitary Plan Chapter C which directs how consent applications should be assessed.
- 13.21
- W. amended to retain Auckland Unitary Plan approach to restricted matters and assessment criteria for restricted discretionary activities provided for by a precinct and Auckland-wide or zonal provisions:
- a. assessment of different or additional criteria within a precinct may be authorised however the vertical alignment of relevant provisions and cross referencing of relevant Auckland-wide or zonal provisions is necessary.
 - b. the proposed wording of restricted matters and assessment criteria for new buildings and additions and alterations are not supported in their present form at:
 - i. I538.8.1(5)
 - ii. I5.8.8.2 (5).
- 13.22
- X. amended to limit I538.4.1(A6), I538.8.1(2), I538.8.2(2) to the conversion of a building or part of a building to dwellings or visitor accommodation.
- 13.23
- Y. amended to ensure all relevant matters may be considered for applications to convert buildings for dwellings or visitor accommodation.
- a. I538.8.1(2), and I538.8.2(2) apply restricted matters and criteria in the Business – Metropolitan centre zone which in turn focus on compliance with listed standards applicable to the Business – Metropolitan centre zone.
 - b. Assessment criteria and restricted matters must address all relevant matters to the activity, and in the context of the underlying zone and precinct.
- 13.24
- Z. amended to remove restricted matters and assessment criteria at I538.8.1(4) and I538.8.2(4) for drive through restaurants as:
- a. the activity status of drive through restaurants should remain non-complying as specified in the Business – Business Park zone
 - b. those matters are limited to amenity considerations
 - c. no effects on the transport network are considered.
- 13.25
- AA. amended by removing restricted matters and assessment criteria evaluating compliance with precinct plan 2 (see I538.8.1(5) and I538.8.2(5)).
- 13.26
- BB. amended by adding to, deleting from or modifying the assessment criteria of the precinct to ensure that all relevant matters can be effectively and efficiently evaluated to ensure urban form outcomes outlined in the reasons for this submission, and consistency with the objectives and policies of the underlying zoning and modified precinct.

13.27 | CC. amended by adding any “Special information requirements” necessary to highlight for applicants any particular matters requiring special attention.

13.28 | DD. supported, in so far as it retains a cap on retailing activity.

13.29 | EE. supported, in so far as typographical errors in the operative precinct I538 Smales 1 Precinct are corrected.

FF. supported, in so far as limited provision is made for residential activity:

- 13.30(a) | a. support that no provision is made to enable camping grounds or retirement villages.
- 13.30(b) | b. support that conversion of a building or part of a building to dwellings or visitor accommodation be provided for as a restricted discretionary activity.
- 13.30(c) | c. support provision is made for dwellings as a permitted activity, subject to compliance with appropriate standards (noting new buildings require restricted discretionary approval)
- 13.30(d) | d. do not support provision for the following activities from the residential nesting table J1.3.5: integrated residential development; supported residential care; boarding house
- 13.30(e) | e. do not support that residential activity (excluding visitor accommodation) can be established on the ground floor.

13.31 | GG. supported, in provision for service stations as non-complying activities within the precinct at Table I538.4.1.

I wish to be heard in support of this submission.

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

On behalf of Auckland Council:



Signature of person authorised to sign on behalf of submitter

Celia Davison
Manager Central South Planning Unit
Auckland Council

Dated: 15 April 2019

Address for service:

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Auckland 1142

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter:

Organisation name: Westlake Girls High School

Agent's full name: Joy Bradfield, Board Chair WGHS

Email address: joybradfield@gmail.com

Contact phone number: 021347271

Postal address:
2 Wairau Road
Takapuna
Auckland 0627

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:
Plan Change 23 I538 Smales 1 Precinct

Property address: 2 Wairau Road, Takapuna, Auckland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Please see attached review document for submission details

14.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

Details of amendments: Please see attached submission document for details of amendments

Submission date: 15 May 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

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

14th May 2019

Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

SUBMISSION ON A PUBLICLY NOTIFIED PRIVATE PLAN CHANGE (PLAN CHANGE 23: SMALES FARM: 68-94 TAHAROTO ROAD, TAKAPUNA)

Affected Property: 2 Wairau Road, Takapuna

Submitter details

Organisation: Westlake Girls High School
Agent: Joy Bradfield, Board Chair
Postal Address: 2 Wairau Road, Takapuna, Auckland 0627
Email: joybradfield@gmail.com

Details of the Proposed Plan Change 23

Proposed plan change 23 seeks to amend policies in H15 Business – Business Park zone and to make various changes to I538 Smales 1 Precinct. The main purpose of the change is to transition the Smales Farm office park to a transit-oriented form of mixed-use development over a 20-30 year period by providing for a significant amount of residential development, in addition to the existing provision for offices. The residential development would largely be in apartment formats, with some buildings up to 100m high (approximately 30 storeys).

Overview and stance on the Proposed Plan Change 23

We oppose in part the proposed Plan Change 23, in particular, aspects of the proposed I538 Smales 1 Precinct. This submission is intended to identify the impacts and effects of the proposed Plan Change on Westlake Girls High School and seeks to ascertain what controls are in place to address these. We seek assurance from Auckland Council that our concerns will be addressed, and that the potential adverse effects noted in this submission will be avoided and/or mitigated in the final approved plan.

- The removal of the requirement for traffic assessment for future development does not take into account the significant effect increase traffic movements would have on neighbouring sites such as WGHS. The proximity of the Smales Farm Bus Station could, and would hopefully, encourage increased use of public transportation; however, the same argument could be made for the proximity of the North and Southbound on/off ramps of the SH1 motorway. The construction costs of high rise apartment blocks are only offset by high yields in sales prices. These are not 'affordable homes' and therefore would, no doubt, have a parking requirement (for which no min/max has been set in the PC23); thus increasing the traffic movements from the site and on the surrounding transport network. The potential for increased congestion, and resultant dangerous driving behaviours, cannot be

underestimated therefore we submit that traffic assessments should continue to be required for all new developments that exceed the trip generation standards in E27.6.1.

- Table I538.4 Accommodation activities (A5) through (A9) or a new activity covering “New buildings” should not be Permitted activities, but should be Restricted Discretionary activities and subject to the assessment criteria under I538. that provides for the assessment of new buildings, along with pedestrian amenity, safety and access.
- The increased maximum height area 1 on the proposed Precinct Plan I538.10 proposes a 6 storey height limit, we believe that this is inappropriate. That the existing height limit in the Precinct should be taken as Maximum height area 1 and that this existing height limit should be extended to continue west along the full length of the site boundaries on Shakespeare Rd Extn, up to and including the bus station/parking area and similarly south-east, along Northcote Road to the boundary with the busway, to provide a buffer of 4-5 storey development (as is currently the case fronting Taharoto Road), between the proposed 100m/30 storey high rise development and the surrounding existing lower height provisions in the adjacent 3 storey Residential Mixed Housing Urban zone (which includes the WGHS site). This extension of the 25m height zone would also avoid the wind tunnel, dominance and privacy effects of high rise development within close proximity of the bus station and the WGHS site (refer attached amended Smales Farm Precinct Plan : Maximum Height pg 7).

With regard to this submission, our concerns for the safety and privacy of Westlake Girls High School students are paramount. This would include those students from all the nearby schools that may be affected by this proposed plan change i.e. Takapuna Normal Intermediate School, Westlake Boys High School and Carmel College.

The increased traffic generated from the site, pedestrian and cyclist’s safety at the main intersections to the Smales Farm site, and safety for students traversing through the site on foot/bike/scooter to TNIS, Takapuna and Northcote areas and vice versa to WGHS, Milford and Forrest Hill must be assessed for each new development. Whilst the internal roads and pedestrian routes are on private property, the public does have full access to the site and is an affected party.

The protection of the privacy of students on the WGHS school site and on the sports areas must be maintained, with respect to the proximity of high rise buildings/apartments and their ability to overlook the school grounds.

The negative impact of a wind-tunnel effect from high rise buildings in close proximity to the Smales Farm Bus Station and WGHS grounds, that could endanger students (ranging in age from 11 -18 years) who may opt to run across roads/car parks and accessways, to get out of the wind, without due regard to the dangers of road and vehicle movements is of serious concern.

Reasons for this Submission:

To provide WGHS with the ability to engage in the plan change process as an affected party, and subject to any further modifications, to this plan change.

This submission opposes the following sections of I538 Smales 1 Precinct, and any other aspects of the plan change that have an effect on the safety and privacy of our students, staff and school community. We acknowledge that the school has not engaged the services of a traffic engineer or planning consultant to assess the impact of this Plan Change on our community. As such, we have

not been able to provide a robust submission on the environmental effects of this PC, and this may put the school at a disadvantage with respect to not having identified those areas of the PC that may have a significant negative effect on the character of our school, along with the safety and privacy of our students and school community. We hope that the processing planners will consider our areas of concern in assessing this Plan Change.

14.1 While the school works in close co-operation with Smales Farm personnel and acknowledges the high standard of development on the site thus far, with well-planned buildings, communal areas, quality landscaped areas and a network of walking and cycling routes; and we have no reason to suspect that any future development would be any different; we respectfully oppose the following sections of the plan change and propose variations where detailed below, to protect our school community from the perceived effects of future development on this site:

14.2 1. **I538.3 (3)** oppose the proposed wording of this section; with the proposed addition of residential development to this precinct PC, the wording should be amended to read *“Require any development over 105,000sqm gross floor area to demonstrate that the activity will not significantly adversely affect the safe and efficient operation of the transport network, or that such effects will be mitigated”*

14.3 2. **I538.4 Activity Table , Table I528.4.1. (A1)** amend the wording to include **Any activities exceeding maximum GFA of 162,000sqm** to be a **Discretionary activity**, and therefore subject to assessment as such. We note that there is no proposed GFA limit for residential activities in this plan change, and oppose this omission. We submit that there should all new buildings should be Restricted Discretionary, or that residential activities should be included in (A1) when exceeding the max GFA of 162,000sqm and assessed as a Discretionary activity.

14.5 3. **I538.4 Activity Table , Table I528.4.1. (A4)** amend the activity status of activities exceeding the limits in standard I538.6.4 (proposed building heights) to be a **Discretionary activity**, and therefore subject to assessment as such.

14.4 4. **I538.4.1. Activity Table** - Add an additional activity to this table, for all **New Buildings** to have a **Restricted Discretionary** activity status and therefore be subject to assessment criteria under section I538.8.2. and in particular I538.8.2.(e) which addresses Pedestrian amenity, safety and access; and (f) (4th bullet point) which addresses the wind, shadowing, dominance and privacy effects on buildings extending above RL50.4m - all of which impact on WGHS’s school and community.

4.1.1. Note that the abovementioned assessment criteria under the proposed PC (section I538.8.2. and in particular I538.8.2.(e) and (f)) *only applies to restricted discretionary activities which does not include new buildings or residential dwellings, integrated residential development, supported residential care, or any of the permitted activities in the table. This is a major oversight, that prevents the assessment of these important criteria in any of the permitted activities/developments in the future.*

4.1.2. We also note that Precinct standards trump the underlying H15 Business - Business Park zone standards, and that the assessment criteria under the Precinct standards for RD activities (as detailed above) are not found in the assessment criteria for New

buildings in the Business Park zone standards H15.8, despite being Restricted Discretionary activities in this zone H15.4.1.(A39). This is considered to be a major oversight, that prevents the assessment of these important criteria in any of the permitted activities/developments in the future.

4.1.3.H15.3.(8) provides for the consideration of dominance, overlooking and shadowing of development aspects, adjacent to Special Purpose School zones; however, we do not believe that this is robust enough and cannot be effectively assessed under the Business – Business Park zone standards. There is no provision of robust assessment criteria of these aspects in the zone standards, compared with that in Precinct assessment criteria. We submit that the consideration of these aspects should be undertaken in the assessment criteria provided in the Smales 1 Precinct chapter.

5. **I538.6 Standards – We oppose the proposed wording** directly under this section heading (first two bullet points) which refers to the requirements for Integrated transport assessment and trip generation.
6. **I538.6.3 Trip generation – We oppose the proposed wording** in the PC for this section, the GFA should not be increased and residential development should not be added to this exemption for an ITA.
7. **I538.6.3 Trip generation - We submit that an Integrated Transport Assessment must be provided with all resource consent applications for future residential development where specified trip generation thresholds are exceeded under Section E27.6.1.**

14.6 7.1.1.As stated previously, the removal of the requirement for traffic assessment for future development does not take into account the significant effect increased traffic movements would have on neighbouring sites such as WGHS. The proximity of the Smales Farm Bus Station could, and would hopefully, encourage increased use of public transportation; however, the same argument could be made for the proximity of the North and Southbound on/off ramps of the SH1 motorway. The construction costs of high rise apartment blocks are only offset by high yields in sales prices. These are not ‘affordable homes’ and therefore would, no doubt, have a parking requirement (NB for which no min/max has been set in the PC23); thus increasing the traffic movements from the site and on the surrounding transport network. The potential for increased congestion, and resultant dangerous driving behaviours, cannot be underestimated; therefore we submit that traffic assessments should continue to be required for all new developments that exceed the trip generation standards as detailed in section E27.6.1.

14.7 8. We submit that the original wording of section I538.6.3. should be varied to exempt non-residential development only. **Variation to I538.6.3** “Non-residential development up to 105,000sqm gross floor area will not be subject to the following (1) Policy E27.3.(2) Integrated transport assessment; and (2) Standard E27.6.1. Trip generation”, but not to exempt residential development.

8.1.1.It is noted that the Policies of the H15 Business - Business Park zone refer to “not adversely affect(ing) the safe and efficient operation of the transport network”; and

that “where development of a business park is staged, the different stages should be managed to enhance amenity values and the environment and maintain or reduce the impact on the transport network”. Would these policies be applicable and assessed once Plan Change 23 is operative, or would the precinct standards overrule this assessment?

- 14.4
9. **We oppose** the assessment criteria in **Section I538.8.2. only applying to Restricted Discretionary activities, and in particular sections I538.8.2.(e) and (f) only applying to RD activities**, and believe it should be applied to ALL activities, *including* all Permitted activities in Table I538.4.1. We note that these criteria are not assessed under the underlying Business Park zone assessment criteria for new buildings and therefore should be included for all new buildings in this section.
10. **Variation of section I538.8.2. (5)** if this was amended to read “**All New Buildings**. Additions and alterations not provided for” There would avoid confusion over whether this assessment criteria applies to new buildings or new buildings not provided for.
- 14.8
11. **We oppose section I538.10 Precinct plans**, I538.10 Smales 1: Precinct Plan 1 - Maximum Height area 1 and **oppose the proposed amendments to section I538.6.4.(1)**. We oppose the increased height from 25m to 27m in the Maximum Height Area 1 and submit that the **original wording of I538.6.4. (1) be retained**, that buildings must not exceed RL48.5m in height ie. 25m height above ground level.
- 14.9
12. **We oppose section I538.10 Precinct plans**, I538.10 Smales 1: Precinct Plan 1 - Maximum Height. We submit that the **Maximum Height Area 1 be amended to buildings not exceeding RL48.5m as above, and that the extent of this amended Area 1 be extended** to the boundary with the busway on both the northwestern and southeastern boundaries, continuing the proposed setback width of Max Ht Area 1 along Shakespeare Rd Ext and Northcote Road respectively to the busway. This would then provide for more appropriate 4-5 storey buildings along all road boundaries, as exists along Taharoto Rd at present, providing a buffer from the high rise 30 storey buildings, and would graduate development from the site to the surrounding 3 storey Residential Mixed Urban zones. (refer attached amended Smales Farm Precinct Plan : Maximum Height pg 7).
13. **We oppose section I538.10 Precinct plans**, I538.10 Smales 1: Precinct Plan 1 - Maximum Height. **We oppose the extent of Maximum Height Area 2** and its proximity to Shakespeare Rd Ext and the Smales Farm Bus station; and Northcote Road; and seek to vary the extent of the Maximum Height Area 2 with a **reduction of this area** so it does not border the abovementioned roads. The AEE states that 100m in height is equivalent to the 30 storey Sentinel Building, it is not appropriate to have buildings of that height adjacent to Shakespeare Rd Extension and the Bus station, with its cumulative effects of dominance, shading, privacy issues etc adjacent to a school zone and school transition areas, and we strongly object to this proposal. The PC23 drawings clearly show the dominance effects, and overlooking from this excessive development adjacent to WGHS. (refer attached amended Smales Farm Precinct Plan : Maximum Height pg 7).
14. We are concerned that the height in relation to boundary provisions along Shakespeare Road Extn shown in the PC23 drawings, appear to be inappropriate in comparison with the adjacent Residential Mixed Housing Urban zoning on the WGHS site and trust that the Height in relation

14.10 | to boundary standards in the **Business – Business Park zone H15.6.2. for developments adjacent to the Mixed Housing Urban zone would still apply.**

14.11 | 15. Despite the accessibility of the Smales 1 Precinct to public transport services, and the PC23’s reference to the function and amenity of the Business – Metropolitan Centre zone; this is not a Metropolitan Centre, anymore than the Sunnynook bus station environs is a Metropolitan Centre, therefore **we oppose references to Metropolitan Centre controls in this Plan Change.**

We seek the assurance from Auckland Council that our abovementioned concerns will be addressed, and that the potential adverse effects noted in this submission will be avoided and/or mitigated in the final approved plan.

Hearings

I wish to be heard in support of this submission.

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

Yours faithfully



Joy Bradfield

Board Chair

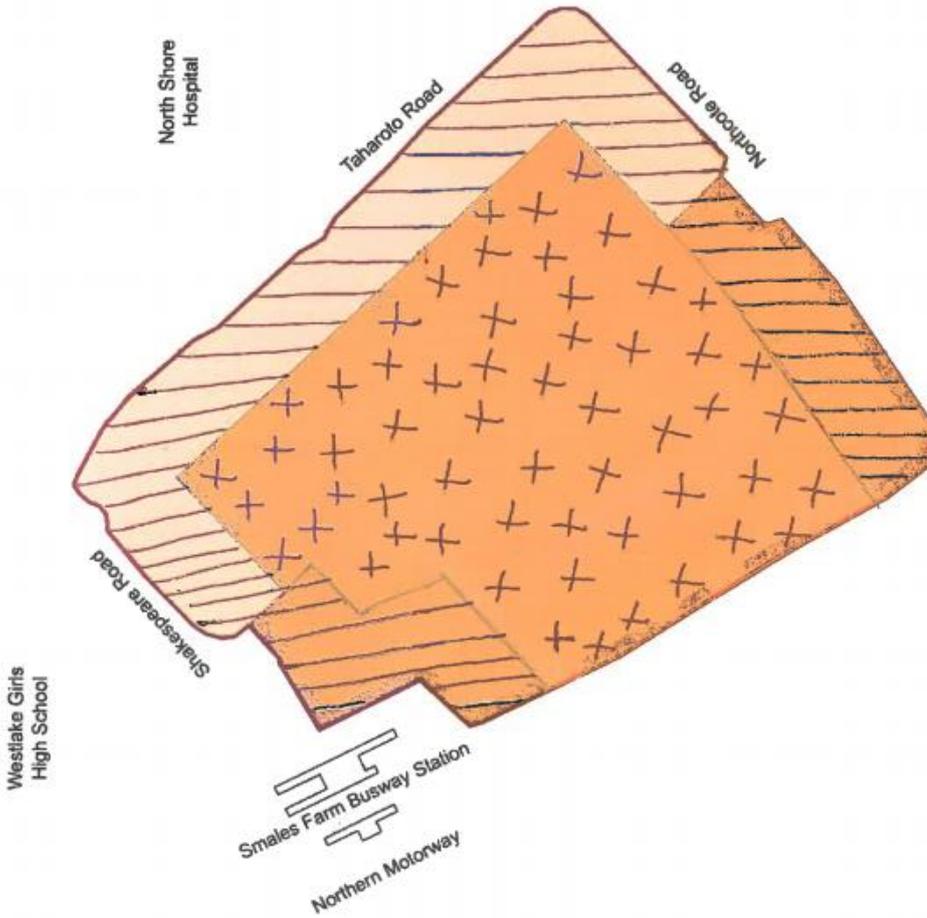
Westlake Girls High School

On behalf of Westlake Girls High School.

Amended WGH S Submission

SMALES FARM PRECINCT PLAN: MAXIMUM HEIGHT

| | | | |
|---------------|---|-----------|-------|
| Height Area 1 |  | RL 123.4m | 48.5m |
| Height Area 2 |  | RL 123.4m | |



15 May 2019

Attention: Planning Technician
Plans and Places
Auckland Council
Private Bay 92300
Auckland 1142
unitaryplan@aucklandcouncil.govt.nz

SUBMISSION ON THE PROPOSED PLAN CHANGE 23 (PRIVATE): SMALES FARM

Housing New Zealand Corporation (“**Housing New Zealand**”) at the address for service set out in this letter makes the following submission on Proposed Plan Change 23 (Private): Smales Farm (“**PC23**”) to the Auckland Unitary Plan Operative in Part (“**AUP**”).

This submission letter provides an overview of the matters of interest to Housing New Zealand, followed by detail of submission matters related to PC23.

Submission Summary

Housing New Zealand’s response to PC23 is:

15.1

- That we generally support the identified purpose of PC23 to “facilitate the development of a Transit Oriented Development (“TOD”) on the subject site to take advantage of its proximity to a key public transport interchange (Northcote interchange of the Northern Motorway and the adjoining Northern Busway and Smales Farm Station) and associated public transport links; and

- We consider further amendments are required to PC23, to better align the proposal, including the proposed amended provisions of the Smales Farm 1 Precinct, with the identified purpose and vision to facilitate the development of a TOD at the subject site.

The remainder of this submission provides specific comment on those matters of greatest interest to Housing New Zealand.

Background

1. Housing New Zealand's role includes the efficient and effective management of state houses and the tenancies of those living in them. Housing New Zealand's tenants are people who face barriers (for a number of reasons) to housing in the wider rental and housing market.
2. It is essential that Housing New Zealand is able to meet its responsibility of providing efficient and effective state housing for the most vulnerable members of our society, so as to deliver to the social and economic wellbeing of both these people and the wider community. This responsibility drives Housing New Zealand's strategic goals for the reconfiguration of its portfolio to meet regional demand, reduce deprivation levels in communities with a high state housing presence, and meet the Crown's financial performance requirements.
3. These goals require Housing New Zealand to have the ability to construct and develop quality housing, and maintain this housing in a manner that:
 - (a) Provides healthy, comfortable, and fit-for-purpose housing to people in need, for the duration of their need;
 - (b) Improves the diversity and effectiveness of state housing delivery in Waikato District to meet the changing needs of our communities and aligns the state housing portfolio with demographic trends and demand;
 - (c) Enables vacant homes to become ready for tenants and specific tenants' needs as quickly as possible;
 - (d) Enables increased supply for the delivery of state housing and other affordable housing options; and
 - (e) Undertakes the above in a cost effective way.
4. In the Auckland context, the housing portfolio managed by Housing New Zealand comprises approximately 28,608 dwellings (as at 30 Jun3, 2018). The Auckland Region is identified as a key area for Housing New Zealand to reconfigure and grow its housing stock to provide efficient and effective state housing that is aligned with current and future residential demand in the area, and the country as a whole.

Housing New Zealand and Local Government

5. Housing New Zealand has a shared interest in the community as a key stakeholder, alongside local authorities. Housing New Zealand's interest lies in the provision of state housing to persons who are unable to be sustainably housed in private sector accommodation. Housing New Zealand works with local authorities to ensure that appropriate services and infrastructure are delivered for its developments.
6. Apart from its role as a state housing provider, Housing New Zealand also has a significant role as a landowner, landlord, rate payer and developer of residential housing. Strong relationships between local authorities and central government are key to delivering government's priorities on increasing housing supply.
7. Policy decisions made at both central and local government level have impacts on housing affordability. The challenge of providing affordable housing will require close collaboration between central and local government to address planning and governance issues to reduce the cost of construction, land supply constraints, infrastructure provision and capacity as well as an improved urban environment. For example, the supply and available development capacity of residentially zoned land, impacts on the location, form and typology and density of housing. These factors directly contribute to the cost of residential land and capital costs of housing developments. The form, function and future operating costs of housing are managed through the regulatory processes of Council and the outcomes of these processes has a correlation with the long-term affordability and quality of housing.
8. Housing New Zealand is interested in all issues that may affect the supply and affordability of housing, as well as the delivery of urban growth and quality intensification in appropriate locations. These include the provision of services and infrastructure and the availability of appropriately zoned land.

Scope of Submission

9. The submission relates to PC23 as a whole.

The Submission is:

10. Housing New Zealand opposes PC23, for the reasons set out below.
11. Provided that the relief sought below and attached is granted:

15.1

- (a) PC23 will be in accordance with the purpose and principles of the Resource Management Act 1991 (“**the Act**”) and will be appropriate in terms of section 32 of the Act; and
 - (b) The potential adverse effects that might arise from activities allowed by PC23 will have been addressed appropriately.
12. In the absence of the relief sought, PC23:
- (a) Is contrary to the sustainable management of natural and physical resources and is otherwise inconsistent with Part 2 of the Act;
 - (b) Will in those circumstances impact significantly and adversely on the ability of people and communities to provide for their social, economic and cultural wellbeing.
13. In particular, but without limiting the generality of the above:
- (a) The proposed amendments to the provisions of the Smales 1 Precinct effectively seek to enable a mix of activities / land uses which are largely aligned with the activities / land uses provided for in the ‘Metropolitan Centre’ and ‘Mixed Use’ zone provisions of the AUP. Housing New Zealand consider that, rather than seeking to amend the Smales 1 Precinct to be more enabling of mixed uses, a more appropriate planning response would be to seek to amend the underlying zoning of the subject site to the ‘Mixed Use’ zone, rather than retain the current zoning of ‘Business Park’. This would mean the underlying zoning (being ‘Mixed Use’) would better reflect the intended vision for the further development of the site as a mixed-use ‘TOD’. In addition, it would also mean that the existing provisions of the ‘Mixed Use’ zone (objectives, policies, rules, development standards including bulk and location controls, and the assessment framework) in the AUP would better manage the anticipated effects of, as well as the desired design outcomes for, a comprehensive mixed-use development. The key aspect to this is that the current provisions of the both the ‘Business Park’ zone as well as the ‘Smales 1 Precinct’ were not developed to anticipate or address proposals for comprehensive, high density residential development (e.g. in the same way the ‘centres’ or ‘Mixed Use’ zone provisions were developed to specifically

anticipate and manage the potential adverse effects associated with high-density mixed-use and residential development outcomes).

(b) PC23 now proposes to enable and provide for residential activities as a Permitted Activity in the Smales 1 Precinct, as well as proposing amendments to Policy H15.3(18) of the Business Park zone to also enable the provision of residential activities within the Smales 1 Precinct. Housing New Zealand oppose these amendments, and consider (as outlined further below) that a more appropriate approach through PC23 would be to seek to amend the underlying zoning of the subject site to a 'Business – Mixed Use' zone, which would better align with the intended vision and purpose of the proposal.

(c) The Smales 1 Precinct provisions, as proposed to be amended, provide no gross floor area (GFA) limit / threshold for residential development / activities, while a GFA limit (162,000m²) remains for non-residential activities. It is noted that, under the Operative provisions of the Smales 1 Precinct, the GFA limit for all activities on the site is 162,000m². Housing New Zealand consider the PC23 should be amended to retain a minimum level of non-residential GFA and remove the overall GFA limit on the site, thus the residential component of development on the site will not result in a reduction of business activity previously planned for the site but will be provided through further intensification of the site and as an addition to the site. The purpose of such a new threshold would be to ensure that the Smales 1 Precinct provisions specifically provide for a genuine mix of activities / land uses as, under the provisions currently proposed through PC23, there appears to be no mechanism which would prevent the remaining development of the subject site to be predominantly residential in nature (which, again, is inconsistent with the intent of the underlying Business Park zone and the stated intent of the plan change).

(d) The proposed amendments to the 'Smales 1 Precinct' specifically seek to exempt the need for proposals for residential development to be considered against Policy E27.3(2) (regarding Integrated Traffic Assessments), or to have to comply with Standard E27.6.1 (Trip Generation). Housing New Zealand oppose these proposed exemptions. Given the currently proposed provisions of PC23 provide no limit on the extent of residential development which can take place across the site over time, Housing New Zealand consider it is important that any proposals for more than 100 residential units remain subject to the current Standard E27.6.1 (Trip Generation) of the AUP so that

- 15.5 the potential adverse effects of any such proposal on the transport network can be appropriately assessed. Therefore, any proposal which would provide for 100 dwellings or more would be subject to the existing Policy E27.3(2) and Standard E27.6.1, which would require consent as a Restricted Discretionary Activity and also require the preparation of an ITA.
- 15.6 (e) The provisions of PC23 also provide no controls / management in relation to residential development / activities at ground floor. The application documents refer to the potential for the provision of a significant number of new dwellings at the subject site, while also making numerous references to “apartments”. Housing New Zealand consider that PC23 should be amended to include a new standard / rule within the Smales 1 Precinct provisions, similar to that already included within the various ‘Centre’ zone provisions of the AUP, which requires any new residential development to be located above ground floor level. At present, there are no provisions proposed as part of PC23 which would prevent the delivery of ground-level residential dwellings.
- 15.7 (f) The provisions of PC23, as currently proposed, do not include adequate provisions to guide expectations for residential development outcomes at the subject site. The combination of the proposal to retain the underlying ‘Business Park’ zone, along with the proposed amendments to the existing ‘Smales 1 Precinct’ provisions, provide very little in the way of an assessment framework to assess proposals for new residential development as a Restricted Discretionary Activity. Again, Housing New Zealand consider that the most appropriate method to address this issue would be for PC23 to seek to amend the underlying zoning of the site to ‘Mixed Use’ (rather than retaining the current ‘Business Park’ zoning) as the existing provisions of the ‘Mixed Use’ zone in the AUP already contain an appropriate assessment framework to manage the potential adverse effects associated with comprehensive mixed-use developments, in particular high density residential development proposals.
- (g) The proposed ‘Precinct Plan 1 – Maximum Height’, as well as proposed Standard I538.6.4 (Building Height) of the ‘Smales 1 Precinct’ provisions seek to enable maximum buildings heights across the site of up to 100m above ground level. . Housing New Zealand is not opposed to the use of additional height to support the intensification of landuse around the transport node but

15.8 | considers that such provision is better managed in a defined way through the application of the mixed zone to the site and use of the additional Height Variation Control by way of additional maps and amendments to table H13.6.1.2. This approach will better manage the effects on amenity values within and external to the land subject to the plan change.

(h) Section 8.3.4 of the AEE document sets out an assessment of PC23 against the National Policy Statement on Urban Development Capacity (NPSUDC), and specifically notes the following:

“The Proposed Plan Change will enable the development of a significant number of dwellings (apartments) at Smales Farm and in that way contribute to the supply of housing to meet the demand from a growing population in the medium to longer term. The ongoing role of Smales Farm as a focus for employment opportunities will be unaffected by the proposed amendments to the provisions of the Smales 1 Precinct.”

15.9 | (i) Housing New Zealand note that there appears to be no discussion or assessment of the potential effects of the Plan Change particularly in respect of the newly proposed enablement for residential development at the site, and the potential impacts this may have in relation to a now reduced potential for further office / commercial development of the current site. Without an assessment of this aspect of the proposal, it is difficult to conclude whether the proposal would be consistent with the NPSUDC, in particular what the potential effects of the new proposal could be in relation to a potential reduction in supply of ‘office / commercial’ activities at the site over the longer-term. Housing New Zealand therefore consider the PC23 application documentation should be amended and updated to include an assessment of the potential effects of a reduced delivery of ‘offices / commercial’ activities at the site, in the circumstance where the future development of the site could be predominantly residential in nature.

Relief Sought

14. | The Corporation seeks the following decision from Auckland Council on the PC23:

15.1 | (a) That the proposed provisions of PC23 be deleted or amended, to address the matters raised in this submission, so as to provide for the sustainable

management of the region's natural and physical resources and thereby achieve the purpose of the Act.

15.10 (b) Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out herein.

15. Housing New Zealand does not consider it can gain an advantage in trade competition through this submission.
16. Housing New Zealand wishes to be heard in support of this submission.
17. If others make a similar submission, Housing New Zealand would be willing to consider presenting a joint case with them at hearing.

Dated the 15th of May 2019.

**HOUSING NEW ZEALAND
CORPORATION**



**Brendon Liggett, Development Planning
Manager**

Copies to: Beca Limited
PO Box 6345
Auckland
Attention: Matt Lindenberg
Email: matt.lindenberg@beca.com

Housing New Zealand Corporation
PO Box 74598
Greenlane, Auckland
Attention: Gurv Singh
Email: gurv.singh@hnzc.co.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Mark Bourne

Organisation name: Watercare

Agent's full name: Lindsay Wilson

Email address: lindsay.wilson@water.co.nz

Contact phone number: 0220116507

Postal address:
Private Bag 92 521
Wellesley Street
Auckland 1141
New Ze
Auckland
Auckland 1141

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:
Water Supply and Wastewater servicing

Property address:

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
The notified plan change has limited information in respect of water supply and wastewater.

16.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 15 May 2019

Supporting documents
20190515 Watercare Services Limited Submission on PC23 Smales Farm.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

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

To: Auckland Council Plan Change Modification 23: Smales Farm
From: Watercare Services Limited (Watercare)
Contact: Lindsay Wilson, Policy Planner
Phone: 022 011 6507
Email: lindsay.wilson@water.co.nz
Date: 15 May 2019

Submission on plan change 23 (private): Smales Farm, Takapuna

1.0 NATURE OF SUBMISSION

Watercare Services Limited (“Watercare”) does not wish to comment on the overall merits of the Proposed Private Plan Change 23 to the Auckland Council Unitary Plan [“**the plan change**”]. Rather, Watercare seeks to comment in relation to the provision of water and wastewater services for the Smales Farm Mixed Use Transit Oriented Development to ensure that the site can be appropriately serviced in the future.

2.0 BACKGROUND

Watercare owns and operates the public water and wastewater assets in Auckland and is responsible for providing water supply and wastewater services in Auckland. Watercare is also required to maintain the long term integrity of its assets to ensure safe and reliable water supply and wastewater services.

The applicant (*Northcote RD 1 Holdings Limited*) has initiated a private plan change to amend the policies in H15 Business Park Zone and make changes to I538 Smales 1 Precinct. The main purpose of the change is to transition the Smales Farm Office Park to a mixed-use development over a 20 to 30-year period that provides for a significant amount of residential development, in addition to the existing provision for offices. The residential development would largely be in apartment formats, with some buildings up to 100m high (approximately 30 storeys).

Watercare supports brownfield intensification of existing urban areas, as this supports the Auckland Plan objective of quality compact development focused mainly within the urban footprint. This enables efficient use of land and ability to link with existing infrastructure.

Unitary Plan provisions, Watercare requires information on what upgrades are required and the potential staging and likely rate of development.

The calculations provided by Riley Consulting in the Civil Engineering Assessment Private Plan Change 68-94 Taharoto Road (March 2019) ['the report'] does not provide the level of information required to fully assess the implication of this proposed change.

The assessment was based on a mixed commercial / residential development, referred to as the Indicative Development Senario (IDS). This does not follow the practices and design assumptions set out in Watercare's Code of Practice.

Modelling work is required to show if there are capacity constraints, what infrastructure needs upgrading and indicate when (based on staging plan) these upgrades need to happen. Also noting who would fund these upgrades. This work must be carried out by the applicant.

Following a meeting on 3 May, the applicant has provided additional information requested by Watercare. This information included the maximum envelope, the potential staging and what upgrades are required.

Watercare will analyse this information and the applicant and Watercare will be working together on an ongoing basis to ensure infrastructure is appropriately provided for.

Watercare recognises this development is an opportunity with strategic linkages to transport and amenities. However, given the scale and extra demands on infrastructure Watercare needs to understand the impacts on the surrounding networks.

3.1 Water Supply and Wastewater

The applicant needs to recalculate water demand and wastewater flows using the Watercare Code of Practice.

Using the Code of Practice, the residential and commercial demands would be significantly higher than those presented in the engineering report, thereby placing significantly more demand on the network than is suggested.

Based on the recalculated flows, the applicant needs to demonstrate the impact on existing networks at full development and the extend of upgrades required (if any).

4.0 RELIEF SOUGHT

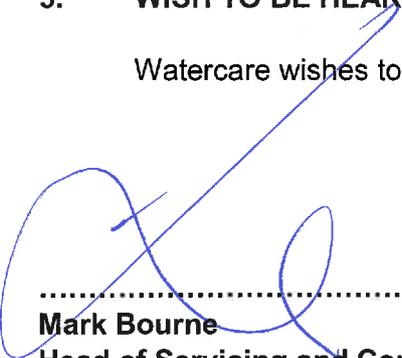
16.2

Watercare seeks the following:

- Comprehensive development assumptions and staging
- Assessment of the upgrades that may be required
- Confirmation that the upgrades will be funded by the developer

5. WISH TO BE HEARD

Watercare wishes to be heard in support of this submission.



.....
Mark Bourne
Head of Servicing and Consents

Date 15 May 2019

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Svetla Grigorova

Organisation name:

Agent's full name:

Email address: svetlag7@gmail.com

Contact phone number:

Postal address:
3/53 Karaka St
Takapuna
Auckland 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:
Zoning Breach Traffic Impact Noise Impact Health Impact

Property address:

Map or maps:

Other provisions:
Zoning Breach Traffic Impact Noise Impact Health Impact

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Zoning Breach - what is the point of having zones if they can be overwritten by some players while others can not do that - is this fair or discriminatory? Traffic Impact - present roads & public transport are already congested & time consuming during, before & after peak hours. The present roads, parking, public transport are not equipped to support such a huge population increase. Noise Impact - there is a hospital, a number of retirement villages, schools, other medical facilities - where quietness (noise limit importance) is needed for these facilities to function properly without disruptions. Plus there are a lot a lot of family homes in the area where people need to be able to relax, rejuvenate, recharge & recover from their hard working week. Health Impact - North Shore Hospital serves a big area consisting of the North Shore, Waitakere & Rodney serving more than 600,000+ people. Therefore, most of the time NSH is either overcrowded or runs on 100% occupancy. Plus there has

been staff shortages recorded over the years. How will this single population continue to serve an exploding population growth?

17.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 15 May 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Atanas Gornakov

Organisation name:

Agent's full name: Atanas Gornakov

Email address: atanas@moderntiling.co.nz

Contact phone number:

Postal address:
3/53 Karaka St
Takapuna
Auckland 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

Plan modification name: Plan Change 23 (Private): Smales Farm

My submission relates to

Rule or rules:
Zoning Breach Traffic Impact Noise Impact Health Impact

Property address:

Map or maps:

Other provisions:
Zoning Breach Traffic Impact Noise Impact Health Impact

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Zoning Breach - what is the point of having zones if they can be overwritten by some players while others can not do that - is this fair or discriminatory? Traffic Impact - present roads & public transport are already congested & time consuming during, before & after peak hours. The present roads, parking, public transport are not equipped to support such a huge population increase. Noise Impact - there is a hospital, a number of retirement villages, schools, other medical facilities - where quietness (noise limit importance) is needed for these facilities to function properly without disruptions. Plus there are a lot a lot of family homes in the area where people need to be able to relax, rejuvenate, recharge & recover from their hard working week. Health Impact - North Shore Hospital serves a big area consisting of the North Shore, Waitakere & Rodney serving more than 600,000+ people. Therefore, most of the time NSH is either overcrowded or runs on 100% occupancy. Plus there has

been staff shortages recorded over the years. How will this single population continue to serve an exploding population growth?

18.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 15 May 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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



**FURTHER SUBMISSION PURSUANT TO CLAUSE 6 OF THE FIRST SCHEDULE OF THE
RESOURCE MANAGEMENT ACT 1991
ON THE SUMMARY OF DECISIONS REQUESTED ON PRIVATE PLAN CHANGE 23 - SMALES
FARM - TO THE PARTIALLY OPERATIVE AUCKLAND UNITARY PLAN**

27TH June 2019

To: Auckland Council
Further Submissions on Proposed Private Plan Change 23
Unitary Plan
Private Bag 92300
Attention: Planning Technician

By Email only: unitaryplan@aucklandcouncil.govt.nz

Name: Westlake Girls High School
2 Wairau Road
Forrest Hill
Auckland, 0627

Attention: Jane Stanley, Principal

Address For Service: 4Sight Consulting Limited
201 Victoria Street West, Auckland Central
PO Box 911310, Victoria St West
AUCKLAND, 1142.

Attention: David Le Marquand
Phone: 021 122 3429
Email: davidl@4sight.co.nz

- 1 THE SUBMISSIONS OF WESTLAKE GIRLS HIGH SCHOOL (WGHS) TO PRIVATE PLAN CHANGE 23 - SMALES FARM (PC23) ARE CONTAINED IN THE ATTACHED TABLE.**
- 2 WGHS WISHES TO BE HEARD IN SUPPORT OF THIS FURTHER SUBMISSION.**
- 3 IF OTHERS MAKE A SIMILAR SUBMISSION, WGHS WOULD BE PREPARED TO CONSIDER PRESENTING A JOINT CASE AT ANY HEARING.**
- 4 WGHS COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS FURTHER SUBMISSION.**
- 5 WGHS ARE DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT-**
 - (A) ADVERSELY AFFECTS THE ENVIRONMENT; AND**
 - (B) DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION.**

Dated at AUCKLAND this 27th day of June 2019

Signature of person authorised to sign on behalf of WGHS



David Le Marquand
Principal Planning and Policy Consultant

Address for Service:

(as per cover sheet)
4Sight Consulting
PO Box 911310
Victoria St West
AUCKLAND, 1142

Attention: David Le Marquand

Phone: 021 122 3429

Email: davidl@4sight.co.nz

| Name of Person/ Group Making Original Submission | Original Submission Number | Provision | Support/ Oppose Original Submission | Parts of the Submission Supported/Opposed | Reasons | Relief Sought Allow/ Disallow |
|--|----------------------------|--|-------------------------------------|---|---|---|
| Soon Bok Ko | 8.1 | Table I538.4.1 Activity Table Activity (A27) | Support in part | Supports that part of the submission which opposes the inclusion of 'noise events' as a permitted activity. | PC23 provides for noise events (temporary activity) as a permitted activity but provides no standards on that activity, including on maximum noise, duration of noise, number of noise events per year etc, and further there is no assessment of the suitability, or otherwise, of the provision for noise events. Therefore, it is considered that 'noise events' and the associated traffic and parking demand generated by those events have the potential to have a significant adverse effect on WGHS. | Allow submission 8.1 by Soon Bok Ko by deleting activity A27 noise events. |
| New Zealand Transport Agency Attn: Mike Wood | 10.1 | Precinct Description | Support | Entire submission which requests that the precinct description contained in 1538.1 be amended to promote/direct changes in commuting behaviour reflecting a 'transit orientated development' (a Smart Transport Approach similar to the Wynyard Quarter Transport Management Plan). | The additional text requested by NZTA is supported. The development of the Precinct as a 'transit orientated development' with strong and proximate links to reliable and frequent public transport is appropriate. Further, the means by which this is to be achieved i.e. through promotion and by direct changes to commuting behaviour needs to be clearly stated. WGHS, as an immediate neighbour to the Smales Farm Precinct, has the potential to be adversely affected by traffic, including safety and convenience of access to the school, and potential traffic conflicts at peak time if public transport is not actively promoted. Unless that Precinct is affectively developed as a TOD the limited parking which is available in the surrounding area will be under increased pressure from residential and other development at Smales Farm. | Allow submission 10.1 in full, including by amending 1538.1 Precinct Description as requested by NZTA. |
| New Zealand Transport Agency Attn: Mike Wood | 10.3 | Objective (1) | Support | Entire submission which requests the retention of the words 'on the safe and efficient operation of the transport network' in objective (1) | Objective (1) should be retained without the modification proposed by PC23 to ensure that the potential adverse effects of development and land use at Smales Farm are considered in the context of the effects on the safe and efficient operation of the transport network. The scale of development proposed in the Precinct will have the potential to have significant adverse effects on the transport network, and therefore also on WGHS which relies on safe and efficient operation of that network. | Allow submission 10.3 by retaining the words 'on the safe and efficient operation of the transport network' in objective 1, as requested by NZTA. |
| New Zealand Transport Agency Attn: Mike Wood | 10.9 | New Policy 5 | Support | Entire submission which requests the insertion of a new policy 5 as follows: <i>"Encourage walking, cycling and the provision of passenger transport services and facilities compatible with</i> | Walking, cycling and passenger public transport facilities should form an integral part of a Transit Orientated Development (TOD). | Allow submission 10.9 by inserting new policy 5 into section 1538.3 as requested by NZTA. |

| Name of Person/ Group Making Original Submission | Original Submission Number | Provision | Support/ Oppose Original Submission | Parts of the Submission Supported/Opposed | Reasons | Relief Sought Allow/ Disallow |
|--|----------------------------|--|-------------------------------------|--|---|--|
| New Zealand Transport Agency Attn: Mike Wood | 10.10 | New Policy 6 | Support | <i>the character and amenity of the area".</i> Entire submission which requests the insertion of new policy (6) as follows: <i>"Require the overall development of the Smales 1 Precinct to incorporate traffic demand management approaches to encourage changes in commuting behaviour to reflect a Transit Orientated Development"</i> | PC23 includes objective (1) to provide for the development of Smales 1 Precinct, as a TOD, but there are no supporting policies which clearly identify how that is to be achieved. The inclusion of a new policy 6 providing for the development of traffic demand approaches to encourage changes in commuting behaviour supports objective 1, is consistent with the proposed changes sought through submissions 10.1 and 10.3, complementary to the inclusion of new Policy 5 sought through submission 10.9, and would form an appropriate part of the TOD approach that is necessary to better manage the potential adverse effects on the transport network (including parking) and surrounding land uses including WGHS. | Allow submission 10.10 by inserting new policy 6 into section 1538.3 as requested by NZTA. |
| New Zealand Transport Agency Attn: Mike Wood | 10.19 | Matters for discretion in standard 1538.8.8. | Support in part | The entire submission which requests the introduction of additional matters for discretion relating to the assessment of traffic. | WGHS supports the requested change to the standard to introduce additional matters for discretion relating to traffic matters. | Allow submission 10.19 in full by the insertion of additional matters for discretion relating to traffic assessments. |
| Auckland Transport Attn: Kevin Wong Toi | 11.2 | Transit oriented principles | Support | The entire submission which requests that the applicant provide further assessment as to how proposed PC 23 will align with 'TOD' principles; and seeks to modify PC23 in line with that assessment so as to achieve the TOD objective in 1538.2(A1). | The ITA for PC23 does not explain how the TOD principles, which underpin the justification for the plan change, will be achieved. Further information is required as set out in the submission by AT and also NZTA. For the TOD to be effective in managing effects, it will need to be actively implemented. | Allow submission 11.2 in full, including by providing further information as requested in the submission by AT, with appropriate changes to objectives, polices and assessment criteria. |
| Auckland Transport | 11.3 | Strategic transport | Support | The entire submission which requests that the | WGHS supports AT's submission. It agrees that the immediate area is already heavily congested, and that a key focus of any additional development in the | Allow submission 11.3 by AT in full, |

| Name of Person/ Group Making Original Submission | Original Submission Number | Provision | Support/ Oppose Original Submission | Parts of the Submission Supported/Opposed | Reasons | Relief Sought Allow/ Disallow |
|--|----------------------------|--|-------------------------------------|---|---|---|
| Attn: Kevin Wong Toi | | infrastructure | | applicant provide assessment of impacts on strategic infrastructure, especially access to and from the bus station; give particular consideration to peak periods and functioning of Shakespeare Road and access to Westlake Girls; identify how the effects identified will be managed including by network design changes and travel demand management etc; and depending on the outcome of these assessments, modify PC23 accordingly. | Precinct should be to avoid, remedy and/or mitigate transportation network effects, including on such matters as access to the busway station and the operation of and access to WGHS. The applicant should identify how such effects will be managed to avoid, remedy and/or mitigate adverse effects, including on WGHS. | including by the assessment of impacts on strategic transport infrastructure and modification of PC23 to comprehensively avoid, remedy and/or mitigate such effects as is most appropriate. |
| Auckland Transport Attn: Kevin Wong Toi | 11.5 | Integration of development with public transport | Support | The entire submission including the request to provide capacity analysis of Smales Farm bus station and bus services. | The applicant needs to provide information to support the identified mode share and resulting traffic generation, including the capacity of the Smales Farm bus station. The proximity of the WGHS to both the Smales precinct and the busway station mean that adverse traffic effects on the transport network and on the bus station, have the potential to adversely impact on WGHS, including with regard to student safety and convenience. | Allow submission 11.5 by AT in full, including by the provision of a capacity analysis of Smales Farm bus station and bus services and feed services into the assessment of impacts on strategic transport infrastructure and the subsequent action plan required by submission 11.3. |

| Name of Person/ Group Making Original Submission | Original Submission Number | Provision | Support/ Oppose Original Submission | Parts of the Submission Supported/Opposed | Reasons | Relief Sought Allow/ Disallow |
|--|----------------------------|--|-------------------------------------|---|---|--|
| Auckland Transport Attn: Kevin Wong Toi | 11.7 | Walking/cycling | Support | The entire submission including the request that PC23 provides appropriate measures for safe and attractive pedestrian and cycle access to the site from surrounding areas. | Walking and cycling are an important transport mode, including for students. The needs of these groups need to be considered and provided for as part of the PC23, and as part of the TOD. The immediate area is already very congested at times and road side parking is limited and heavily used. The use of other forms of transport (other than private vehicles) such as walking and cycling therefore need to specifically addressed as part of PC23. | Allow submission 11.7 by AT in full. |
| Auckland Council Attn: Celia Davison | 13.6 | General-integration of development with bus station | Support | The entire submission including the request that PC23 is amended to better integrate proposed new developments and land uses with the adjacent bus station, via efficient, accessible, safe and interesting pedestrian networks that support transit-oriented development; and to include policies, activities, standards, criteria and other methods to achieve these outcomes and require transit-oriented development. | WGHS supports the submission by Auckland Council, recognising that the surrounding transport network is at times very congested. New development within the precinct needs to be managed as a 'TOD' to minimise adverse effects on that network, including on pedestrian safety and convenience. PC23 fails to identify (in the explanation, objectives, policies and standards) how an integrated TOD will be achieved. | Allow submission 13.6 by Auckland Council in full, including to require the active implementation and achievement of TOD. |
| Auckland Council Attn: Celia Davison | 13.10 | Integration of development with land transport network | Support | Entire submission | WGHS supports the submission by Auckland Council which seeks to amend PC23 to ensure the integration of developments with the land transport network, by: <ol style="list-style-type: none"> 1. managing adverse effects on the transport network including by controlling the types and scale of land use activities (especially those that are reliant on private motor vehicle trips and car parking spaces); and 2. promoting other modes of travel; and 3. recognising different trip generation of activities at different times of the day; and | Allow submission 13.10 by Auckland Council to ensure the appropriate integration of development with the land transport network. |

| Name of Person/ Group Making Original Submission | Original Submission Number | Provision | Support/ Oppose Original Submission | Parts of the Submission Supported/Opposed | Reasons | Relief Sought Allow/ Disallow |
|--|----------------------------|-----------|-------------------------------------|---|---|-------------------------------|
| | | | | | 4. amending or incorporating objective, policies, activities, standards and assessment criteria as necessary to achieve the outcomes specified above. | |

Further Submissions on Proposed Plan Change 23 to the Auckland Unitary Plan (Operative in Part)

Clause 8 of Schedule 1 to the Resource Management Act 1991

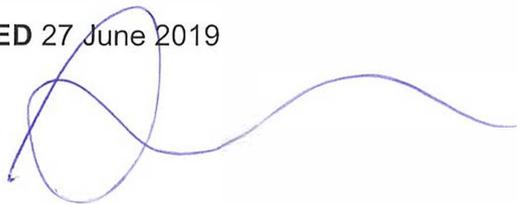
To: unitaryplan@aucklandcouncil.govt.nz
Auckland Council
Private Bag 92300
AUCKLAND 1142

Name of submitter: Northcote RD 1 Holdings Limited (“the Submitter”)

1. As the applicant for Plan Change 23 (“**the Plan Change**”) to the Auckland Unitary Plan (Operative in Part) (“**the Unitary Plan**”), the Submitter has an interest in the Plan Change that is greater than the interest of the general public.
2. The Submitter opposes in their entirety the original submissions to the Plan Change listed in the **attached** Schedule (“**the Primary Submissions**”).
3. This further submission identifies submissions in opposition to the Plan Change by submitters who (with one exception) have given notice that they wish to be heard at the hearing. For completeness it is noted that the Submitter:
 - (a) Is entitled to appear at the hearing pursuant to its role as applicant for the Plan Change; and
 - (b) Reserves the right to present evidence and submissions in respect of all submissions on the Plan Change, regardless of whether they are identified in this document.
4. The reasons for this further submission are:
 - (a) The Primary Submissions do not promote the sustainable management of natural and physical resources and are otherwise contrary to the purpose and principles of the Resource Management Act 1991 (“**RMA**”).
 - (b) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA.

- (c) Rejecting the relief sought in the Primary Submissions would more fully serve the statutory purpose than would implementing that relief.
 - (d) The Plan Change is:
 - (i) Consistent with the purpose and principles of the RMA;
 - (ii) The most appropriate way of giving effect to the purpose of the RMA, the National Policy Statement – Urban Development Capacity and the provisions of the Regional Policy Statement in the Unitary Plan; and
 - (iii) The most appropriate suite of provisions to apply to the Smales Farm site in the context of the Unitary Plan provisions.
 - (e) The additional reasons set out in the **attached** Schedule.
5. The Submitter asks that the Primary Submissions be disallowed for the reasons set out above.
6. The Submitter wishes to be heard in support of its further submissions.
7. If others make a similar submission, the Submitter will consider presenting a joint case with them at the hearing.

DATED 27 June 2019



Douglas Allan - Counsel for Northcote RD 1 Holdings Limited

ADDRESS FOR SERVICE: The offices of Ellis Gould, Solicitors, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Contact: Douglas Allan. Email: dallan@ellisgould.co.nz.

Schedule of Submissions Opposed

| Submission No. | Submitter name | Address for service | Additional Grounds |
|----------------|---|--|---|
| 2 | Anthony Kang | dongoh82@gmail.com 3/52 Taharoto Road Takapuna Auckland 0622 | <ul style="list-style-type: none"> The material attached to the submission includes correspondence with Auckland Council relating to temporary events at Smales Farm involving a staff member of Auckland Transport, NZTA and Auckland Council's traffic modelling agency who has been involved in preliminary discussions regarding the application and reviewed the Integrated Traffic Assessment for Auckland Transport following lodgment of the Plan Change application. This raises concerns regarding a conflict of interest that need to be resolved through the hearing process. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz Private Bag 106602 Auckland City Auckland 1143 | <ul style="list-style-type: none"> The Submitter undertook extensive consultation and cooperation with NZTA, Auckland Transport and their modelling agency throughout the preparation of the Plan Change application and based the traffic modelling methodology, inputs into the traffic modelling, and the approach taken to the assessment of traffic effects on advice received from those authorities. That consultation and cooperation involved a staff member of the traffic modelling agency whose correspondence with Auckland Council relating to temporary events at Smales Farm has been attached to a submission on the Plan Change lodged by another submitter. This raises concerns regarding a conflict of interest that need to be resolved through the hearing process. The concerns expressed in the NZTA submission and the relief sought in it is inconsistent with and contrary to advice given and understandings reached through the consultation and cooperation phase. The relief sought by NZTA is inconsistent with and in parts contrary to higher-order planning principles expressed in the Regional Policy Statement and the quality compact city / intensification strategy embodied in the Unitary Plan. If adopted, the relief sought in the submission would compromise the promotion and enablement at Smales Farm of intensified mixed-use development and transport-oriented development |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz 20 Viaduct Harbour Avenue Auckland Central Auckland 1010 | <ul style="list-style-type: none"> The Submitter undertook extensive consultation and cooperation with AT and its modelling agency throughout the preparation of the Plan Change application and based the traffic modelling methodology, inputs into the traffic modelling, and the approach taken to the assessment of traffic effects on advice received from AT. That consultation and cooperation involved a staff member of the traffic modelling agency whose correspondence with Auckland Council relating to temporary events at Smales Farm has been attached to a submission on the Plan Change lodged by another submitter. This raises concerns regarding a conflict of interest that need to be resolved through the hearing process. The concerns expressed in the AT submission and the relief sought in it is inconsistent with and contrary to advice given and understandings reached through the consultation and cooperation phase. The relief sought by AT is inconsistent with and in parts contrary to higher-order |

| | | | |
|-----------|---|--|---|
| | | | <p>planning principles expressed in the Regional Policy Statement and the quality compact city / intensification strategy embodied in the Unitary Plan.</p> <ul style="list-style-type: none"> If adopted, the relief sought in the submission would compromise the promotion and enablement at Smales Farm of intensified mixed-use development and transport-oriented development |
| <p>12</p> | <p>Sovereign Services Limited Attn: Kristy Redfern</p> | <p>kristy.redfern@aia.com AIA House 74 Taharoto Road Takapuna Auckland 0622</p> | |
| <p>13</p> | <p>Auckland Council Attn: Celia Davison</p> | <p>celia.davison@aucklandcouncil.govt.nz 135 Albert Street Private Bag 92300 Auckland 1142</p> | <ul style="list-style-type: none"> The relief sought by Auckland Council is inconsistent with and in parts contrary to higher-order planning principles expressed in the Regional Policy Statement and the quality compact city / intensification strategy embodied in the Unitary Plan. If adopted, the relief sought in the submission would compromise the promotion and enablement at Smales Farm of intensified mixed-use development and transport-oriented development. |
| <p>14</p> | <p>Westlake Girls High School Attn: Joy Bradfield</p> | <p>joybradfield@gmail.com 2 Wairau Road Takapuna Auckland 0627</p> | <ul style="list-style-type: none"> The Submitter acknowledges the importance of the interface between Smales Farm and Westlake Girls High School. It considers that the controls incorporated into the Plan Change deal appropriately with that interface but is willing to discuss refinements to the provisions in order to address the concerns expressed by WGHS. |
| <p>15</p> | <p>Housing New Zealand Attn: Gurv Singh Attn: Matt Lindenberg</p> | <p>gurv.singh@hnzc.co.nz PO Box 74598 Greenlane, Auckland matt.lindenberg@beca.com PO Box 6345 Auckland</p> | <ul style="list-style-type: none"> For the reasons set out in the Plan Change application, the Submitter considers that the most appropriate way to provide for intensification and mixed-use on the Smales Farm site is to amend the existing Precinct in the context of retaining the Business Park zone. Doing otherwise would fail to acknowledge appropriately the extensive commercial activity currently present on the site and the existing and intended future opportunities to expand that activity. The Submitter considers that the controls incorporated into the Plan Change deal appropriately with the interface between activities on site, particularly in the context of the comprehensive development of the land over the past 20 years and the intention and expectation that it will remain in single ownership and be managed comprehensively in the future. The Submission appears to be drafted on a misunderstanding that the Plan Change will result in a reduction in the provision of office/commercial activities at Smales Farm. The existing opportunity to develop additional office/commercial activities will remain pursuant to the Plan Change but will be augmented by opportunities to incorporate other activities. The Plan Change will enable development on the site without imposing obligations to develop. |

28 June 2019

Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142
Attn: Sophia Coulter - Planning Technician, Plans and Places

Dear Sophia,

Further Submissions on Proposed Private Plan Change 23 – Smales Farm

Attached are Auckland Transport's further submissions on Proposed Plan Change 23 to the Auckland Unitary Plan Operative in Part (AUPOIP).

Yours sincerely



Tracey Berkahn
Executive General Manager Planning and Investment

Address for service:

Auckland Transport
20 Viaduct Harbour Avenue, Auckland Central,
Auckland 1010
Phone: (09) 448 7015
Email: Kevin.Wong-Toi@at.govt.nz
For: Kevin Wong-Toi, Principal Planner

| PRIVATE PLAN CHANGE 23- SMALES FARM: AUCKLAND TRANSPORT FURTHER SUBMISSIONS | | | |
|---|----------------------|-----------------|--|
| Original Submitters (Submission Nos.) | Submission Points | Position | Reasons for Position |
| Susan Peace (5) | 5.2 | Support in part | <p>Support in part the intent of the submission point regarding providing an appropriate threshold for assessing effects on the transport network that are aligned with Transit Orientated Development (TOD) principles.</p> <p>AT is supportive of a potentially lower threshold and appropriate transport assessment framework in the context of the proposed activities enabled by the plan change at this location that is informed by further analysis and investigation as part of this plan change.</p> |
| Sally Slawson (7) | 7.2 | Support in part | Support in part to the extent that the relief sought in submission point 7.2 seeks to review the transport analysis and impacts on the network. |
| New Zealand Transport Agency (10) | 10.1 | Support | Support amendment to I538.1 (A1) precinct description to reinforce TOD outcomes underpinning the proposed plan change. |
| | 10.2 | Support in part | Support in part to retain I538.2 objective (A1) to the extent that the proposed objective seeks appropriate land use diversity and density outcomes consistent with TOD at this location. |
| | 10.3 | Support | Support retention of wording for I538.2 objective (1) as it recognises the need to manage effects on the transport network as part of the overall development outcomes. |
| | 10.4 | Support in part | Support in part to retain I538.2 objectives (2) & (3) to the extent that the proposed objectives will direct appropriate transport - land use integration and multi-modal transport responses consistent with TOD principles at this location. |
| | 10.5 | Support | Support amendment to I538.3 policy (1B) to explicitly recognise connections to the Smales Farm Bus Station as the key transit node servicing the area. |
| | 10.6 | Support | Support amendment to I538.3 policy (2) as this amendment reinforces the need to manage accessory activities, including through identifying an appropriate activity status. |

| PRIVATE PLAN CHANGE 23- SMALES FARM: AUCKLAND TRANSPORT FURTHER SUBMISSIONS | | | |
|---|---|-----------------|--|
| Original Submitters (Submission Nos.) | Submission Points | Position | Reasons for Position |
| | 10.7, 10.13, 10.14, 10.17, 10.19, 10.20 | Support in part | <p>Support in part the intent of these submission points regarding providing an appropriate threshold for assessing effects on the transport network that are aligned with TOD principles.</p> <p>AT is supportive of a potentially lower threshold and appropriate transport assessment framework in the context of the proposed activities enabled by the plan change at this location that is informed by further analysis and investigation as part of this plan change.</p> |
| | 10.8 | Support in part | Support in part to the extent that I538.3 policy (4) outlines an approach to limit on-site parking as part of the suite of transport demand measures that includes encouraging the use of accessible public transport infrastructure and services. |
| | 10.9 | Support | Support new provision I538.3 policy 5 because the multimodal focus of the policy is consistent with TOD principles and Objective (A1). |
| | 10.10 | Support | Support new provision I538.3 policy 6 because this policy supports overall TOD related outcomes and objectives e.g. transport land use integration. |
| | 10.11 | Support in part | Support amendment to I538.4.1 Activity Table Rules (A15) & A16) to the extent that the submission point seeks to manage the provision of appropriate accessory activities at this location. Submission point 10.11 recognises the need to carefully manage the provision of supermarkets and drive-through restaurants - activities with potentially high trip generating effects that may be contrary to TOD outcomes. In this regard, AT is supportive of reviewing the activity status and/or provision of accessory activities in the context of the proposed activities enabled by the plan change at this location that is informed by further analysis and investigation as part of this plan change. |
| | 10.12 | Support in part | Support in part to the extent that I538.4.1 Activity Table Rules (A17-A19) provides for community facilities that can service the needs of residents and support off-peak trips on public transport. |

| PRIVATE PLAN CHANGE 23- SMALES FARM: AUCKLAND TRANSPORT FURTHER SUBMISSIONS | | | |
|---|----------------------|-----------------|---|
| Original Submitters (Submission Nos.) | Submission Points | Position | Reasons for Position |
| | 10.15 | Support in part | Support in part the intent of submission point 10.15 as an approach to limiting on-site parking as part of the suite of transport demand measures that includes encouraging the use of accessible public transport infrastructure and services and managing the transport effects of non-residential activities in line with TOD principles. |
| | 10.16 | Support in part | Support in part to the extent that submission point 10.16 (1538.6.2(2)) highlights that managing the supply of accessory parking may be appropriate for particular activities given the transport context and conditions at this particular location and the need to ensure that managing parking supply supports TOD outcomes. |
| | 10.21 | Support in part | Support in part to the extent that the special information requirements support TOD outcomes and objectives. |
| Sovereign Services Limited (12) | 12.4 | Oppose | Oppose submission point 12.4 which proposes to delete the parking standard for residential activities. This would mean that the parking requirements would default to the E27 Auckland-wide transport provisions where a minimum rate of one parking space per dwelling would apply (Table E27.6.2.4 Parking rates - area 2 (T46)). The application of a minimum parking rate for residential activities is not consistent with TOD principles to reduce relative levels of on-site parking supply. |
| Auckland Council (13) | 13.2 | Support in part | Support in part to the extent that the proposed amendments support TOD principles and outcomes. |
| | 13.6 | Support | Support as the amendments in submission point 13.6 reinforces the need for quality built environment outcomes as part of the package of responses required to support TOD principles, including integration of the busway station. |
| | 13.9 | Support in part | Support in part to the extent that submission point 13.9 seeks to enable a level of development that is appropriate for the context of the proposed activities enabled by the plan change at this location, including the transport context. |

| PRIVATE PLAN CHANGE 23- SMALES FARM: AUCKLAND TRANSPORT FURTHER SUBMISSIONS | | | |
|---|----------------------|-----------------|--|
| Original Submitters (Submission Nos.) | Submission Points | Position | Reasons for Position |
| | 13.10 | Support in part | Support in part to the extent that the proposed amendments support TOD principles and outcomes. Note that support of this submission point in part does not limit the matters raised in response to submission point 10.11 nor 13.24. |
| | 13.24 | Support in part | <p>Support in part amendment to I538.8.1(4) and I538.8.2(4). Submission point 13.24 recognises the need to carefully manage the provision of drive-through restaurants as no effects on the transport network are considered.</p> <p>In this regard, AT is supportive of reviewing the activity status and/or provision of accessory activities in the context of the proposed activities enabled by the plan change at this location that is informed by further analysis and investigation as part of this plan change.</p> <p>Note that support of this submission point in part does not limit the matters raised in response to submission point 10.11 nor 13.10.</p> |
| Westlake Girls High School (14) | 14.2, 14.3, 14.7 | Support in part | <p>Support in part the intent of these submission points regarding providing an appropriate threshold and assessment framework for assessing effects on the transport network that are aligned with TOD principles.</p> <p>AT is supportive of a potentially lower threshold and appropriate transport assessment framework in the context of the proposed activities enabled by the plan change at this location that is informed by further analysis and investigation as part of this plan change.</p> |
| | 14.6 | Support in part | <p>Support in part to the extent that the relief sought in submission point 14.6 seeks to amend the transport assessment requirements.</p> <p>AT is supportive of an appropriate transport assessment framework in the context of the proposed activities enabled by the plan change at this location that is informed by further analysis and investigation as part of this plan change.</p> |
| Housing New Zealand (15) | 15.3, 15.4 | Support in part | Support in part the intent of submission points 15.3 and 15.4 to ensure a diversity of land use activities as part of the overall TOD development. |

| PRIVATE PLAN CHANGE 23- SMALES FARM: AUCKLAND TRANSPORT FURTHER SUBMISSIONS | | | |
|---|----------------------|-----------------|--|
| Original Submitters (Submission Nos.) | Submission Points | Position | Reasons for Position |
| | | Oppose in part | Oppose in part the relief seeking to remove the overall GFA limit on the site as a means of ensuring that the residential component will not result in a reduction of business activity provided for under the operative provisions. The quantum of total GFA on the site needs to be managed through the precinct provisions so that the anticipated adverse effects, including those on the transport network, can be appropriately managed in line with TOD objectives. |
| | 15.5 | Support in part | Support in part to the extent that the relief sought in submission point 15.5 seeks to amend the transport assessment requirements. AT is supportive of an appropriate transport assessment framework in the context of the proposed activities enabled by the plan change at this location that is informed by further analysis and investigation as part of this plan change. |

**FURTHER SUBMISSION ON PRIVATE PLAN CHANGE 23 TO THE AUCKLAND
UNITARY PLAN UNDER CLAUSE 8 OF THE FIRST SCHEDULE TO THE
RESOURCE MANAGEMENT ACT 1991**

To: Auckland Council
Level 24
135 Albert Street
Private Bag 92300
Auckland 1142
Attention: Planning Technician
unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: Waitemata District Health Board

Address: c/- Minter Ellison Rudd Watts
PO Box 3798
AUCKLAND 1140
Attention: Bianca Tree

SCOPE OF FURTHER SUBMISSION

1. This is a further submission by Waitemata District Health Board (**WDHB**) supporting primary submissions by original submitters on Private Plan Change 23 (**PC23**).

Background

2. WDHB is an independent crown entity that provides health services to more than 630,000 residents in the North Shore, Waitakere and Rodney. It has the largest population of any district health board (**DHB**) in New Zealand and is expected to service approximately 800,000 people by 2036. The WDHB employs more than 7,500 people in more than 31 different locations across North and West Auckland including at North Shore Hospital, Waitakere Hospital and the Mason Clinic.
3. The North Shore Hospital (**NSH**) is one of the WDHB's main sites, located near Lake Pupuke at 124 Shakespeare Road in Takapuna. The NSH has 670 beds

and provides a range of geriatric, children's health, surgical, psychogeriatric, mental health, maternity and medical services. It also provides an emergency department that operates 24 hours a day.

4. In 2018 the Government announced it was investing more than \$200 million in a new four storey surgical hospital at the NSH campus. The development will add more than 15,500m² of floor space to the existing Elective Surgery Centre and will provide capacity for an estimated 150 additional beds and eight additional operating theatres and four endoscopy procedure rooms. This project is due to be completed in 2023.
5. The WDHB has also developed a Regional Long Term Investment Plan (**RLTIP**) in conjunction with the other three northern region DHBs (Auckland, Counties-Manukau and Northland). The RLTIP has been accepted by the Ministry of Health and is the basis upon which the region's DHBs are planning campus and service level developments. The WDHB master plans for the NSH campus were updated in 2016 by international hospital master planners and refreshed again in 2018/2019 by New Zealand hospital master planners and reflect the plans agreed in the RLTIP. The NSH campus master plans and the related traffic and roading/access way plans being developed by the WDHB are based on the agreed local DHB, regional DHB and central Ministry of Health development strategy expressed in the RLTIP. The WDHB master plan foresees that the NSH campus will develop a further 140,000m² of hospital services buildings to increase inpatient beds, surgical capacity and outpatient services provided. The WDHB plans foresee that the total NSH services building area will increase from the present 120,000m² to approximately 240,000m² by 2036.
6. Northcote RD1 Holdings Limited (**NRHL**) has consulted with the WDHB in developing PC23, and the WDHB is supportive of further intensification and development of Smales Farm. However, the outcomes sought in PC23 do not give the WDHB sufficient comfort as to the maintenance or improvement of the transport network that services the NSH. Traffic flows and demand on roads and access ways are a critical concern to the WDHB. The main access to the NSH Emergency Department and the St John Ambulance service is off Mary-Poynton Crescent and Shea Terrace, which intersect with Taharoto Road and Northcote Road.

7. Efficient access to the St John Ambulance service and the NSH Emergency Department is critical to the hospital's catchment of over 600,000 people. Access along these roads and across the Mary-Poynton Crescent – Northcote Road – Taharoto Road intersection is already congested and compromising efficient access to emergency medical care. Any further deterioration of access to the NSH and St John Ambulance service (and the critical community service they provide) could result in material deterioration of patient outcomes and even the occurrence of potentially avoidable patient deaths. This is even more important having regard to the projected population growth and the planned and necessary further development at NSH.

WDHB has an interest greater than the interest of the general public

8. WDHB has an interest in PC23 that is greater than the interest the general public has:
 - (a) The NSH comprises 120,000m² floorspace and occupies land of approximately 14.6 hectares bounded by Shakespeare Road, Taharoto Road, and Shea Terrace. The NSH is a major landholder on Auckland's North Shore and is directly across Taharoto Road, north east of Smales Farm (the site subject of PC23).
 - (b) The ability of the public, staff and emergency vehicles to access the NSH is of critical importance. Therefore, the effects of PC23 on the road network is an important concern for WDHB.
 - (c) The NSH is critical social infrastructure that services a significant residential population that is projected to increase and as a result further development of the NSH will occur. It is important that the transport network servicing the NSH is maintained or improved as a result of PC23, and that any changes that could compromise its safety, efficiency and capacity take account of the existing and future requirements of the hospital.
 - (d) The efficient operation and the intensive use and development of existing hospitals and healthcare facilities to meet the health and wellbeing needs of the community is enabled by the provisions of the Auckland Unitary

Plan (**AUP**). This is particularly important for a growing city, as increasing numbers of people rely on these facilities to meet their needs and provide for their social, economic and cultural wellbeing and their health and safety.

9. The NSH's proximity to Smales Farm, its reliance on the adjacent and wider transport network, and the critical role it fulfils, makes WDHB's interest in PC23 greater than the interest of the general public.

GENERAL REASONS FOR FURTHER SUBMISSION

10. The reasons for WDHB's support (and support in part) of the primary submissions included in Appendix 1 are to ensure that PC23:
 - (a) is consistent with the sustainable management of natural and physical resources and is otherwise consistent with the purpose and principles of the Resource Management Act 1991 (**RMA**);
 - (b) is consistent with, and achieves, the purpose and principles of the RMA, including meeting the reasonably foreseeable needs of future generations and enabling people and communities to provide for their social, economic and cultural well-being and for their health and safety;
 - (c) adequately avoids, remedies and mitigates adverse effects on the environment;
 - (d) is consistent with the objectives and policies of the Regional Policy Statement and any other relevant objectives and policies of the Auckland Unitary Plan (**AUP**);
 - (e) complies with sections 74, 75 and 76 of the RMA;
 - (f) meets the requirements to satisfy section 32 of the RMA; and
 - (g) is consistent with sound resource management practice.

SPECIFIC REASONS FOR FURTHER SUBMISSION

11. Further, without derogating from the generality of the above, WDHB's particular reasons for supporting the primary submissions in **Appendix 1** are:

- (a) WDHB is concerned to ensure that PC23 maintains or improves the transport network servicing the NHS. This is particularly important given the existing and future development demand of the NSH, and its role as critical social infrastructure. Efficient vehicle access to the NSH is crucial for its current and future operation.

- (b) PC23 proposes to enable significant business and residential development without further assessment of effects on the transport network. It is fundamental that any floorspace triggers are set at an appropriate level and take into account the planned and projected development and intensification in the area, including the NSH.

RELIEF SOUGHT

- 12. The relief sought by WDHB is set out in Appendix 1.

- 13. WDHB wishes to be heard in support of its further submission.

- 14. If others make a similar submission, WDHB will consider presenting a joint case with them at the hearing.

DATED at Auckland this 28th day of June 2019

Waitemata District Health Board by its
solicitors and duly authorised agents
MinterEllisonRuddWatts



B J Tree / P G Senior

Address for service of submitter:

Waitemata District Health Board

c/- Minter Ellison Rudd Watts

P O Box 3798

AUCKLAND 1140

Attention: B Tree

Telephone No: (09) 353 9700

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TO:

Auckland Council

Attention: Planning Technician

unitaryplan@aucklandcouncil.govt.nz

AND TO:

Auckland Council

Attention: Celia Davidson

celia.davison@aucklandcouncil.govt.nz

New Zealand Transport Agency

Attention: Mike Wood

Mike.Wood@nzta.govt.nz

Auckland Transport

Attention: Kevin Wong Toi

Kevin.Wong-Toi@at.govt.nz

Westlake Girls High School

Attention: Joy Bradfield

joybradfield@gmail.com

Appendix 1: Specific further submissions of WDHB and relief sought

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|--|-----------|------------------------|--|---|--------------------|---|
| NZTA | Mike.wood@nzta.govt.nz | 10.1 | Support with amendment | A more directive approach as to how the Precinct as a whole will encourage changes in commuting behaviour reflecting a Transit Orientated Development (TOD) is sought. | Add the underlined wording to the Precinct description at I538.1: <i>The Smales 1 Precinct (Smales Farm) is located on the corner of Taharoto and Northcote roads, and is adjacent to State Highway 1 and the Northern Busway. <u>The precinct is proposed as a "transit orientated development" which supports high density residential and compatible business activities with strong links to reliable and frequent public transport. A goal of a transit orientated development is to reduce dependence on vehicles in favour of public transport, walking and cycling. The precinct permits non-residential activities (subject to a maximum gross floor area) residential activities, a maximum number of car parking spaces, and provides for some accessory activities to address demand from those employed on the site, residents, and visitors to the precinct.</u></i> | Support | WDHB agrees with the submitter that there should be more direction in PC23 to ensure that the proposed outcomes of a Transit Orientated Development are achieved. |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|-------|-----------|------------------------|---|--|--------------------|---|
| | | 10.2 | Support | 1538.2 Objective (A1) be retained as notified. | Retain provision as notified. | Support | WDHB supports the redevelopment of Smales Farm as a TOD subject to the matters addressed in this further submission. |
| | | 10.3 | Support with amendment | 1538.2 (1). The wording "on the safe and efficient operation of the transport network" be reinstated to address impacts on the transport network. | Reinstate wording. | Support | WDHB agrees with the submitter that this wording be reinstated as the functioning of the transport network in a safe and efficient manner is critical for the ongoing function of the NSH. |
| | | 10.7 | Support with amendment | Policy (3) and the trigger for transport assessments: Amend the policy to better align with objective 1, promote alternative forms of travel and better align with future investment in alternative transport infrastructure. | Amend the provision as follows: "Require development over 462 117,000m2 gross floor area of business activity or 380 residential units in the Smales 1 Precinct to demonstrate that the activity will not significantly adversely affect the safe and efficient operation of the transport, or that such effects will be mitigated." | Support in part | WDHB agrees with the submitter that it is not appropriate to amend the threshold without a trigger mechanism and consent requirement. WDHB requires further information to substantiate whether the proposed floor space caps or residential unit caps are appropriate to avoid adverse effects on the transport network. |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|-------|-----------|------------------|---|--|--------------------|--|
| | | 10.8 | Support | 1538.3 (4). The submitter supports this new policy as it recognises the transition of Smales Farm to a TOD. | <p>Include the new provision:</p> <p>(4) <u>Limit the supply of on-site parking over time to recognise the accessibility of the Smales 1 Precinct to a public transport service, while supporting the planned growth of non-residential activities and acknowledge the need for an appropriate supply of parking on the site in the short term to encourage that growth.</u></p> | Support | WDHB agrees with the submitter that this provision be inserted to support the outcomes of a TOD. |
| | | 10.10 | Support | A new Policy should be added to 1538.3 to support the TOD as proposed. | <p>Include the new provision:</p> <p>(5) <u>Require the overall development of the Smales 1 Precinct to incorporate traffic demand management approaches to encourage changes in commuting behaviour to reflect a Transit Orientated Development.</u></p> | Support | WDHB agrees with the submitter that there should be more direction in PC23 to ensure that the proposed outcomes of a TOD are achieved. |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|-------|-----------|------------------------|--|--|--------------------|--------------------------------|
| | | 10.13 | Support with amendment | For reasons set out in point 10.7 above, retain Standards I538.6 in a modified form. | Retain Standards in modified form, with the lesser thresholds set out in submission point 10.7 above (117,000 m2 and 380 residential units). <ul style="list-style-type: none"> • “Standard E27.6.1 Trip generation for non-residential development up to 462 117,000m2 gross floor area or for residential development up to <u>380 residential units</u> (see Standard I538.6.3); • Standard E27.6.2(5);” | Support in part | As above in 10.7. |
| | | 10.14 | Support with amendment | Consequential change associated with 10.13 for I538.6.1(1). | Retain the provision as amended: “(1) The maximum gross floor area in the precinct for non-residential activities is 462 117,000m ² subject to (2) below” | Support in part | As above in 10.7. |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|-------|-----------|------------------------|---|--|--------------------|---|
| | | 10.17 | Support with amendment | Both I538.6 Standards and I538.6.3(1) trip generation seek exemptions for development up to 105,000m ² GFA from complying with E27.6.1, requiring an RDA consent, including the provision of an Integrated Transport Assessment (ITA). PC 23 seeks to extend the exemption to 165,000m ² GFA for business and include residential units in the exemption. | Amend to state: (1) Non-residential development up to 462 117,000m ² gross floor area, or and residential development of 380 residential units, will not be subject to the following: (1) Policy E27.3(2) Integrated transport assessment; and (2) Standard E27.6.1 Trip generation. | Support in part | As above in 10.7. |
| | | 10.19 | Support | I538.8.1(1) Matters of discretion. A new provision is proposed to provide matters of discretion for activities exceeding 117,000m ² GFA of business activities or 380 residential units. | Add new 'matters of discretion' at I538.8.1: (1) <u>Activities exceeding the limits in Standard I538.6.1</u> (a) <u>Refer to E27 Transport Rule E27.8.1(4).</u> (b) <u>travel management;</u> (c) <u>on-site parking provision.</u> | Support in part | WDHB agrees with the submitter that further matters of discretion are required. |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|-------|-----------|------------------|--|--|--------------------|---|
| | | 10.20 | Support | <p>1538.8.2 Assessment Criteria. New provisions are proposed to provide matters of discretion for activities exceeding 117,000m² GFA of business activities or 380 residential units.</p> | <p>Adopt the following provisions: (1) <u>Activities exceeding the limits in Standard 1538.6.1.</u> (a) refer to <u>E27 Transport, Rule E27.8.2(3);</u> (b) <u>information demonstrating the success or otherwise of travel management measures implemented within the precinct;</u> (c) <u>on-site parking provision; and</u> (d) <u>whether it can be demonstrated by the measures and commitments outlined in a site travel management plan (encompassing the entire Precinct) that the activity or activities will be managed to minimise private vehicle travel to and from precinct to achieve Policies 3, 4 and 5.</u></p> | Support in part | WDHB agrees with the submitter that further matters of discretion are required. |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|-------|-----------|------------------------|---|--|--------------------|--|
| | | 10.21 | Support with amendment | Additional transport specific special information requirements are proposed to provide certainty for applicants where an application is required under the trip generation standards. | <p>Add: "Special information requirements" a) Site travel management plan supporting a 'transit orientated development' with the following minimum information (summarised):</p> <ul style="list-style-type: none"> i. <u>The physical infrastructure to support alternative transport modes e.g. covered facilities for cyclists</u> ii. <u>The physical linkages on the site to link with surrounding pedestrian and cycling networks and existing public transport resources</u> iii. <u>Operational measures that encourage reduced vehicle trips</u> iv. <u>Management of vehicle ownership</u> v. <u>Details of the management structure that would oversee the travel management measures</u> vi. <u>Methods of monitoring the effectiveness of the above including a</u> | Support in part | <p>Subject to other submission points, WDHB agrees that the proposed information requirements may enable a proper consideration of the implications of the traffic generated by the activity, beyond a particular threshold, however this must also consider traffic generation envisaged by substantial neighbouring land uses.</p> <p>WDHB seeks further amendment as underlined below:</p> <ul style="list-style-type: none"> vii. <u>Monitoring of travel from the site to confirm assumptions contained within [the Smales 1 Precinct Integrated Transport Assessment (ITA)] prior to the release of subsequent development stages; this is to include an assessment of the existing (at the time of the application) transport environment (together with that modelled for</u> |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
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| | | | | | <p>vii. <u>commitment to undertake travel surveys</u> <u>Monitoring of travel from the site to confirm assumptions contained within [the Smales 1 Precinct Integrated Transport Assessment (ITA)] prior to the release of subsequent development stages; this is to include an assessment of the existing (at the time of the application) transport environment relative to the environment as assumed at the time of the application by Smales 1 Precinct ITA</u></p> | | <p>substantial neighbouring land uses such as the North Shore Hospital) relative to the environment as assumed at the time of the application by Smales 1 Precinct ITA.</p> |
| Auckland Transport | Kevin.wong-toi@govt.nz | 11.1 | Support subject to further information / amendment | Conditional support for PC23. | That the Council approves PC23, provided that the various transport requirements / concerns raised in this submission are resolved and / or that Council identifies an appropriate suite of provisions that will address these matters. If the submitter's concerns are not | Support | WDHB agrees that further analysis on how PC23 will affect the transport network is required. |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|-------|-----------|--|---|---|--------------------------------|---|
| | | | | | resolved, then the PC23 should be declined. | | |
| | | 11.2 | Support subject to further information / amendment | The submitter seeks further assessment to confirm how PC23 will align with TOD principles. | Depending on the outcome of that assessment, include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within the PC23 that enable proposed Objective I538.2.1 to be achieved. | Support | WDHB agrees that further analysis against TOD principles is required, and depending on the results, further amendments to PC23 may also be required. |
| | | 11.3 | Support subject to further information / amendment | The submitter seeks further information on how PC23 will affect strategic transport. | Depending on the outcome of that assessment, include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PC23 that address any transport effects identified. | Support | WDHB agrees that further analysis on how PC23 will affect the transport network is required. |
| | | 11.4 | Support subject to further information / amendment | The proposed provisions of PC23 seek to increase the overall quantum of activity that can be provided within Smales Farm. In addition, PC23 seeks more permissive provisions in relation to the certain types of high trip generating | Northcote RD1 Holdings Limited (NRHL) to provide further assessment for the full scale of development proposed in PC23, including through further traffic modelling. NRHL to provide further information and assessment to support the identified mode share and resulting traffic generation associated with the proposed activities in this location. | Support with further amendment | WDHB agrees that the impact of the proposed activities (and their trip characteristics in terms of intensity, timing, duration and potential to be serviced by public transport) on the surrounding transport network is not adequately addressed relative to that which may be generated by substantial neighbouring |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
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| | | | | <p>activities (particularly retail, drive-through restaurants and entertainment activities). The ITA has not fully addressed the proposed quantum of non residential (including office) and residential activities proposed. The traffic modelling within the ITA has only addressed up to 125,000m2 GFA of non-residential activity and 855 residential apartments by 2036, when compared with the potential to enable a total of 162,000m2 non-residential GFA and 1,380 residential apartments. As such, the impact of the proposed activities (and their trip characteristics in terms of intensity,</p> | <p>Depending on the outcome of those assessments, NRHL to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PC23 that:</p> <ul style="list-style-type: none"> • Restrict the overall scale and intensity of activities that can be provided without any identified transport mitigation measures OR provide for appropriate transport mitigation measures with the staged development of PC23 • Provide for the further assessment (through later resource consents or similar) of any development at a scale beyond that which can be shown to be satisfactorily accommodated by the transport network, without any identified transport mitigation measures. • Provide for an appropriate activity status for high trip generating activities, | | <p>activities, including the NSH to understand whether this level of development can be satisfactorily accommodated or the mitigation measures that would be required.</p> |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
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| | | | | <p>timing, duration and potential to be serviced by public transport) on the surrounding transport network is not adequately addressed in order to understand whether this level of development can be satisfactorily accommodated or the mitigation measures that would be required.</p> | <p>including associated assessment criteria to consider effects on the operation of the transport network.</p> | | |
| | | 11.5 | Support subject to further information / amendment | <p>The ITA needs to provide further evidence on the ability to achieve the potential public transport mode share, based on similar and more comparable locations as the basis for supporting these TOD-related outcomes. The Auckland CBD is not a valid comparison</p> | <p>Applicant to provide further information and assessment to support the identified mode share and resulting traffic generation associated with the proposed activities in this location, including capacity analysis of the Smales Farm bus station and bus services.</p> <p>Depending on the outcome of those assessments, provide further traffic modelling to determine the potential effects on the transport network.</p> | Support | <p>WDHB agrees that further analysis on how PC23 will affect the transport network is required.</p> |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|-------|-----------|--|--|--|--------------------|--|
| | | | | <p>for Smales Farm on this matter.</p> | <p>Review the need to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PPC23 that address any transport effects identified from the above.</p> | | |
| | | 11.6 | Support subject to further information / amendment | <p>The traffic generation rates applied to the retail and commercial aspects of the non-residential, as well as the residential activities, are not reflective of what it is considered would more realistically be achieved at this location. This is on the basis that the public transport mode share used in the ITA assumes that the proposed PC23 development would achieve a public transport mode share similar to the Auckland City Centre, without providing adequate evidence</p> | <p>Provide a complete summary and explanation of the land use and transport assumptions and dependencies underpinning the modelling.</p> <p>Provide further information and assessment to support the identified traffic generation associated with the proposed activities in this location.</p> <p>Depending on the outcome of those assessments, provide further traffic modelling to determine the potential effects on the transport network using appropriate trip generation rates and mode share assumptions.</p> <p>In undertaking that modelling, provide further information to substantiate the removal of background traffic from the</p> | Support | <p>WDHB agrees that the basis of the assumptions do not adequately address the future traffic associated with the NSH, and further information and assessment to support the identified traffic generation associated with the proposed activities is necessary to understand the effects on the transport network, and determine the need for any additional provisions (objectives, policies, rules, standards and assessment criteria).</p> |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|-------|-----------|------------------|---|--|--------------------|--------------------------------|
| | | | | <p>for such a comparison. The traffic modelling undertaken has made assumptions to substantiate the removal of background traffic from the adjacent road network to accommodate the proposed PC23 development traffic. This includes assuming background traffic is diverted to other routes, will be spread across a longer morning or evening peak period or will simply shift to improved public transport services. However, it is considered that the quantum of the reduction (25% of background traffic) in vehicle movements left or right from</p> | <p>adjacent road network to accommodate the proposed PC23 development traffic and consider the identified modelling effects of any assumptions that are made in that regard.</p> <p>Review the need to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PC23 that address any transport effects identified from the above.</p> | | |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
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| | | | | <p>Taharoto Road into Northcote Road is not appropriately substantiated in the ITA or the resulting effects on the transport network then considered.</p> | | | |
| | | 11.10 | <p>Support subject to further information / amendment</p> | <p>The ITA needs to identify any transport projects and or services relied on by the land use and development, including whether they are funded and if not how they will be delivered and by whom. This information and analysis is not explicitly discussed in</p> | <p>AT is concerned that the ITA and associated traffic modelling potentially rely on yet to be committed and funded public transport infrastructure. The ITA does not identify all transport projects and services required to support the development enabled by the proposed plan change and how these will be provided for. As such, it is requested that the applicant:</p> <ul style="list-style-type: none"> • Provide further clarification and, as necessary, further | <p>Support</p> | <p>WDHB agrees that the assumptions concerning other traffic projects and infrastructure (and the delivery of them) need to be clearly identified and quantified, where they are relied upon, including any assumptions relative to the NSH access arrangements, and/or any changes to the intersection of Shea Terrace and Mary Poynton</p> |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|------------------|--|-----------|-------------------------------|--|---|--------------------|--|
| | | | | the ITA but is required. | <p>assessment of the transport effects of the proposed PC23 development without this infrastructure, as necessary.</p> <ul style="list-style-type: none"> Clearly identify what projects and services are required and how they will be delivered. Review the need to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within the PC23 provisions that address any additional transport effects identified from the above. | | Crescent with Northcote Road and Taharoto Rd. |
| Auckland Council | Celia.davison@aucklandcouncil.govt.nz | 13.5 | Support subject to amendments | Smales Farm should not become a destination. | <p>The submitter supports amendments to the range of activities and the scale of development to ensure that Smales Farm does not become a destination.</p> | Support | WDHB agrees that it is inappropriate that Smales Farm becomes a destination that would generate visitors from a wide catchment which would be contrary to the objective to develop as a TOD. |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------|--|-----------|-------------------------------|--|--|--------------------|---|
| | | 13.10 | Support subject to amendments | The present form of the PC23 is inconsistent with Auckland Unitary Plan (AUP) drafting conventions which will prevent its effective implementation. | PC23 be amended to retain precinct provisions that integrate development and the land transport network by: a. amending objectives, policies, activities, standards and assessment criteria b. responding to the precinct's location and the transport network c. managing adverse effects on the safe and efficient operation of the transport network d. recognising the trip generating characteristics of different land uses, including at different times of the day | Support | WDHB agrees that the provisions require amendment to reflect and respond to the continued safe and efficient operation of the transport network, and the trip generating characteristics of existing and future land uses, so as to ensure that the substantive social infrastructure of the NSH activity is not compromised. |
| | | 13.11 | Support subject to amendments | The submitter seeks that land use consent applications are assessed against objectives, policies, standards' purpose, restricted matters and assessment criteria that direct outcomes relative to the purpose of the zone. | Amendments sought include: a. replacing language that does not guide assessment with language that specifies the desired outcomes; b. introduction of each standard's purpose; c. removal of proposed criteria for infringements of standards where it replicates or contradicts the Auckland Unitary Plan approach as described in Chapter C. | Support | WDHB agrees that appropriate provisions are required for the assessment of activities within Smales Farm. |
| | joybradfield@gmail.com | 14.2 | Oppose in part | The submitter opposes the | Reinstate the original wording of Policy (3). | Support in part | WDHB agrees with the submitter's concerns that |

| Submitter Name | Email | Point No. | Support / Oppose | Submission Summary | Decision Sought | Further Submission | Reasons for Further Submission |
|----------------------------|-------|-----------|------------------|--|---|--------------------|---|
| Westlake Girls High School | | | | proposed amendments to I538.3(3) due to impacts on the transport network that result from increased intensity of development. | | | increased caps on business floorspace, uncapped residential floorspace, and the weakening of requirements to undertake ITAs and trip generation assessments could result in adverse effects on the transport network. |
| | | 14.3 | Oppose in part | The submitter considers any activities exceeding a maximum GFA of 162,000m ² be a discretionary activity, and that residential activities also be included within the above floorspace cap. | Amendments to I538.4 (A1) as proposed by the submitter. | Support in part | As above in 14.2. |
| | | 14.6 | Oppose in part | The submitter opposes proposed changes to I538.6 and I538.6.3 that remove requirements to undertake ITAs and trip generation assessments. | The submitter seeks: (a) reinstatement of the first two standards under heading I538.6 Standards; (b) reinstatement of I538.6.3; and (c) that an ITA accompany all resource consent applications for future residential development where specified trip generation thresholds are exceeded under Chapter E27.6.1. | Support in part | As above in 14.2. |

Further Submission on Proposed Private Plan Change 23 to the Auckland Unitary Plan (Operative in Part)

Clause 8 of Schedule 1 to the Resource Management Act 1991

To: Attention: Planning Technician
Plans and Places
Auckland Council
Private Bag 92300
AUCKLAND 1142

By email: unitaryplan@aucklandcouncil.govt.nz

Name of submitter: HOUSING NEW ZEALAND CORPORATION (“the Corporation”)

1. The Corporation makes this further submission on proposed Private Plan Change 23 to the Auckland Unitary Plan (Operative in Part) (“**the Plan Change**”) in support of/in opposition to an original submission to the Plan Change.
2. The Corporation is a person who has an interest in the proposal that is greater than the interest the general public has, being an original submitter on the Plan Change with respect to its interests as a Crown agency responsible for the provision of state housing, and its housing portfolio in the Auckland Region. In that regard, the Corporation represents a relevant aspect of the public interest and has an interest in the Plan Change greater than the general public for a number of reasons, including (without limitation):
 - a) The Corporation is a major landowner in the Auckland Region. The housing portfolio managed by the Corporation comprises approximately 27,750 dwellings. The Corporation’s role includes the efficient and effective management of state housing and the tenancies of those living in them.
 - b) The Corporation’s housing assets form a major part of the Auckland Region’s social infrastructure and particularly its affordable housing infrastructure, and it is essential that the Corporation is able to meet its responsibility of providing efficient and

effective state housing for the most vulnerable members of our society. Reconfiguring this housing stock in Auckland is a priority for the Corporation to better deliver to its responsibility of providing efficient and effective state and public housing. To this end, the provisions of the Plan Change have the possibility to affect the sustainable management of these housing assets.

3. The Corporation makes this further submission in respect of submissions by third parties to the Unitary Plan provisions to the extent that they directly affect the relief sought in its own submission on the Unitary Plan, which seeks specific amendments to the Unitary Plan to better enable the Corporation to provide for high quality cost effective, state housing to the people in the greatest need for the duration of their need.
4. The reasons for this further submission are:
 - a) The reasons set out in the Corporation's primary submission on the Plan Change.
 - b) In the case of the Primary Submissions that are opposed:
 - i) The Primary Submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with the purpose and principles of the Resource Management Act 1991 ("**RMA**");
 - ii) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA;
 - iii) Rejecting the relief sought in the Primary Submissions opposed would more fully serve the statutory purpose than would implementing that relief; and
 - iv) The Primary Submissions are inconsistent with the policy intent of the Corporation's submission.
 - c) In the case of Primary Submissions that are supported:
 - i) The Primary Submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
 - ii) The reasons set out in the Primary Submissions to the extent that they are consistent with the Corporation's submission; and
 - iii) Allowing the relief sought in the Primary Submissions supported would more fully serve the statutory purpose than would disallowing that relief.

d) Such additional reasons (if any) in respect of each of the Primary Submissions supported or opposed as are set out in the **attached** Schedule.

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5. The specific relief in respect of each Primary Submission that is supported or opposed is set out in the **attached** Schedule.
 6. The Corporation wishes to be heard in support of its further submission.
 7. If others make a similar submission, the Corporation will consider presenting a joint case with them at a hearing.

DATED 28 June 2019



**Brendon Liggett – Development Planning Manager,
HOUSING NEW ZEALAND CORPORATION**

Copies to:

Housing New Zealand Corporation
PO Box 74598
Greenlane, Auckland
Attention: Gurv Singh
Email: gurv.singh@hnzc.co.nz

Beca Limited
PO Box 6345
Auckland
Attention: Matt Lindenberg
Email: matt.lindenberg@beca.com

| Private Plan Change 23 – Smales Farm | | | | | | |
|--------------------------------------|---|------------------------|-----------|---|-----------------|---|
| Summary of Decisions Requested | | | | | | HNZ response |
| Sub# | Submitter Name | Contact Details | Sub Point | Summary of Submission | Support/ Oppose | Commentary |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.1 | <u>Precinct description</u> : Amend the description to promote/direct changes in commuting behaviour reflecting a 'transit orientated development' (a Smart Transport Approach similar to the Wynyard Quarter Transport Management Plan). | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.2 | Objective (A1): Retain as notified | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.3 | Objective (1): Do not delete "on the safe and efficient operation of the transport network". | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.4 | Objectives (2) and (3): Retain as notified. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.5 | Policy (1B): Amend to ensure an emphasis for 'pedestrian connections' being provided or maintained to the Smales Farm Bus Station. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.7 | Policy (3) and the trigger for transport assessments: Amend the policy to better align with objective 1, promote alternative forms of travel and better align with future investment in alternative transport infrastructure: "Require development over 462-117,000 m2 gross floor area of business activity <u>or 380 residential units</u> in the Smales 1 Precinct to demonstrate that the activity will not significantly adversely affect the safe and efficient operation of the transport (system), or that such effects will be mitigated". | Oppose in part | The Corporation generally opposes the proposed amendment, to the extent it is inconsistent with the intent of the Corporation's submission. |

| Private Plan Change 23 – Smales Farm | | | | | HNZ response | |
|--------------------------------------|---|------------------------|-----------|--|-----------------|--|
| Summary of Decisions Requested | | | | | | |
| Sub# | Submitter Name | Contact Details | Sub Point | Summary of Submission | Support/ Oppose | Commentary |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.8 | Policy (4) Retain as notified. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.9 | Add new policy "(5)": "Encourage walking, cycling and the provision of passenger transport services and facilities compatible with the character and amenity of the area". | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.10 | Add new policy "(6)": "Require the overall development of the Smales 1 Precinct to incorporate traffic demand management approaches to encourage changes in commuting behaviour to reflect a Transit Orientated Development" | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.12 | Retain provisions for community activities as permitted activities, to contribute to Smales 1 Precinct being a vibrant and attractive place for residents, workers and visitors. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.14 | Standard 1538.6.1 (1) – Alter the thresholds as set out in 10.7. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.15 | Parking – Reconsider and reduce the parking number maximums for non-residential development in line with the details set out in the submission and achieve greater consistency with policy 4. | Support in part | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.16 | Parking, residential: introduce parking maximums for residential development and consequentially delete 1538.6.2 (2) which states there are not parking standards for residential activity. | Support in part | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.19 | Add new 'matters of discretion' at 1538.8.8.1 (1) for traffic assessments for activities exceeding 117,000 m2 GFA business activities and 380 units, being those set out at E27.8.1 (4) and "travel management" and "on-site parking provision". | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |

| Private Plan Change 23 – Smales Farm | | | | | | |
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| Summary of Decisions Requested | | | | | | |
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| Sub# | Submitter Name | Contact Details | Sub Point | Summary of Submission | Support/ Oppose | Commentary |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.20 | <p>Add new assessment criteria at E27.8.2 (1) for traffic assessments for activities exceeding 117,000 m2 GFA business activities and 380 units, being a) Those set out at E27.8.2 (3) and b) information demonstrating success or otherwise of travel demand management measures, and c) On-site parking provision; and d) Whether it can be demonstrated by the measures and commitments outlined in a site travel management plan ...that private vehicle travel will be minimised.</p> | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 10 | New Zealand Transport Agency Attn: Mike Wood | Mike.Wood@nzta.govt.nz | 10.21 | <p>Delete existing statement and add new "Special information requirements" to provide certainty for applicants where a traffic assessment application is required for development exceeding 117,000 m2 / 380 units, requiring:</p> <p>a) Site travel management plan supporting a 'transit orientated development' with the following minimum information (summarised):</p> <ul style="list-style-type: none"> i) The physical infrastructure to support alternative transport modes e.g covered facilities for cyclists ii) The physical linkages on the site to link with surrounding pedestrian and cycling networks and existing public transport resources iii) Operational measures that encourage reduced vehicle trips iv) Management of vehicle ownership v) Details of the management structure that would oversee the travel management measures vi) Methods of monitoring the effectiveness of the above including a commitment to undertake travel surveys vii) Monitoring of travel from the site to confirm assumptions set out in the Smales 1 Precinct Integrated Transport Assessment (ITA); applications for the release of subsequent development stages | Support in part | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |

| Private Plan Change 23 – Smales Farm | | | | | | |
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| Summary of Decisions Requested | | | | | | |
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| 11 | Auckland Transport Attn: Kevin Wong Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.2 | are to include an assessment of the extant transport. <u>Transit-oriented principles (TOD)</u> : Provide further assessment as to how proposed private plan change 23 (PPC23) will align with 'TOD' principles; and modify PPC23 in line with that assessment to achieve the TOD objective in 1538.2(A1). | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 11 | Auckland Transport Attn: Kevin Wong Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.4 | <u>Quantum and mix of activities and associated trip characteristics</u> : Provide further assessment of full scale of development proposed, including further traffic modelling; provide further information and assessment to support the identified mode share and resulting traffic generation; provide further assessment for high trip generating activities, such as retail, drive-through restaurants and entertainment activities; depending on the outcome of those assessments: modify PPC23 to restrict certain activities provided without mitigation or to provide mitigation measures with the staged development of the site; providing for assessment via future resource consents of development that can be accommodated by the transport network without any identified mitigation measures; and providing for appropriate activity status and assessment criteria for high trip generating activities. | Support in part | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 11 | Auckland Transport Attn: Kevin Wong Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.5 | <u>Integration of development with public transport</u> : Provide further information and assessment to support the identified mode share and traffic generation of proposed activities, including capacity analysis of the Smales Farm bus station and bus services; depending on the outcomes, provide further traffic modelling; review the provisions and the need for amendments to PPC23 accordingly. | Support in part | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 11 | Auckland Transport Attn: Kevin Wong Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.6 | <u>Transport modelling and mitigation measures</u> : Provide a complete summary and explanation of the land use and transport assumptions and dependencies underpinning the modelling; assess the full scale of development; provide information to support traffic generation assumptions; depending on the outcomes, | Support in part | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |

| Private Plan Change 23 – Smales Farm | | | | | |
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| | | | | Commentary | |
| | | | | provide further traffic modelling using appropriate trip generation rates and mode share assumptions; justify the removal of background traffic from the road network and consider the modelling effects of any assumptions made in that regard; depending on the outcomes, review the provisions and the need for amendments to PPC23 accordingly | |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.8 | Parking: Provide further information and assessment to support the PPC23 parking provisions, consistent with proposed mode share and resulting traffic generation of activities; depending on the outcomes, review the need to amend PPC23 parking provisions | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.9 | Vehicle circulation and access, precinct plan 2: Provide clarification and as necessary further assessment of changes in traffic assignment to the external network resulting from the internal arrangements within Smales Farm shown in precinct plan 2; depending on the outcomes, review the provisions and need for amendments to PPC23 to provide for appropriate mitigation. | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 11 | Auckland Transport Attn: Kevin Wong Toi | Kevin.Wong-Toi@at.govt.nz | 11.10 | Timing, and staging in relation to future transport network changes: Provide further clarification and as necessary assessment of the transport effects of PPC23 without the assumed (unfunded) infrastructure improvements; clearly identify what projects and services are required and how they will be delivered; depending on the outcomes, review the provisions and need for amendments to PPC23 to address any transport effects identified. | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 12 | Sovereign Services Ltd Attn: Kristy Redfern | kristy.redfern@aia.com | 12.3 | Delete the proposed exceptions to rules in I538.6 Standards (parking; height; yards). | The Corporation generally supports the proposed amendment, to the extent it is inconsistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.3 | Amend PPC23's precinct description and objectives to better explain the planning context, precinct purpose and reasoning driving the introduction of additional land use activity opportunities and building scale. | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |

| Private Plan Change 23 – Smales Farm | | | | | | |
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| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.4 | Amend PPC23 to provide better policy support for the precinct outcomes sought, especially 'height' and the different outcomes of Areas 1 and 2; objectives and policies should inform the lower-tiered provisions. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.5 | Amend PPC23 to remove the tension between the underlying zoning of Business Park and the precinct's provisions, through changes which avoid the creation of a new 'centre' such as via activity status and scale/height of buildings (which is akin to a Metropolitan centre zone). | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.6 | Amend PPC23 to better integrate new developments with the adjacent bus station, via efficient, accessible, safe and interesting pedestrian networks that support transit-oriented development; include policies, activities, standards, criteria and other methods to achieve these outcomes and require transit-oriented development. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.7 | Amend PPC23 to achieve assessments of building form, height, bulk, scale and amenity through new or amended standards and criteria addressing a range of matters (as detailed in the submission, page 3). | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.8 | Amend PPC23 to produce a high quality environment at ground level, at the public/private interface, including avoiding residential at ground level, avoiding blank walls, requiring active frontages, providing a human-scaled edge to streets, and providing shelter for pedestrians. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.10 | Amend PPC23 to ensure the integration of developments with the land transport network, by managing adverse effects on the transport network including by controlling the types and scale of land use activities, especially those that are reliant on private motor vehicle trips and car parking spaces, and by promoting other modes of travel; recognise different trip generation of activities at different times of the day; amend objective, policies, activities, standards and assessment criteria accordingly. | Support in part | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |

| Private Plan Change 23 – Smales Farm | | | | | | |
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| Summary of Decisions Requested | | | | | | |
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| | | | | | Support/ Oppose | Commentary |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.11 | Amend PPC23 to ensure land use applications are assessed in line with clear outcomes stated in the precinct provisions – objectives, policies, standard's purpose, assessment criteria - while avoiding replication or contradiction with the Auckland Unitary Plan approach of chapter C. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.14 | Amend PPC23 to ensure a vertical alignment and 'cascading' of provisions, from precinct description and objectives down through to activity rules, assessment criteria and precinct plans. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.15 | Amend PPC23 to achieve consistency with Auckland Unitary Plan drafting conventions and to enable effective and efficient implementation of the plan change provisions and avoid uncertainty for plan users, including by such things as 'purpose' statements for standards and ensuring activities in tables relate to the relevant standards as between the precinct and the underlying zoning. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.16 | Amend PPC23 to ensure that the precinct plans clearly relate to the relevant precinct standards or provisions and conform with Auckland Unitary Plan drafting standards. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.17 | Amend PPC23 to remove reference to Auckland Unitary Plan overlay provisions, as none apply to the precinct. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.18 | Amend PPC23 to modify the changes proposed to policy H15.3 (18) of the Business Park zone to address a more limited range of residential uses for Business Park zones generally, and amend the precinct objectives and policies accordingly and the text that introduces (and follows) the precinct policies at I538.3. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.20 | Amend PPC23 to retain the Auckland Unitary Plan approach to restricted matters and assessment criteria for infringement of standards and remove duplication. The precinct should not introduce new matters and should refer to Business Park zone policies as appropriate. | Support in part | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |

| Private Plan Change 23 – Smales Farm | | | | | HMZ response | |
|--------------------------------------|---|---------------------------------------|-----------|---|--------------------|---|
| Summary of Decisions Requested | | | | | Support/ Oppose | Commentary |
| Sub# | Submitter Name | Contact Details | Sub Point | Summary of Submission | | |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.21 | Amend PPC23 to retain the Auckland Unitary Plan approach to restricted matters and assessment criteria where restricted discretionary activities are stipulated by precinct, Auckland-wide or zone provisions, and modify I538.8.1(5) and I538.8.2 (5) which are not supported in the current form. | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30 | PPC 23 is supported in so far as limited provision is made for residential activity | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30(a) | PPC 23 is supported in so far as limited provision is made for residential activity: a) support that no provision is made to enable camping grounds or retirement villages; | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30(b) | PPC 23 is supported in so far as limited provision is made for residential activity: b) support that conversion of a building or part of a building to dwellings or visitor accommodation be provided for as a restricted discretionary activity; | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30(c) | PPC 23 is supported in so far as limited provision is made for residential activity: c) support that provision is made for dwellings as a permitted activity, subject to compliance with appropriate standards (noting that new buildings are a restricted discretionary activity); | Support | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30(d) | PPC 23 is supported in so far as limited provision is made for residential activity: d) do not support provision for 'integrated residential development', 'supported residential care' or 'boarding house'; | Oppose | The Corporation generally opposes the proposed amendment, to the extent it is inconsistent with the intent of the Corporation's submission. |
| 13 | Auckland Council Attn: Celia Davison | celia.davison@aucklandcouncil.govt.nz | 13.30(e) | PPC 23 is supported in so far as limited provision is made for residential activity: e) do not support that residential activity (excluding visitor accommodation) can be established on ground floor. | Support in part | The Corporation generally supports the proposed amendment, to the extent it is consistent with the intent of the Corporation's submission. |

The following customer has submitted a Unitary Plan online further submission.

Contact details

Full name of person making a further submission: Svetla Grigorova

Organisation name:

Full name of your agent:

Email address: svetlag7@gmail.com

Contact phone number:

Postal address:
3/53 Karaka St
Takapuna
Takapuna 0622

Submission details

This is a further submission to:

Plan modification number: 23

Plan modification name: Plan Change 23 (Private): Smales Farm

Original submission details

Original submitters name and address:
Plan modification name - Plan Change 23 (Private): Smales Farm

Submission number: Plan Change 23 (Private): Smales Farm

Do you support or oppose the original submission? I or we oppose the submission

Specific parts of the original submission that your submission relates to:

Point number Zoning Breach of Auckland Unitary Plan
Point number Traffic & Road Infrastructure Impact
Point number Noise/Pollution/Health Impact
Point number The Hazardous Effects of Deep Hole Drilling
Point number Unprecedented & Out of Character for NZ
Point number Extensive Time Frame (up to 30yrs)

The reasons for my or our support or opposition are:

The Reasons for my Opposition are as follow: Zoning Breach of Auckland Unitary Plan - What is what is the point of having zones if they can be overwritten by some players while others can not do that - is this fair or discriminatory? Why can't Smales Farm just go & build their proposal on another piece of land where they won't be in any breach of any zoning (where the area is specifically allocated/designed & planned by Council for what they are after) & where it won't have such a big impact on it's local residents in the area? Traffic & Road Infrastructure Impact - present roads & public transport are already congested & time consuming during, before & after peak hours (for instance Taharoto & Northcote Rd come to a complete gridlock during peak times). The present roads, parking, public transport are not equipped to support such a huge population increase. It is unrealistic to expect & just assume that the potential residents & working parties in those proposed buildings will rely solely on public transport (public busses are already full to the limit right from the Albany Station

in Oteha Valley Rd & often can not take on more passengers at Smales during peak hours). Further on, it is unrealistic to assume that traffic will decrease by 25% by 2036 without giving any tested supported evidence (if high density, high rise buildings really resolved traffic woes then Auckland Central City should not be experiencing the daily grid-locks or any traffic issues for that matter). How are the present roads equipped to handle such heavy trucks, machines, supplies over a 30yr period of constant use due to the non-stop building project? There are also a huge number of schools in the area (8 in fact - Westlake Girls, Westlake Boys, Takapuna Normal Intermediate, Milford School, Carmel College, Rosmini College, St Joseph Catholic School, Takapuna Primary) that use the surrounding roads constantly & travel through Tahoroto & Northcote as well as they stop by through the Subway & the Convenient Store at Smales. Already traffic is hectic & under great pressure during the peak times with people getting impatient & doing illegal turns & movements where it is a great safety concern not only the pedestrians & bike riders of the general public, but also all the young students (our future generation). With heavy trucks & machinery constantly operating in the area as well as the significant increase of business & residents the risk of safety will only increase further. Overall, the present roads, parking, public transport are not equipped to support such a huge population increase plus this project causes a safety concern for the public, workers & the students of 8 schools in the area. Noise/Pollution/Health Impact, The Hazardous Effects of Deep Hole Drilling & Extensive Time Frame (up to 30yrs) – There are a number of other impacts that such a massive development will have on the residents in the area – such as increased noise, dust, dirt, deep hole drilling vibrations & fumes in the air which will be a direct result from the numerous building sites that will be going up over a 30yr period. This will result in constant pollution over a 30yr period (extensive time frame) for all the health, educational, business & private residents in the area to be exposed to. Have any studies been done about the prolonged environmental & health aspects of such a big development taking 30yrs to complete? There is a hospital, a number of retirement villages, 8 schools, other medical facilities, businesses - where quietness, privacy & sunlight is needed for these facilities to function properly without disruptions. There is the likelihood that cracks can appear on the road & on close by residential buildings in the surrounding streets due to the numerous deep hole drilling over an extensive time period of up to 30yrs – who will cover these extra costs that are the direct result of this development? Plus there are a lot a lot of family homes in the area where people need to be able to relax, rejuvenate, recharge & recover from their hard working week. North Shore Hospital serves a big area consisting of the North Shore, Waitakere & Rodney serving more than 600,000+ people. Therefore, most of the time NSH is either overcrowded or runs on 100% occupancy. Plus there has been staff shortages recorded over the years. How will this single hospital continue to serve an exploding population growth? Has the Hospital been contacted in regards to it's view & making a submission (in regards to how they will serve & cope with this exploded population in the area plus how will the ambulances function on the roads with all these proposed heavy vehicles/trucks & more cars in the area over the next 30yrs)? This extensive big development (that will go on for up to 30yrs) will have a number of negative effects as explained above on the health, education, retirement, business & residential sector in the area. Unprecedented/Out of Character for NZ – this is unprecedented development for an Auckland suburb or actually for NZ as a whole & it is totally out of character for NZ & it's way of living. This type of development with high rise, high density buildings is more suitable in a place like NY City or Hong Kong. New Zealanders & what makes NZ so special & unique is the lovely green, clean areas of parks, trees & grass that it offers around every street & every corner in pretty much any suburban area. This development has not made any & enough areas like this to offer it's residents (business & private) & it's customers (without a complete overcrowding). Let's keep NZ within it's character & lovely & green.

I or we want Auckland council to make a decision to: Disallow the whole original submission

Submission date: 28 June 2019

Attend a hearing

I or we wish to be heard in support of this submission: No

Declaration

What is your interest in the proposal? I am the person representing a relevant aspect of the public interest

Specify upon which grounds you come within this category:

I am a person from the public that is genuinely interested in the effects that such a huge development over an extensive time frame might have on the public in general.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

APPENDIX 3

CLAUSE 23 REQUEST AND APPLICANT'S RESPONSE TABLE

SMALES FARM PLAN CHANGE – RESPONSE TO CLAUSE 23 REQUESTS - 15 October 2018

| | Doc Ref | Request | Response |
|----------|----------------|---|--|
| 1 | 1 | <p>Existing situation</p> <p>Floorspace: The total floorspace area at Smales Farm at present is 58,000 m². How is this made up, and what are the various uses (businesses/tenancies and floor areas) that make up the 'ancillary' component of the 58,000m²?</p> | <p>Offices/ amenities 53,550</p> <p>Commercial services 500</p> <p>Food and beverage 1350</p> <p>Retail 400</p> <p>Childcare Centre 900</p> <p>Healthcare Centre 750</p> <p>Fitness Centre 550</p> <p>58,000 m²</p> |
| 2 | 2 | <p>Parking spaces: What is the current total of carparking spaces at Smales Farm, and how is this allocated? (offices, 'ancillary' uses, visitor and short term parking).</p> | <p>Parking supply currently 2,044 spaces, made up as follows:</p> <p>Basement/Allocated 590</p> <p>On Grade:</p> <p>Unallocated 1,026</p> <p>Time Limited 225</p> <p>Time Limited Pay & Display 58</p> <p>(of these 10 are motorbike parks and 9 are Mobility parks)</p> <p>All Day Pay & Display 145</p> |
| 3 | 3 | <p>Bicycle parking and 'end of trip facilities': What provision exists and what are the details (number of 'parking ' spaces; nature of 'end of trip facilities')? See also question 17.</p> | <p>Vodafone</p> <p>Showers 10</p> <p>Bike Parks 46</p> <p>Lockers 68</p> <p>Air NZ</p> <p>Showers 7</p> <p>Bike Parks 20</p> <p>Lockers 10</p> |

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| | | | <p>Sovereign</p> <p>Showers 6</p> <p>Bike Parks 16</p> <p>Lockers 24</p> <p>Q4</p> <p>Showers 3</p> <p>Bike Parks 12</p> <p>Lockers 6</p> <p>B:HIVE</p> <p>Showers 11</p> <p>Bike Parks 66</p> <p>Lockers 70</p> <p>Visitor cycle parking 13</p> <p>35%</p> |
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| 4 | 4 | <p>Landscaping: What is the current proportion of the site deemed to be 'landscaped area'? See the related question/s at 15. below.</p> <p>Planning AEE</p> | |
| 5 | 1 | <p>Para 1.4: Have other than 'apartments' as housing units been considered in any particular way so far in putting the plan change application together, in the light of objective (3) which refers to enabling an increase in housing choice?</p> | <p>No other housing types have been considered. It would be very inefficient to develop other forms of housing on the site. The Unitary Plan provisions promoting housing choice need to be interpreted with reference to the city as a whole, not on a per site or per zone basis. For example, the residential zones each anticipate particular housing responses but collectively promote a broad range of housing options. Apartment development at Smales Farm will increase housing choice in the southern North Shore area (in particular).</p> |
| 6 | 2 | <p>Parag 2.17 refers to crash statistics and the intersection of The Avenue with Taharoto Road. However these two roads do not intersect? Please clarify.</p> | <p>This is an error. The reference should have been to the intersection of The Boulevard and Taharoto Avenue.</p> |

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| 7 | 3 | Para 6.15, drive-through restaurants: Please explain why a drive-through restaurant should be given a "more enabling activity status" within a high quality walkable neighbourhood and in an already highly congested reading network? | Restricted discretionary status applies to drive-through activities in all of the centre zones (except the City Centre zone) and is a permitted activity in the Mixed Use and General Business zones. Whether an activity is enabled is not determined only by its planning status but is also a function of the matters over which discretion has been reserved and the factors that will be taken into account when assessing proposals. |
| 8 | 4 | Para 6.18 refers to "50m" for signage, however the activity status rule (A25) uses "30m"? | This is an error. The reference should be to 30m. |
| 9 | 5 | Para 6.20 - Please clarify whether in fact the last sentence is factually correct? ("..with the limit linked to the development of office activities"). | The statement is incorrect. The limit is linked to all development on the site. |
| 10 | 6 | Para 6.26 - where is this quote from? | This request is unclear as there is no quote in paragraph 6.26. |
| 11 | 7 | Para 8.4.4: What are the particular objectives and policies referred to? Could these be added as an appendix so the reader can more readily consider these? | The reader can readily access sections B2 and B3 of the Unitary Plan. We do not consider it necessary or particularly helpful to list these matters in an appendix. |
| 12 | 8 | Para 8.4.6 (ix): Please explain how the plan change " assists with addressing the <u>current</u> shortfall in the supply of housing in Auckland.." given that no housing units are expected until 2026 and also given the statement in para 8.3.3 on 'housing capacity'? Is this 'shortfall' expected to still be in place as at 2026? Is the 'shortfall' to be addressed just in the apartment market? | The "current" housing shortfall has existed for many years and a shortfall is likely to continue into the future. There will be a continuing need for supply to match demand over time. For that reason, the Unitary Plan has provided for intensification throughout most of the existing urban areas and has identified such extensive areas of future urban land on the periphery. |
| 13 | 9 | Para 9.1.2 contains Table 1 that indicates the staging of development. Below the table is a statement that says that 'this staging sequence is assumed for the assessment of potential effects of development'. It can be seen that this is the case on the transport report, with one step change, but could you identify how this statement is reflected in the other expert assessments? (see also LVA report page 9, second paragraph from bottom of page - "30 years " to develop). | It is implicit in all the reports that development will be staged but the assumed staging is only addressed in the reports where this is a relevant consideration. By way of example: <ul style="list-style-type: none"> • Given that commercial activities are enabled at an incremental rate, the greatest risk of adverse economic effects arises at full build out. • Visual effects will arise cumulatively over time as the buildings are constructed so the report considers the effect of full build out. |
| 14 | 10 | Table 1 does not specify the quantum and timing of the increases in ancillary floor areas and it is considered that this would be a worthwhile addition to the table, given the | It is expected that the floor area occupied by ancillary activities will be established in a step-wise manner and will not necessarily accompany the primary activities to the extent provided for in the proposed |

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| | | statement (quoted in 8. above) at the foot of the table. The table would, if this was done, identify the amount of floorspace that currently exists in the 'ancillary' category. | provisions. The essential point is that the rules provide a maximum rate of commercial development. |
| 15 | 11 | Para 10.3 states that no 'section 6' matters are relevant. However the urban design report at page 13 addresses section 6. Please explain. | In the urban design assessment Lake Pupuke is described as an outstanding natural feature and landscape but Smales Farm is not located adjacent to that landform. Accordingly, while the urban design assessment considers the possibility that section 6 matters may be relevant, in practice the proposal avoids raising such issues. |
| 16 | 12 | Para 11.1.33, plaza: How was the size of the plaza determined (400 m ²); what comparable existing environments or contexts did Smales consider in arriving at this figure? What is the expected worker and resident population at the time of there being 126,000 m ² of development - Is this both office and residential floorspace? How is the space intended to be protected from the prevailing winds? | The Sylvia Park Precinct (site size approximately 20ha) includes a requirement for a 400m ² plaza and this precedent informed the size of the plaza in the provisions. Protection from prevailing winds is a resource consent matter and, given the scale of development anticipated for Smales Farm, protection from prevailing winds is likely to be a consequence of the landowner's chosen design. |
| 17 | 13 | Page 39, para 12.1.6: What further consultation is envisaged? | Following Planning Committee approval, consultation with the Local Board and management of the nearby schools is envisaged. |
| | | Proposed plan change provisions | |
| 18 | 14 | With respect to 'residential amenity' (referred to in various places across the application documents), apart from 'outlook', the plaza and landscaping, what if any specific further provision (including building elements, facilities, or activities) would be made, either within buildings or outside buildings, to provide the high standard of residential amenity that is referred to and to achieve an "attractive place to live" especially prior to the plaza being created (objective 4)? | Many of the proposed assessment criteria address matters relevant to the attractiveness of Smales Farm for residents, including building design, landscaped open space and pedestrian amenity. The site's convenient location in terms of the transport network and its proximity to features such as the coast, sporting and recreational facilities, and major centres make it an attractive location to live and one that will be able economically to support a high quality of residential design, construction and amenity. |
| 19 | 15 | Landscaping: There is a 20% requirement. However, what exactly will constitute 'landscaping'; and is a new (or clearer) definition required? | The standard Unitary Plan definition will apply to development on the site. It is not considered that an augmented or altered definition is required or desirable. |
| 20 | 16 | How do the proposed plan change provisions (and or the concept masterplan) achieve the nature of fine grained and people oriented public realm, and corresponding 'residential amenity', envisaged? Similarly, how is this | It is considered that this question relates to the merits of the proposed plan change provisions and is not a valid cl 23 request. |

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| 21 | 17 | <p>achieved for workers at and visitors to Smales Farm?</p> <p>'Special information requirements': It is noted that it is proposed that there are none for the precinct. However, given the concerns raised about transport and traffic (David Mitchell) and the related matters of parking and cycling (including motorbikes) and the need for 'mode shifts' to address growing congestion, I ask that you comment on whether 'special information requirements' may need to be identified with respect to on-site parking numbers (including for residential units), provision for cycles and motorcycles, and provision for 'end of trip' facilities? (note: Table E27.6.2.5 Required bicycle parking rates; Table E27.6.2.6 Required end-of-trip facilities (intended for staff use).</p> | <p>This question relates to the merits of the proposed plan change provisions but it is not considered that "Special Information Requirements" are required.</p> |
| 22 | 18 | <p>'Special information requirements': It may also be appropriate to identify with each stage of development how pedestrian and cycling functionality/amenity is being altered (improved/modified) both on site and off site, given the importance of achieving and maintaining high quality transit oriented development; please comment? (proposed precinct policy 3 refers).</p> | <p>This question relates to the merits of the proposed plan change provisions but it is not considered that "Special Information Requirements" are required.</p> |
| | | <p>Economic assessment</p> | |
| | | <p>Ewen Patience Query</p> | |
| 23 | | <p>Re staged development:</p> <p>In connection with this, it would be of value to know what actual retail and other commercial uses (especially a supermarket of up to 2000 square metres) are likely* to be built and when, and perhaps even where? For instance, a supermarket (and perhaps a drive-through restaurant) adjacent to and with direct access to any of the three boundary (public) roads would be quite a different 'thing' to the same centrally located within Smales Farm, in traffic, urban design and economic terms. (* likely in the same way as the masterplan concept development is likely to be built).</p> | <p>The modelling of interim stages of development was not considered particularly relevant for the economic assessment because the proposed formula directly ensures that there will be a balance between supply and demand over time. There is little to be gained from considering effects at various interim stages. More fundamentally, this application is for a plan change, not for a resource consent. There is no detailed proposal and any attempt to predict the activities and the location of such activities with future resource consent applications would be speculative and innately unreliable.</p> |

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| 24 | <p>1 a</p> <p>Re the estimate of current employment at Smales Farm: Can Insight please provide the source information used in this estimate, including any information on the 90 organisations, and whether the persons employed by those organisations are located on the Smales Farm site (that is, are not employed by organisations based there, but normally work in other locations).</p> |
| 25 | <p>2 b</p> <p>Re the estimate of employee density: Can Insight please provide source information on which this estimate is based.</p> |
| 26 | <p>3 c</p> <p>Re the estimates of spending by Smales Farm office workers: Can Insight please provide information on the store type (6D ANZSIC is appropriate) which is assumed to apply to each of the Store/service types.</p> |
| 27 | <p>d</p> <p>Can Insight please confirm that the calculations are based on a workforce of 12,500 employees, and whether the "employee" figure equates to the entire workforce.</p> |
| 28 | <p>e</p> <p>Can Insight please confirm whether the \$ figures on expenditure, sales per sqm, etc include GST, or exclude GST.</p> |
| 29 | <p>4 f</p> <p>Re the estimates of spending by resident households on a range of "expenditure items" drawn from the HES: Can Insight please provide information on the store type (6D ANZSIC) which is assumed to apply to each of the expenditure items.</p> |
| 30 | <p>5 g</p> <p>Re the estimates of spending by resident households and by employees: Can Insight please confirm that none in the workforce is expected to be also a resident of Smales Farm. If that is not the case, can you please indicate the level of overlap which has been allowed for, and how this is dealt with in the estimates.</p> |
| | <p>This Information was provided by Smales Farm.</p> |
| | <p>This Information was provided by Smales Farm.</p> |
| | <p>The analysis is not based on this classification, and instead adopts the classification used in the study cited from the USA. That classification does not have any direct correspondence to ANZSIC, as the latter is a used only in Australia and NZ.</p> |
| | <p>Yes, that's correct.</p> |
| | <p>The figures exclude GST</p> |
| | <p>The analysis is not based on this classification, and instead adopts the product/ expenditure item classification used in the HES.</p> |
| | <p>The analysis makes no assumptions about overlap between these groups, and thus effectively treats them as independent. In practice, there will be a (relatively small) degree of overlap. However, any impacts on estimated floorspace have been fully-offset via conservative assumptions used throughout the rest of the analysis. For example, the analysis assumes no growth in average real expenditure per worker or per household over time. Usually, a default growth rate of 1% per annum is applied, which would have increased our floorspace estimates</p> |

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| 31 | 6 h | <p>Re the estimates of spending by visitors:</p> <p>Can Insight please provide information from at least 2 such centres, which are not CBD locations, to support the estimate for SF (with basic parameters as set out below in i).</p> | <p>by 35% at full build-out (i.e. in 30 years' time), all other things being equal.</p> <p>a) In 2013, Auckland Council used Marketview data to determine the proportion of metropolitan centre turnover that came from households for whom that was the closest metro centre. It showed that only 59% of metro centre turnover could be attributed to "local" households, with the other 41% leaking in from elsewhere. That report is available here - http://www.knowledgeauckland.org.nz/publication/?mid=952</p> <p>b) Similarly, other detailed analysis by Auckland Council shows that only 50% of retail spend comes from people living within 5km of retail stores, with the rest coming from households that live further away. That report is available here - http://knowledgeauckland.org.nz/publication/?mid=873</p> <p>c) Conversely, we estimated that only one-third of Smales Farm retail turnover will come from people that do not work or live onsite.</p> |
| 32 | 6 i | <p>If this information is not available from 2+ other centres, can Insight please provide supporting information for their estimate, to cover the type of visitors (at least business-related, resident-related, other), the total annual numbers of visitors, and their assumed spend levels per visitor (at least broadly comparable with the estimates for employees and households).</p> | <p>See answer to question 31 above.</p> |
| 33 | 7 j | <p>Re the estimates of spending by office workers:</p> <p>Can Insight please provide any information (apart from the US data in the report) which it has to support the level of spending on which its calculations are based. For example, this may be information from Marketview or other card-based datasets of New Zealand consumer activity, to indicate the levels of spend per worker / person employed in a business park or large (non-CBD) commercial centre (ie where the workforce has opportunity to spend in the vicinity of the workplace).</p> | <p>a) As noted in the report, Insight Economics could not find any reliable NZ information and instead relied on the US report. However, as per footnote 19 of our report, we did find another recent report from Sydney. It is available here: https://www.northsydney.nsw.gov.au/files/6b1d7a38-7835-41b9-86c4-a20000cf52ba/North</p> <p>b) This report provides estimates of weekly spend per worker that are 68% higher than were used in our analysis.</p> <p>c) It should also be noted that the analysis ignores any potential onsite spending by workers in non-office GFA.</p> |

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| <p>34</p> <p>8 k</p> | <p>Re the estimate of average spending per Auckland household: Can Insight please confirm that the household spending estimates are based on the assumption that resident households on Smales Farm will be (on average) the same as Auckland as a whole, including household size, household income, and household spending patterns).</p> | <p>That is correct. While future households at SF may be smaller in size than the current regional average, there is a trend towards households living in smaller dwellings than they do now. In addition, future SF households are expected to have higher personal incomes than the regional average, which has an offsetting impact on spending. Finally, as noted above, the analysis assumes no growth in spend per household over time. Collectively, in the view of Insight Economics, these conservative assumptions more than offset the impacts of smaller average household sizes.</p> |
| <p>35</p> <p>9</p> | <p>Insight has assumed that Smales Farm retail capacity will be more or less self-sufficient (s 6.3.4) in that all demand for the 16,500 sqm of retail floorspace will be to meet demand from workers, households and visitors to the centre <i>“Thus, our estimate of likely future demand is just above the level of enabled future supply”</i>(p25). The implication is that none of the custom for the Smales Farm development is drawn from other than Smales Farm itself.</p> | <p>That is not technically correct. The analysis assumes that one-quarter of total turnover is attributed to visitors.</p> |
| <p>36</p> <p>l</p> | <p>Has Insight undertaken any sensitivity assessment, to consider possible effects for Metropolitan centres and town centres - notably Takapuna (1.6km distant), Milford (1.9km), Northcote (2.0km) – if the assumed spending by household, workers and visitors is less than estimated by Insight, and the 16,500 sqm retail mass attracts more custom than is assumed from surrounding areas, and which would otherwise go to the other centres.</p> | <p>a) This was not considered necessary. As per section 5.9.4 of the report: <i>“The precinct provisions have been designed so that retail and commercial services increase only gradually along with the rest of the development. Specifically, the rules allow only an extra 500m² of retail and commercial services floorspace per every additional 10,000m² of total GFA over and above a certain threshold. This precludes the possibility of a significant retail precinct occurring ahead of local demand, and instead ensures that supply and demand increase in tandem. In addition, the rules preclude the development of large retail stores. For example, a 2,000m² store could only be built if it formed part of a much larger (40,000m²) building.”</i></p> <p>b) Further, it is noted that the analysis envisaged significant net outflows of retail spending from SF workers and households. Specifically, the analysis estimated retail inflows of \$22m vs outflows of \$64m. Thus, it assumed that about \$3 would flow out from SF for every \$1 that flowed in. If SF retailers capture a lower proportion of onsite spending that we estimated, then this net outflow will be even higher. It is therefore</p> |

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| | | | considered that the orderly and staged development of SF will support, not challenge, other nearby centres. |
| 37 | 10 m | Re the suggestion that the apartments if developed at Smales farm will assist housing affordability (s 4.6, p15): Does Insight have any estimates of apartment prices on Smales Farm which may support that view. | Insight Economics does not have any estimates of apartment prices. However, as noted on page 15 of the report, a recent Colliers report showed that the median sales price of apartments in Auckland last year was less than the median sales price of vacant sections. More broadly, adding to supply at any level of the market will help to reduce upward pressure on prices overall. |
| 38 | 11 n | Re the suggestion that the retail space will be developed broadly in line with the office space (s 6.3.4): Does Insight have any estimated time line for the overall Smales Farm development. | It is anticipated that the development will occur over (roughly) a 30-year period. The Unitary Plan is enabling however and it is not lawful, necessary or desirable to require private development to occur within a pre-determined time frame. |
| | | Urban design assessment | |
| | | Ewen Patience Queries | |
| 39 | 19 | On Figures 3 and 4, Part 2 of the package, the following 'masterplan' graphic appears (bottom left corner). The full size of this plan view does not appear in the package and would be a useful addition. Is there some reason this has not appeared to date? | The graphic is a key plan. |
| 40 | 20 | In Part 5 of the graphics package there are various graphics that do not contain corresponding impressions of the Smales Farm concept masterplan development. If these views are significant enough to be included, why do they not have the corresponding 'after' images? If these are not to be included, it would seem appropriate to delete these images - please comment. | The graphics referred to provide context. It is not intended that they be the subject of "after" images. This is a standard approach and was agreed with Rebecca Skidmore. |
| 41 | 21 | Please explain why there are not shadowing diagrams at all, notwithstanding that shadowing is an issue to be addressed in future assessments. Given the tall buildings which are likely to cast shadows over residential properties, that are in turn expected to see future redevelopments, why are at least basic shadowing graphics not included? It is noted also that | Shadowing will be addressed in resource consent applications for individual buildings. The effect of any shadowing will be a consequence of the number, size, height and location of structures and the location and sensitivity of the receiving audience. It is not feasible to predict those matters at this stage. The plan change imposes a resource |

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| | | the concept masterplan is but one possible outcome and various other very tall structures could be proposed for other locations within the precinct (refer also to 22. that follows). | consenting process for the structures and specifies the need to address shadowing in that context. |
| 42 | 22 | Height profile lines, Part 2 Figures 3 & 4: These don't show the full extent of the possible high buildings. If 75m plus are not envisaged in this 'zone (near the roads) then why does Precinct Plan 1 (height) provide for such heights here? | These figures show the Concept Masterplan. It is not possible to show all the potential development scenarios. |
| 43 | 23 | Has any consideration been given to the desirability and possibility of relocating the stormwater facilities (ponds) that are close to the bus station in order to facilitate development close to the station, to promote the various TOD principles that support a close functional relationship between 'transit' and development, including pedestrian amenity, both day and night? (the Stormwater - Healthy Waters comment 3 that these ponds "will be upgraded as the site is progressively developed" is noted, which reflects AEE paragraph 9.2.2). | The plan change does not govern or restrict the location of stormwater ponds. The documentation provided demonstrates that there is capacity on site to accommodate that infrastructure without asserting that the selected location is the only available option. This matter will inevitably be considered in the context of future development proposals but the whole site is close to the bus station so it is not considered that the location of the stormwater ponds will have any substantive effect on the ability to develop a TOD. |
| | | Rebecca Skidmore Memo | |
| 44 | 4 | Part 2, Figures 1 and 2 - it would be helpful to annotate the concept masterplan with the maximum height (RL) of each building. | The maximum height of each building has been shown on Figure 2 (attached). |
| 45 | 5 | Part 2 - it would be helpful to include the Concept Masterplan (contained in Figure 1), with the Precinct Plan 1 and 2 overlaid | The Concept Masterplan has been overlaid on Precinct Plans 1 and 2 – refer to Part 3 Figure 3 and Figure 4 attached. |
| 46 | 6 | Part 4 - what height has been used for the envelope for central Takapuna and the rationale for this? | In parts of Takapuna the height of buildings is governed by FAR and HIRB controls only. The height shown in those areas is 150m. It is considered that, with amalgamation of sites, buildings taller than Sentinel (at 118m) could be developed. |
| 47 | 8 | In a number of places, the Urban Design Assessment report describes the vision for Smales Farm to transition from its currently relatively low intensity, single use focus as a suburban business park to a vibrant, mixed use transit-oriented development. The report sets out 6 principles to successfully achieve Transit Oriented Developments ("TODs"), drawn from Translink British Columbia Design Guidelines for Transit Oriented Communities. Drawing on these principles, Section 12 | This is not considered to be a valid cl 23 request but the applicant is considering the suggestion and may address it through the plan change process. |

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| | | sets out a number of desired urban design outcomes. It would be helpful for the Precinct description to be expanded to capture the principles and how these translate to the desirable urban design outcomes described. | |
| 48 | 9 | While it is understood that the Plan Change provisions enable a range of different development scenarios, a concept masterplan is included in the package of provisions and modelling of this scenario has been used to assist the assessments. It would be helpful to provide some analysis of the concept plan and how it meets the TOD principles and desirable urban design outcomes described. From a review of the information provided, the configuration of building forms with a series of curved, widely spaced (at street level), stand-alone building elements is not conducive to the creation of a well-defined public realm that is pedestrian and cycle friendly (See Principle 3 and the diagram contained in Figure 5 of the report). The layout does not locate the highest density of development adjacent to the transit station (Principle 4). | This is not considered to be a valid cl 23 request but the applicant is considering the suggestion regarding analysis of the concept masterplan and may address it through evidence. The observations regarding site layout are noted. |
| 49 | 10 | I note that the proposed Precinct provisions, enables 'drive through restaurants' as a restricted discretionary activity and large supermarkets (greater than 2,000m ²) as a discretionary activity. The vehicle focussed nature of these activities is incongruous with the pedestrian and transit focus of a TOD. Further urban design analysis should be provided regarding the appropriateness of providing for these activities within the precinct and the desirable urban design outcomes sought. | This item relates to the merits of the proposed plan change provisions. Any proposal to develop a supermarket or drive through restaurant will need to be assessed in terms of the plan change provisions. An appropriately designed proposal may warrant grant of consent whereas a less satisfactory design may be declined consent. The appropriate time to assess such matters is during that consenting process. |
| 50 | 11 | The precinct provisions require the provision of a pedestrian plaza no later than the completion of 125,000m ² GFA with the general location identified on Precinct Plan 2. A number of requirements for the plaza are set out, including a minimum area of 400m ² . It would be helpful to provide some rationale for this minimum size, using benchmarking with established successful pedestrian plazas. The structuring elements diagram depicts the plaza located in the vicinity of the intersection of the structuring axes/key pedestrian linkages. There is no requirement for the plaza to open to and directly front these | This matter will be addressed in evidence. Refer also to Item 16 above. |

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| | | axes. Consideration should be given to the need to include additional locational guidance in the precinct provisions. | |
| 51 | 12 | Pedestrian and cycle connectivity and amenity are important considerations for the creation of a successful TOD. Precinct Plan 2 identifies the primary structuring axes/linkages through the Site. However, the package of provisions, contains little to determine the way activities are distributed and buildings are configured and designed to recognise the primacy of these axes. Further consideration should be given to the adequacy of the package of provisions to deliver the desirable urban design outcomes described in the report. | This item relates to the merits of the proposed plan change provisions and is not considered to be a valid cl 23 request. |
| 52 | 13 | The Precinct provisions include a number of additional/different standards from the Business Park zone standards, including different standards for building height, additional standards for maximum tower dimensions and tower separation, and provision for a pedestrian plaza. It would be helpful to include a "Purpose" section for these standards. | This is a helpful suggestion but is not considered to be a valid cl 23 request. |
| 53 | 14 | Clause (2) of the Building Height standard (1538.6.4) is not clear. It could be read that each building can have a total footprint up to 3,000m ² above RL98.4, rather than the cumulative total footprint for the Precinct above this level being limited to 3,000m ² | We confirm that it is not the intention that each building above RL98.4 can have a footprint of up to 3,000m ² . Rather, the rule is intended to limit the cumulative total footprint for the Precinct above this level to a maximum of 3,000m ² . The rule has gone through a number of iterations and it is considered that it can be applied unambiguously without further amendment. |
| | | Landscape assessment | |
| | | Ewen Patience Queries | |
| 54 | 1 | In the second to last paragraph on page 9, there is an important statement about the timeframe over which development will occur and that this needs to be taken into account when reviewing the visual simulations. Please explain how the reader is supposed to visualise these changes? Are there graphics that could be provided that demonstrate the likely appearance at 2026 and at 2036? This would align with the statement in the planning AEE (para 9.1.2) that the 'staging sequence' of floorspace in Table 1 "is assumed for the assessment of potential effects of | The statement is pointing out that the development depicted will take place over time. More fundamentally, this application is for a plan change, not for a resource consent. There is no detailed proposal and the manner or order in which the site will develop cannot be determined at this stage. The visual effects of any particular proposal will be assessed at the time consent is sought. In any event, the most significant visual effects will arise when the site has been built out in full so that is the stage most usefully considered in the current application. |

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| | | development". Presumably this includes visual and landscape effects. | |
| 55 | 2 | In section 7.2 the second paragraph does not seem to make sense (words missing at the end). Please explain or clarify? | The sentence would benefit from the insertion of a comma after "ONF's" as follows: "In relation to ONF's, policies focus on ..." |
| 56 | 3 | In section 6.5 the third and fifth bullet points seem to need further words added, so as to read consistently with the other bullets: i.e. they need to continue at the end with " <i>which will...</i> "? Do you think further words would add clarity and or consistency here? | We have reviewed the sections identified and don't consider that additional words are necessary. |
| 57 | 4 | Section 6.4, i. Foreground views, end of first bullet: There is not in this report any justification (or positive argument) for the " <i>landmark character tall corner building</i> " referred to? If the case for this building is made out elsewhere (in the Urban Design assessment) then it would be useful for this to be cross-referenced, given that this is the tallest and most prominent building so close to a significant passing audience? Alternatively, please provide a separate statement or assessment as to why a significant 'landmark' building is appropriate at this location. | The description relates to a building shown on the Concept Masterplan, i.e. it is just conceptual. If it is not appropriate then the application for resource consent for that building would be declined. |
| 58 | 5 | Section 6.5: Please comment as to whether the third to last paragraph in 6.5 contradicts itself. The first sentence finishes with what seems to be an 'effects' summary statement - " <i>.in the Plan Change will generally be Neutral</i> ". But then the paragraph goes on to refer to both Moderate Adverse effects in two specific situations? It is difficult to know what the summation is, and 'neutral' does not seem to be appropriate given the other statements referred to. | We have reviewed this paragraph and do not consider that it is contradictory. The first part refers to adverse visual effects overall, while the later sentences refer to views from specific nearby locations. |
| | | Transportation | |
| | | Parking | |
| | | <u>HG Memo</u> | |
| 59 | 8 | The Smales 1 Precinct provisions sets out prescribed caps for on-site parking linked to increasing levels of GFA. As noted in the AEE, there is no intention to review the formula used in regard to parking for the commercial / non-residential activities. | There is no requirement for parking to be provided for residential activity in the Metropolitan Centre, Town Centre, Local Centre, Mixed Use of |

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| | <p>Please provide comment on how parking will be managed for the residential activities to increase multi-modal trips, reduce private vehicle demand and any measures to avoid people simply parking on the road?</p> | <p>THAB zones. It is not proposed that Smales Farm be treated any differently.</p> <p>It is considered that the most significant factor in encouraging modal shift for residential occupants of Smales Farm will be the site's location alongside key educational and healthcare facilities, within the city, and alongside the busway. As a consequence, there are efficient and convenient alternative (non-private vehicle) means of travel to major facilities, the CBD, Takapuna and Albany. Management of parking is not needed to generate such advantages.</p> <p>The fact that residents will be able to park private vehicles at Smales Farm does not mean that they will use them for trips that are well suited to other modes (eg: bus, walking or cycling).</p> <p>The applicant expects Auckland Transport to manage parking on the public road network to the extent needed. Parking on the Smales Road internal road network will be managed by the applicant to the extent necessary to avoid carparking issues arising.</p> |
| <p>60</p> | <p>The assessment of parking should also address whether the proposed approach to providing and managing the non-residential on-site parking is appropriate given the broader range of non-residential activities being provided in the proposal e.g. entertainment facilities, supermarkets and drive-through facilities? Does the existing parking formula need to be revised to reduce the available commercial parking for the remainder of the commercial development within Smales Farm?</p> | <p>This item relates to the merits of the proposed plan change provisions and is not considered to be a valid s23 request. However, it is not intended that the existing parking formula be adjusted.</p> |
| | <p>Modal share in the wider Auckland context</p> | |
| <p>61</p> | <p>Section 3.4.2 of the ITA comments on mode share in the Auckland context and identifies that "According to these zones, Smales Farm is an Inner Urban area." It would be useful to separate "Inner urban" grouping into separate "North Shore" & "Isthmus", as it is expected that there will be significantly different mode share between the CBD and Smales Farm area. Any comment on the quantum or variation in mode share use would be useful.</p> | <p>This is not considered to be a valid cl 23 request. However, the application is concerned with the potential for modal shift at Smales Farm, and does not attempt to address that issue for other parts of the city.</p> |

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| 62 | 11 | <p>It could be more useful to assess and compare against the mode share for similar types of office based employment activities / business parks with varying levels of accessibility to public transport e.g. Newmarket, Great South Road, as well as other TOD areas, rather than against aggregated zones</p> | <p>This is not considered to be a valid cl 23 request. However, the application is concerned with the potential for modal shift at Smales Farm, and does not attempt to address that issue for other parts of the city.</p> |
| 63 | 12 | <p>The ITA compares Smales Farm to the Auckland CBD in terms of scale of activities and focus of the roading network. Within the CBD there is a significant change to PT focus, which isn't happening on the surrounding roads and areas to Smales Farm. The Auckland CBD has limited parking and have much more extensive access to rail and ferry (plus taxi hubs), not just cyclists. How would adding residential without changing the existing parking rules support modal shift?</p> | <p>This query relates to the merits of the proposal. However, the co-location of the residential activity with the Smales Farm office development, adjacent to the major employment focus at and around North Shore Hospital, and adjacent to the Smales Farm bus station (which provides convenient access to the employment and entertainment in the CBD, Takapuna and Albany) will all support modal shift.</p> |
| 64 | 13 | <p>Public transport</p> <p>We note that New Network was not considered in the assessment. Please provide comment on the effect of the New Network in terms of Smales Farm accesses and wider network operation in the area. The ITA does not address whether buses are likely to be further delayed with increased traffic volumes to and from the site and whether any mitigation is needed. Comment on this is required.</p> | <p>The new network was considered in the assessment (3.1.1). The network has been modelled on the basis that traffic volumes don't change. (This methodology was agreed and endorsed in advance by the Auckland Forecasting Centre, and subsequently Auckland Transport and NZTA.) Buses will therefore not be further delayed. In any event, the plan change is consistent with the Unitary Plan strategy of urban intensification which was supported by Council because its long term advantages in efficiency outweighed short term adverse effects arising from congestion.</p> |
| 65 | 14 | <p>Private Vehicles and TOD</p> <p>Section 5.2.2.3 of the ITA identifies that the "Number of private vehicles serving TOD will be lower than similarly-sized non-TOD". This statement needs to be supported by evidence/comparator examples (e.g. New Lynn, Manukau), including numbers of parking vs trip generation. The applicant should define what the TOD principles are that would make this a TOD. It also needs to account for the fact that other TOD's, such as the ones listed, have bus and rail access, whereas Smales Farm has access to buses only.</p> | <p>This item relates to the merits of the proposal and is not considered to be a valid cl 23 request.</p> |

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| 66 | 15 | <p>Section 5.2.3.1 Reduced congestion. Given no change to office floor area proposed, congestion would only be increased, particularly during peak periods. Please provide comment on how increasing vehicle trips from the site during peak periods can reduce congestion?</p> <p>Smart Transport</p> | <p>It is not asserted that increasing vehicle trips during peak periods will reduce congestion.</p> |
| 67 | 16 | <p>Section 6.5 of the ITA- Smart Transport - doesn't existing congestion encourage modal shift to an employment area anyway? Adding trips to the network wouldn't necessarily change this.</p> | <p>It is considered that this is not a valid cl 23 request but the matter will be addressed at a hearing, if necessary.</p> |
| 68 | 17 | <p>We agree that some work trips and non-employment trips would be internalised. Can the applicant comment on what these numbers could be (based on other TOD's)?</p> <p>Wider residential development</p> | <p>Data to address this matter is not available or relevant to the assessment of the proposal at this stage.</p> |
| 69 | 18 | <p>Section 7.1 of the ITA notes that the extent that intensive residential development proposed for this site might delay the need for residential development beyond the extent of existing urban areas, thereby delaying the introduction of the much less efficient travel implications associated with that more remote development. While this is a possibility, the scale of the development (in regional terms) is small. The modelled area is also quite small and localised and we would appreciate comment on any wider network effects from the regional model as a result of introducing this additional residential traffic. Is the effect of the development largely localised within the modelled area?</p> <p>Inconsistent trip generation</p> | <p>It is the aggregate of a number of developments that is relevant, not development on individual sites. Development at Smales Farm will contribute to the achievement of the relevant RPS objectives and policies in B2. In any event this item relates to the merits of the proposal and does not seek information necessary to understand the effects of the proposal. It is not a valid cl 23 request.</p> |
| 70 | 19 | <p>ITA Section 7.4.1 identifies 446 inbound trips and 260 outbound trips from the Shakespeare access during the AM peak period. It assumes none of the 260 AM peak outbound trips are from commercial related trips. This is not realistic. The distribution is;</p> <ul style="list-style-type: none"> • 260 drop off trips (so 260 in and 260 out • 50 inbound trips (school) | <p>This item is not a request for information.</p> |

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| 71 | 20 | <ul style="list-style-type: none"> 136 Smales Farm inbound trips <p>The ITA also notes that the total site trips are 908 during the AM peak and 719 during the PM peak; are these total site trips removing the school trips, or an inclusive figure? Assuming it is total, and no other drop off trips come through other site accesses (which is also unlikely), then the Smales Farm AM trips are only 348 (908-560) for a total floor area of 58,000m². This result in a trip rate of 0.6 trips per 100m² GFA.</p> | <p>The 908 AM trips and 719 PM trips are for the Smales Farm site only. Traffic for other activities was maintained in the model and, as such, volumes through the site accesses will include some trips not related to Smales Farm activities.</p> <p>It is unclear where the 560 value in the query was obtained. Regardless, the proposed trip rate of 0.6 trip per 100sqm is less than half of what has been adopted in the modelling, therefore confirming that modelling is conservative.</p> |
| 72 | 21 | <p>If the generation rate for the commercial area has been calculated using these overall rates (so if school traffic is not removed) please provide comment on the validity of the generation rate used in the analysis. Also please comment on this rate as it relates to industry accepted best practice such as the RMS (former RTA) (Daily vehicle trips = 10 per 100 m² gross floor area and evening peak hour vehicle trips = 2 per 100 m² gross floor area) guide, which has higher commercial trip generation calculations. Comment on why there would be such a difference in this situation?</p> | <p>The trip rates for the existing commercial activity are considered to be more appropriate than using typical trip rates provided in the RMS Guide. The reason that the surveyed rates are lower than the typical rates can be attributed to excellent nearby public transport connections.</p> |
| 73 | 22 | <p>Please also provide comment on the evening peak assumed trips from the school as these will occur earlier than the commuter peak. Has separate traffic counting been done from the school during the evening commuter peak? As an example, currently the evening peak has 133 inbound trips assumed to relate to school and bus pick up, plus another 30 for the school, leaving 124 trips (133+30+124=287) for the business park. The total trips for the evening peak related to the business park should therefore 719 total for the site, less 163, which will result in a substantially different trip rate than the one reported in the ITA. Could the Applicant please comment on the trip rates excluding the effect of school and bus pick-up and drop-off.</p> | <p>The assumed school related traffic in the evening peak was based on the observed volumes that occurred during the commuter peak. Therefore, the school trips in the evening peak are those that occurred during the evening peak and not during the peak hour of generation for the school.</p> <p>The 133 inbound and 287 outbound trips were for the Shakespeare Road access only and did not include the other accesses. To clarify, there are 719 trips related to the Smales Farm activities during the evening peak across the three accesses resulting in a trip rate of 1.24 per 100sqm. Additional trips were included in the model to represent school and bus traffic.</p> |
| | | <p>Road safety</p> | |

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| 74 | 23 | The crash record for Taharoto/Northcote appears to be missing. Could the applicant please provide this along with any comment on the crash pattern? | These records do not relate to an access to the site and are not relevant to the ITA. |
| 75 | 24 | Section 5.2.3. 3 of the ITA notes that TOD streets are safer than normal streets. No evidence has been provided to confirm that TOD streets are safer. What design principles are proposed to support the provision of safer streets and what level of reduction to crashes is expected? | This matter is addressed by assessment criteria. |
| | | Shea terrace | |
| 76 | 25 | Section 8.3.3 of ITA identifies that a one-way system on Shea and Mary Poynton Crescent is modelled as an option to mitigate effects. Affected stakeholders include Hospital and AT. Please advise what consultation has been carried out with these organisation? Also, if this is not implemented, what are the effects on the network assuming the existing configuration. | Discussions have been held with the WDH on access to the hospital site but there is little difference in terms of traffic effects between the options. |
| | | Background traffic reductions | |
| 77 | 26 | Section 8.5 relates to a reduction in existing traffic volumes due to an uptake in public transport. The ITA assumes a 25% reduction in turning flows from Taharoto road into Northcote Road. Can the applicant please provide some justification for this, particularly considering the background growth which is assumed in the wider modelling undertaken? It would seem unlikely that any reduction would occur in overall volumes for future year scenarios. | This item relates to the merits of the proposal and is not considered to be a valid cl 23 request. However, the matter is fully addressed in the ITA. It appears that the Council consultant disagrees with the analysis of and approach taken by the applicant's consultant (which was agreed and endorsed in advance by the Auckland Forecasting Centre, and subsequently Auckland Transport and NZTA). |
| | | Walking and cycling | |
| 78 | 27 | The walking/cycling environment to/from the development to other land uses is not addressed. The location as a standalone island between SH1, Wairau/Taharoto and Northcote Road results in a poor walking/cycling environment. Future cycling routes do not connect to Smales well (still multiple stage crossings, slip lanes etc.). There is also little walking and cycling connectivity to surrounding land uses - e.g. nearest supermarkets -1km away, Milford Centre | External measures are the responsibility of Auckland Transport and the network of cycleways is steadily increasing. Smales Farm is currently a major employment centre and adjacent to other major educational and healthcare facilities. It is for Auckland Transport to identify and promote appropriate improvements to the pedestrian and cycling network, not the applicant as a private landowner. Retail activities are intended to primarily address demand from within the site and it for that reason that |

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| | | at 1.5km, Takapuna 2km. Could the applicant please comment on measures required to encourage walking and cycling trips, the implications of increased retail activities on site in terms of external walking and cycling, and how external measures could reduce the use of car traffic for everyday journeys. | their extent is tied to the development of Smales Farm office and residential development. |
| 79 | 29 | Despite having modelled the network, there are still potentially significant effects on the network. How will the findings of the ITA be incorporated into the Precinct provisions and measures needed (irrespective of how these would be provided) to mitigate the effects and allow for changes to the network resulting from other developments or addition of (for example) bus lanes? | No further modifications to the precinct provisions are proposed. The issue raised will be addressed at a hearing, if necessary. |
| 80 | 31 | Re drive through restaurants: There would seem to be little difference between these activities and others such as service stations, which are proposed to be non-complying. We would welcome the applicant's comment on the expected usage of the retail (including supermarkets)/ restaurant/ entertainment activities in relation to internal/external trip generation, and possible impacts on the network. How would the anticipated TOD benefits be off-set by the introduction of high trip generating activities e.g. supermarkets, drive through restaurants? | The effects of activities such as larger supermarkets and drive-through restaurants would be assessed through resource consent applications (for discretionary and restricted discretionary activities, respectively). A small-scale supermarket would address on-site demand and TOD benefits would not be diminished. |
| 81 | 32 | Depending on the response, also comment on the alignment with the policy to - "(2) Limit accessory activities to those which meet the immediate needs of office workers and visitors to Smales Farm." | It is considered that the proposed activity status reflects the policy. |
| | | AEE section 6.18 | |
| 82 | 33 | This section proposes that "Comprehensive development signage more than 50m from the Site's road frontages are identified as permitted activities because, at that distance, they are unlikely to have an effect on visual amenity or traffic safety, which are the primary matters of concern under the standard provisions relating to signs in the Unitary plan." Without a specific proposal to assess, it would seem difficult to make this blanket statement | Smales Farm is a large site and signage within the property that is some distance from the boundaries is unlikely to affect road safety. This request relates to the merits of the proposal and the matter will be addressed at a hearing, if necessary. |

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| | given the often site specific issues around signage. Would the applicant please comment on rules around how to ensure that safety is not impacted by any new comprehensive signage? | | |
| | Engineering aspects | | |
| | Stormwater – Healthy Waters Team | | |
| 83 | <p>From a stormwater management perspective (in support of the proposed plan change), these measures stated in the Civil Engineering Assessment report are adequate but need to be reinforced by the following statement:</p> <ul style="list-style-type: none"> • Where OLFP are proposed along roads, adherence to Auckland Transport's health and safety requirements as well as Auckland Transport approvals are required. • Assessment of effects on adjacent properties including upstream and downstream effects should be assessed across the six (6) storm events: 2-year, 5-year, 10-year, 20-year, 50-year and 100-year ARIs and not just for the 100-year ARI event as stated in Section 4 of the Civil Engineering Assessment report. | Noted – it is considered that this is a resource consent matter. | |
| | Water and Wastewater - Watercare | | |
| 84 | <p><u>General</u></p> <p>I would expect to see a staging plan that shows demand on the network by stage and approximate timing.</p> | Services infrastructure demand will be addressed with resource consent applications for individual buildings. It is noted that no such analysis was required or provided in relation to the extensive intensification proposed by Council through the Unitary Plan process. | |
| 85 | <p><u>Wastewater</u></p> <p>They need to use Watercare's Code of Practice to develop design flows. While overseas information may be a useful comparator, we wouldn't accept using those numbers for their calculation.</p> | Noted. The WSL CoP flows are addressed in Section 3.3 of the Civil Engineering Assessment. | |

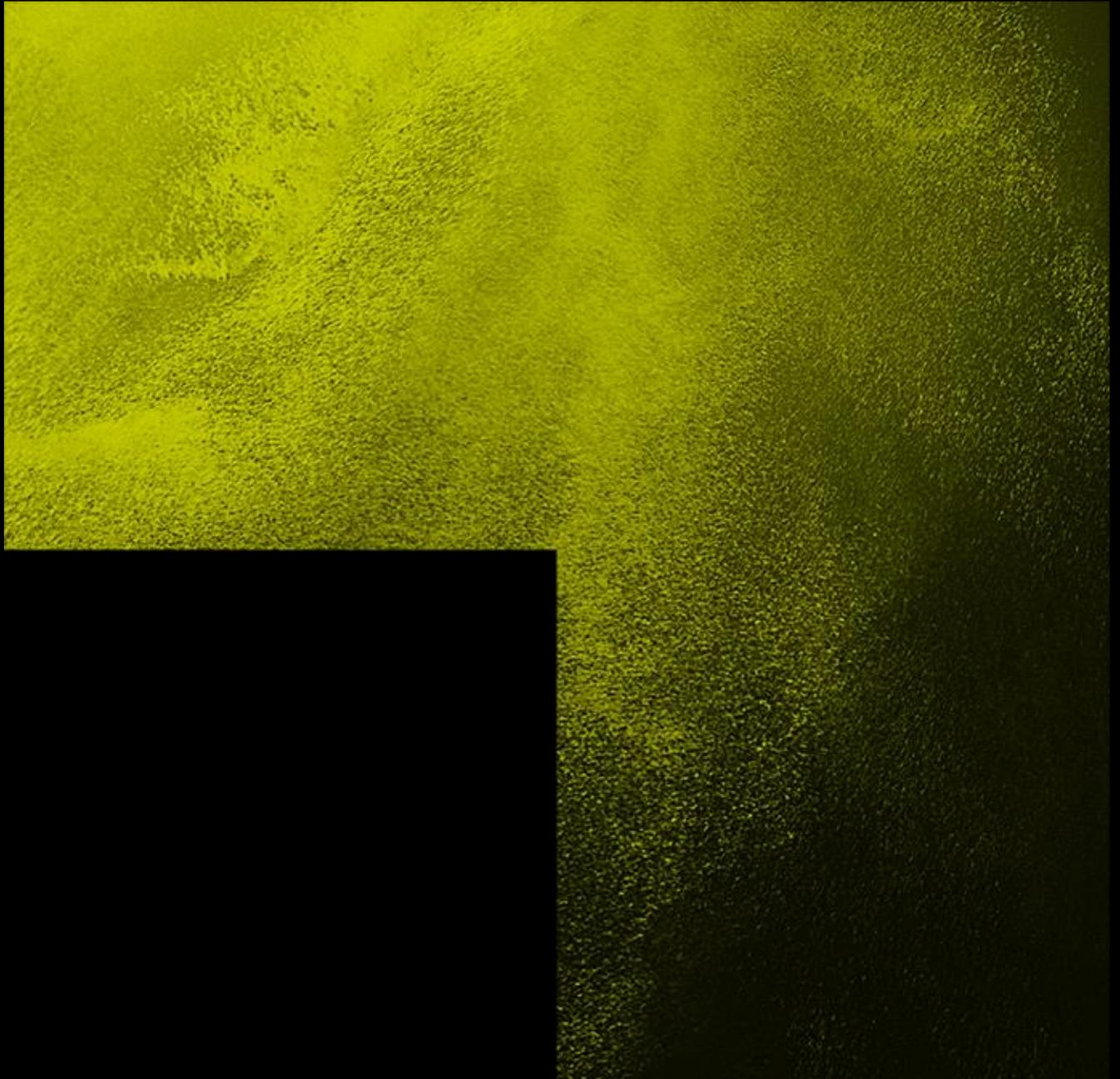
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| 86 | 3 | The applicant may benefit from using Watercare's new Code of Practice as that provides more options for multi-story buildings. | Noted. Detailed calculations of estimated flows will be provided with each resource consent application for the staged development. |
| 87 | 4 | The applicant makes the comment that " <i>Based on the size of the development and existing and planned public water and wastewater infrastructure surrounding the site, this detailed modelling would need to be undertaken internally by WSL.</i> " That is incorrect and the consultant was advised of this prior to the report. | Riley Consultants has undertaken additional calculations of the capacity of the 300 dia public wastewater line that services the site. Based on GIS information, the capacity of the public line is estimated to be 100l/sec. As the peak flows of the proposed development are estimated to be 63l/sec, the public line has capacity to convey the proposed development flows. |
| 88 | 5 | Our expectation is that at a minimum, the applicant needs to do a static assessment of the capacity constraints in the network. This is not provided. If modelling work is required (and it would be useful in the case), the applicant can engage one of Watercare's design consultants to undertake the modelling. (Note, that we can organise this for, but this work will be at their cost.). They will need to show where there are capacity constraints, what infrastructure would trigger upgrades, and indicate when (based on the staging plan), and who will fund these upgrades. | Refer to Item 87 above. |
| 89 | 6 | <u>Water supply</u> Same comments as wastewater. | A detailed assessment will be carried out with each resource consent application for a development stage. |
| | | Signs and temporary activities | |
| 90 | a | In order to evaluate the appropriateness of the permitted activity status of these activities, please advise: What if any significant signs are envisaged that would be within 30m of the road frontages and what activity status would apply? | The extent of signage is unknown at this stage. The activity status for signs within 30m of a road frontage would be restricted discretionary under the Unitary Plan if a sign meets the definition of Comprehensive Development Signage. Otherwise, the Signs Bylaw would apply. |
| 91 | b | What if any significant signs are envisaged that would be further than 30m from road frontages and also visible from the roads or areas well beyond Smales Farm? A concern is for what if any height or size limitations might need to apply to large signs that are also very high and visible from | The extent of signage is unknown at this stage. |

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| 92 | c | <p>long distances from Smales Farm; for example hotel signage.</p> <p>What 'temporary activities' have (ever) occurred at Smales Farm and what if any significant new activities are envisaged (provide details - nature, duration, hours of operation)?</p> | | <p>It is considered that this item relates to the merits of the proposal and is not a valid cl 23 request. However, community based events are frequently held at Smales Farm and the large site enables them to be held with no, or minimal, off-site effects. The proposed activity status would also enable, for example, a Christmas tree to be erected on the site without the need to apply for a resource consent (which was required in 2016).</p> |
| 93 | d | <p>What 'noise events' have (ever) occurred at Smales Farm, and what if any significant new activities are envisaged (provide details)?</p> | | <p>It is considered that this item relates to the merits of the proposal and is not a valid cl 23 request. However, the intention of the provision is to apply the same rules for noise events at Smales farm as apply to such events in public places.</p> |

APPENDIX 4
COUNCIL'S SPECIALIST REPORTS

**SMALES FARM
PRIVATE PLAN
CHANGE**

Auckland Council





DOCUMENT CONTROL RECORD

CLIENT Auckland Council
PROJECT Smales Farm Private Plan Change
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HG DOCUMENT NO.
DOCUMENT

ISSUE AND REVISION RECORD

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APPENDICES

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| Appendix 1 | Detailed Commentary on Submissions |
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DRAWINGS

No table of contents entries found.

1.0 INTRODUCTION

1. Harrison Grierson Consultants Ltd. (HG) has been commissioned by Auckland Council (Council) to undertake a review of traffic-related issues regarding the proposed Plan Change for the area known as the Smales Farm Business Park. The applicant is seeking to make changes to the provisions of the Auckland Unitary Plan – Operative in Part ('Unitary Plan'). The proposed changes are to support the development of Smales Farm as a Transit Oriented Development ('TOD').
2. In summary, the amendments to the Unitary Plan sought are as follows:
 - Two policies in *H15 Business Park Zone*; and
 - the introduction of new provisions and precinct plans in *I538 Smales 1 Precinct*.
3. Details of the proposed changes are set out in Section 5.0 of this report.
4. The purpose of this review is to undertake an assessment of the traffic-related issues of the proposed changes, specifically:
 - the Integrated Traffic Assessment ('ITA') submitted to support the application; and
 - provide comment and suggested changes to the amendments sought to the Unitary Plan.
5. With regard to the proposed changes to the above provisions in the Unitary Plan, the following would inform our conclusions and recommendations:
 - The traffic effects as analysed and set out in the ITA;
 - A review of the principles of a TOD;
 - Issues raised by submitters to the proposed Plan Change.
6. This report will either:
 - suggest changes to the relevant text; or
 - if any suggested changes are not within the sphere of our expertise, recommend the intent of the outcome of our analysis and review.
7. In the Unitary Plan, the site that is the Smales Farm Business Park is referred to as 'Smales 1 Precinct'. For the purposes of this report, the Smales Farm Business Park will be referred to as 'the Precinct' or 'the site'.
8. The structure of this report is as follows:
 - Section 2.0 includes a brief outline of the background to the site and the activities currently developed on the site.
 - Section 3.0 lists the documents read and taken into account for this review.
 - Section 5.0 provides details of the proposed Plan Change.
 - Section 6.0 includes the assessment of the ITA.
 - Section 7.0 considers the principles of a TOD and how the proposed changes align with these principles.
 - Section 8.0 sets out the submissions made to the proposed Plan Change.
 - Section 9.0 includes the work undertaken, issues considered and assumptions made in proposing alternative thresholds with regard to the criteria included in the proposed Plan Change.
 - Section 10.0 includes comment on the proposed changes to the two policies in *H15 Business Park Zone*.

- Section 11.0 includes comment and suggested amendments to proposed changes to the new provisions and precinct plans in I538 Smales 1 Precinct.
- Section 12.0 are our conclusions and recommendations.

2.0 BACKGROUND INFORMATION

9. The business park zoning of Smales Farm was developed by the legacy North Shore City Council and it was envisaged the land becoming a major office centre of the North Shore accommodating business, administrative and professional firms/organisations.
10. This development is governed by the two provisions now included in the Unitary Plan. These two provisions, as identified in section 1.0, are:
 - The zoning rules set out in *H15 Business Park Zone*; and
 - The provisions and rules set out in *I538 Smales 1 Precinct*.
11. In summary these provisions permit a maximum gross floor area for activities, a maximum number of car parking spaces and provides for some associated activities to address demand from those employed on the site and from visitors to the precinct. An initial development with a Gross Floor Area (GFA) of 105,000m² was envisaged with a maximum development potential of 162,000m².
12. At the beginning of 2018, only 55% and 36% respectively of the above areas has been developed. The owners of Smales Farms have undertaken a review of the opportunities for future development of the site. They have determined that, in summary, taking into account the need for new housing in Auckland and an on-going need to increase employment activities, the site could be best developed as a TOD.

3.0 INFORMATION PROVIDED

13. The following documents have been reviewed in preparing this assessment:
 - ‘Application for Changes to the Auckland Unitary Plan – Operative in Part’, dated 25 July 2018 by Northcote RD 1 Holding Ltd.
 - ‘Explanation, Assessment of Environmental Effects and Section 32 Analysis’ (‘AEE’), dated July 2018, by Vaughan Smith Planning Limited.
 - ‘Integrated Transportation Assessment’, dated 25 July 2018 by Stantec.
 - ‘Urban Design Assessment of the Proposed Plan Change Provisions’, (‘Urban Design Assessment’) dated 10 July 2018 by Boffa Miskell.
 - All submission received through the notification process.

4.0 TOD PRINCIPLES

14. Since there are no regulatory guidelines established for TOD within Auckland, the proposed Plan Change will be assessed to verify that the TOD principles expressed in the application align with those of the responding regulatory agencies e.g. AT.
15. Below are listed two different categories of TOD principles that appear in the submitted documents and the final list as submitted by AT.

16. TOD Design Principles – *Source ITA*
- Pedestrian Connectivity
 - Reliable and Frequent Public Transport
 - Private Vehicles
 - Mixed Use Activity
17. Translink, the British Columbia transit authority responsible for public transport in Vancouver has prepared a set of design guidelines to inform their developments. ‘Six Ds’ of TOD¹ - *Source: Smales Farm Proposed Plan Change, Urban Design Assessment of Proposed Plan Change Provisions*
- Destinations - land and location
 - Distance – urban structure and street network
 - Design – pedestrian friendly public realm
 - Density – building form and massing
 - Diversity – mix of uses and activity
 - Demand Management – discourage unnecessary driving
18. TOD Principles - *Source: AT Submission (15 May 2019)*
- Urban Structure and Accessibility²
 - Density
 - Diversity
 - Design
 - Parking³
19. We have not attempted to define the principles, because they are largely self-explanatory. Nevertheless, we consider that the above criteria when combined and rationalised, provides a robust set of guidelines on which to assess the proposed TOD
20. The review of the plans associated with the Plan Change to support the establishment of a TOD at Smales Farm will be assessed more in detail in Section 7.0 of this report.

5.0 PROPOSED PLAN CHANGE

21. Under the Unitary Plan, Smales Farm is zoned as *Business – Business Park Zone* and the *Smales 1 Precinct* applies to activities and development on the site. Given its primary designation as a business park, the current zoning limits the types and scale of activities that can be conducted within Smales Farm.
22. The proposed plan change focuses on intensifying development of Smales Farm by amending the provisions and plans of the *Smales 1 Precinct* to allow for residential development and associated activities within Smales Farm where the current zoning would otherwise not permit.
23. The changes sought by the applicant suggest introducing high density, mixed-use housing options to the area. The proposed Plan Change calls for adding accessory activities such as supermarket and drive-through restaurants to serve residents, employees and visitors.

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https://www.translink.ca/-/media/documents/plans_and_projects/transit_oriented_communities/transit_oriented_communities_design_guidelines.ashx

² Falconer, R and Richardson, E, Rethinking urban land use and transport planning – opportunities for transit oriented development in Australian cities, *Australian Planner*, Vol 47, No 1, March 2010.

³ Falconer, R and Richardson, E, Rethinking urban land use and transport planning – opportunities for transit oriented development in Australian cities, *Australian Planner*, Vol 47, No 1, March 2010.

24. Utilising the Smales Farm Busway Station as the keystone, the proposed Plan Change also aims to enable the development of a TOD within Smales Farm. This TOD would take advantage of the proximity to the Smales Farm Busway Station to create a compact community with varied uses, such as retail, office and high-density residential development, linked nearby amenities and easily accessible to a high-frequency transit hub.
25. Over a period of 20-30 years, the applicant is looking to establish Smales Farm as a highly accessible trip attractor and key destination that has optimal land use-transportation integration to serve residents, employees and visitors.
26. Key accessibility elements of the plan change as noted in the AEE and ITA include:
 - providing open space and pedestrian connections for residents, workers, and visitors to the precinct;
 - limiting the supply of onsite parking over time to encourage use of public transport services;
 - directing vehicles around the perimeter of the site towards underground or above-ground parking, to provide more space for active travel modes such as cycling and walking; and
 - supporting the planned growth of non-residential activities and acknowledging the need for an appropriate supply of parking in the short term to encourage that growth.
27. All proposed changes to policy H153(18) of the Unitary Plan and traffic-related rule changes to the provisions of the *I538 Smales 1 Precinct* will be assessed in detail in Sections 9.0 and 10.0.

6.0 ASSESSMENT OF THE ITA

6.1 EXISTING ENVIRONMENT

28. There are a number of non-office related activities within the vicinity of Smales Farm such as North Shore Hospital, Smales Farm Bus Station and Westlake Girls High School.
29. The ITA notes that the roads that are part of the external road network all carry high volumes of traffic over a full day and during the peak hours, which are influenced by traffic from nearby schools. The Northern Motorway also carries heavy volumes and becomes heavily congested during peak hours. Vehicle access between Smales Farm and the local road network is generally good but with high levels of congestion, specifically in the daily peak traffic periods.
30. In the five-year period between 2013-2017, the ITA noted a total of 94 crashes 'with 14% (13 crashes) resulting in injury.' Of particular note was an issue related to red light running eastbound on Northcote Road and this resulted in 'six minor injury crashes.'
31. Auckland Transport has put in interventions to address this road safety issue; however, there is no evidence included in the ITA to determine whether or not these interventions have had an effect in reducing crashes at this location.

6.2 EXISTING ACCESSIBILITY

32. The ITA provides details on the existing accessibility of Smales Farm consisting of a variety of transport modes: public transport, rail, private vehicles, walking and cycling.

Public Transit and Private Vehicle Access

33. Due to its proximity to the Smales Farm Bus Station and the Northern Motorway, Smales Farm is well connected for those looking to access the site by bus or private vehicle. Auckland Transport's 'New Network' of bus services, designating Smales Farm Busway Station as an 'Interchange,' has been implemented since the writing of the ITA. With this designation, the Smales Farm Busway Station has become a transit hub for the North Shore network with more frequent access to local and connector services expanding the range of destinations that can be accessed to/from the station.
34. We consider that the site is easily accessible by public transit and appropriate to be the base for a TOD.
35. As noted in the ITA, motorists are able to easily access the site 'from the external road network via its proximity to SH1 and several arterial roads within the local area.' The ITA notes that recent developments within Smales Farm have "increased the total number of employees to over 4,000, which has generated additional demand for parking spaces."
36. As the intent of the Plan Change is to create an environment more suitable to accessing the site using transit, the ease of private vehicle access might need to be adjusted to reflect TOD principles. While access to the site via the road network is generally high, a plan change that makes provision for additional motor vehicle volumes would further add to the congestion.

Walking and Cycling Access

37. Overall, the ITA notes the site is 'well connected to the existing footpath and cycling networks within the local area', thereby allowing suitable accessibility to the site by active modes. However, while the ITA notes that 'pedestrian footpaths are provided on all major roads within the vicinity of the site', there is no indication as to the quality of these facilities.
38. Referencing the internal road network, the ITA notes that 'pedestrians are provided regular and safe opportunities to cross The Avenue and The Boulevard with dedicated pedestrian crossings frequently provided.'
39. Given that the ITA notes that the pedestrian facilities 'within the Smales Farm site are also used as a through route for pedestrian access to nearby Westlake Girls High School and Takapuna Normal Intermediate in both directions', the quality and availability of the pedestrian facilities is an area of concern. While pedestrian facilities are provided in the internal network, the quality of the linkages between these facilities need to be further explored.
40. While we agree that there are a number of ways for cyclists to access the site (shared paths, dedicated cycle lanes, shared bus/cycle lanes), the ITA notes 'there are currently no fully dedicated off-road cycle paths within the vicinity of the site or the wider North Shore area.'
41. This issue would be partly mitigated with the installation of the Northcote Safe Cycle Route which would allow cyclists to connect Smales Farm to the Northcote Ferry Terminal via a cycle facility that is partly on-road and partly off-road. This project would expand the range of destinations for those looking to cycle to/from the site.

Mode Share

42. The ITA notes that the mode share of 'non-private vehicles is high compared to other workplaces in Auckland, and that employees are willing to further utilise public transport in the future.' This conclusion is drawn from the results of a mode share survey of Smales Farm employees undertaken in 2016.

43. Without comparing the results to other workplaces in Auckland, the results of this survey show that that private motor vehicle was the preferred mode of transportation with almost two-thirds of employees using their private vehicle to get to work. However, it also noted that *'current users of private vehicles would strongly consider using bus services to travel to Smales Farm.'*
44. Given that the survey was conducted prior to the implementation of the New Network, it is expected that employee attitudes and modes of travel may have changed in favour of more transit-focused modes of transportation.
45. In order to properly assess current commuting patterns and any changes since the implementation of the New Network, an updated commute survey should be undertaken. The results of the survey would need to be reviewed during the resource consent stage to get a more accurate estimate of employee mode share.

6.3 FUTURE ACCESSIBILITY

46. Considering the existing environment and current accessibility to various transportation modes, Smales Farm is well positioned for being accessible to a wide range of transportation modes. The ITA notes expectations of additional access by public transport and active modes such as rapid transit, walking and cycling, private vehicles.
47. Specifically, the following projects are highlighted:

| Project | Related Mode of Travel | Details | Expected Completion Date |
|-------------------------------|------------------------|--|--------------------------|
| Northern Corridor Improvement | Private Vehicle | Aims to improve connectivity for private vehicles within the upper North Shore area; thereby increasing route choices for private vehicles accessing Smales Farm. | Mid 2021 |
| Waitemata Harbour Crossing | Private Vehicle | Aims to improve the resilience of the roading network; thereby increasing route choices for private vehicles accessing Smales Farm from the State Highway network. | ATAP – beyond 2028 |

| Project | Related Mode of Travel | Details | Expected Completion Date |
|----------------------------|------------------------|--|--------------------------|
| | Rapid Transit | Project would provide an alternative means of travelling between the North Shore and the CBD to the current Auckland Harbour Bridge in the form of a tunnel, which could include the provision of rapid transit. | |
| Northcote Safe Cycle Route | Cycling | Cycle route will provide a 5.2km connection from Smales Farm to the Northcote Point Ferry Terminal. | Completed |
| Skypath | Walking and Cycling | <p>Project would provide a pedestrian and cycle connection from Northcote to the Westhaven in the CBD through an attachment to the Auckland Harbour Bridge.</p> <p>The project would also provide a new connection to the existing Northcote Safe Cycle Route via the Auckland Harbour Bridge.</p> | 2018-2028 |
| Seapath | Walking and Cycling | Project would provide a 3km walking and cycle path from the Northcote end of Skypath to Esmonde Road / Akoranga Drive. | 2018-2028 |

| Project | Related Mode of Travel | Details | Expected Completion Date |
|--|------------------------|--|--------------------------|
| Northern Busway extension from Constellation Station to Albany | Rapid Transit | Project would allow buses on the Northern Express routes between these two points to travel on a dedicated bus lane instead of on SH1. | Completed |

48. We agree that if any or all of these projects are implemented, residents, employees, and visitors would have ample modes of transport to access the site.
49. While these improvements will create additional access for all road users, they could negatively influence the current mode split to continue to favour private vehicles and add more congestion. There is also the potential that adding more roadway users would increase the likelihood of conflict between cyclists, pedestrians, private vehicles and public transport.
50. It will be incumbent on Smales Farm to provide infrastructure that minimises the need for a private vehicle and promotes access by other modes of travel to ensure that road network improvements do not increase the current number (or mode share) of private vehicle trips. This should come in the form of a Transportation Demand Management Plan that includes Westlake School for Girls and North Shore Hospital as organisational partners.
51. The ITA also notes that if Rapid Transit were introduced it would likely replace the Northern Busway thereby providing Smales Farm residents and employees with 'access to a higher capacity and potentially more frequent and reliable rapid transit service.' While we agree with this in theory, Auckland Transport has not committed to this project so this assumption should not be factored into future accessibility or a basis for discussions around TOD.

Smart Transport Programme

52. Smales Farm is in the process of developing a programme called 'Smart Transport by Smales Farm' to encourage mode shift to non-private vehicles. This Transportation Demand Management programme will include a menu of initiatives aimed at 'modifying travel behaviours, reducing the number of single occupancy vehicles commuting to Smales Farm and optimising parking utilisation.' The programme will be focused on: active modes, public transport, motorcycles, carpooling, shared vehicles and parking.
53. The implementation of this programme will be a true catalyst for creating a successful TOD environment and should be included as part of the Plan Change. This would ensure that all new activities would be required to implement and comply with the programme.

6.4 MODELLING

Background

54. The traffic model developed in the ITA includes the development for both Smales Farm and Waitemata District Health Board (WDHB) as both parties are preparing to develop their sites in the near future. The AIMSUN microsimulation software package was used to assess the traffic effects of the proposed developments. We agree with this approach.
55. By 2051, the proposed Plan Change for Smales Farm would allow a total of 162,000 m² of commercial activity and 138,000m² of residential activity on site. The traffic model is aiming to show that the proposed Plan Change will enable Smales Farm to transit from business-focussed to a TOD that includes business and residential components.
56. The proposed Smales Farm Plan Change development staging used in the traffic model is provided in the ITA report and is shown in Figure 1 below.

| Year | Commercial GFA (sqm) | | Residential GFA (sqm) | | Residential (apartments, estimated) | |
|----------|----------------------|------------------|-----------------------|------------------|-------------------------------------|------------------|
| | Per Five-Year Period | Cumulative Total | Per Five-Year Period | Cumulative Total | Per Five-Year Period | Cumulative Total |
| Existing | 58,000 | 58,000 | - | - | - | - |
| 2021 | 12,000 | 70,000 | - | - | - | - |
| 2026 | 22,000 | 92,000 | 19,000 | 19,000 | 190 | 190 |
| 2031 | 25,000 | 117,000 | 19,000 | 38,000 | 190 | 380 |
| 2036 | 8,000 | 125,000 | 19,000 | 57,000 | 190 | 570 |
| 2041 | 17,000 | 142,000 | 20,000 | 77,000 | 200 | 770 |
| 2046 | 8,000 | 150,000 | 26,000 | 103,000 | 260 | 1,030 |
| 2051 | 12,000 | 162,000 | 35,000 | 138,000 | 350 | 1,380 |

Table 8: Proposed Smales Farm Plan Change Development Staging

FIGURE 1: PROPOSED SMALES FARM PLAN CHANGE DEVELOPMENT STAGING

57. It is noted that the proposed residential activity would have 380 apartments by end of 2031 and 1380 apartment units by end of 2051. The traffic models have illustrated the traffic impact of the proposed development by 2026 and 2036.
58. We noted that there is no traffic model developed for 2031 and 2051 based on the proposed development as set out in Figure 1 above. The developed traffic model includes only 125,000m² of the proposed commercial development and 855 residential units.
59. The traffic model does not reflect the proposed final development on the site by 2051. We are concerned that 37,000m² of commercial activity and 525 apartments units are not included in the model.
60. We understand that the developed model is based on the base model from the MSM⁴ model in the year 2026 and 2036. We consider this is acceptable to use MSM models as the base model for the assessment. The recommended threshold in the proposed plan change would therefore also need to be based on this developed model.

⁴ MSM model is Macro Strategic Model which is a regional macroscopic model built using the EMME software package.

61. The proposed Plan Change increases the threshold for commercial activities mentioned in 105,000m² at Smales Farm to 162,000m². We consider this is not acceptable given the level of the effect for developing 162,000m² commercial activity is not included in the model.
62. We understand that the existing surrounding environment of Smales Farm and North Shore Hospital is well-developed and the road network already operates with limited available capacity. We also understand there is limited opportunity to create new road capacity to accommodate future growth in traffic demands.
63. Given the proposed changes focus on TOD, we consider that it is appropriate to assume that the assessment of the surrounding road network for the proposed development needs to include assumptions for the changing of the travel behaviour in the future.
64. We agree and consider it is reasonable to assume that travel behaviours on the surrounding road network could be modified for both existing traffic and future traffic. We agree that an assessment needs to be included to determine if there is sufficient network capacity and alternative modes are proposed to accommodate the proposed development at Smales Farm.

Traffic survey and trip generation

65. In order to build the traffic models, the ITA report stated that traffic surveys were undertaken in November 2017. The locations and methods for the traffic surveys are described in section 7.3 of the ITA. We consider that the collected information is sufficient and appropriate to build the baseline traffic model.
66. The predicted traffic volume for the traffic model is based on 285 apartment units in 2026 and 855 apartment units in 2036. As shown in Figure 1 above, the predicted traffic volume is considered conservative given the number of apartments used in the model is greater than the corresponding proposed staged development milestone. We agree that the traffic volume used in the traffic model is conservative.
67. The trip generation rates used in the traffic model is obtained from the New South Wales Road and Maritime Services '*Guide to Traffic Generating Developments (RTA Guide)*'. The proposed development on site will be classified as high density residential development. Therefore, the trip generation rate used for the site is 0.24 trips per unit. The assumed trip generation is considered acceptable.
68. In addition, the trip generation rates of the existing commercial activity on site are obtained from the conducted traffic surveys for the site. It has also been assumed the trip generated for future development would maintain the same trip generation rate as existing.
69. The trip generation rates adapted in the traffic model are 1.57 trips per 100m² in the morning peak and 1.24 trips in the evening peak. We agree with the surveyed trip generation adapted in the traffic models for future development.
70. In a TOD, it is considered that the level of the proposed car parks on-site will be much lower than the current parking provision on-site. Therefore, we consider that the surveyed trip generation adapted in the traffic models for future development is conservative.
71. The ITA has also stated that the developed traffic model for Smales Farm also includes the trips generated for the Hospital development.

72. In addition, different trip distribution rates are applied in the traffic model for different periods at different locations for the developed traffic models. We have assessed with these assumptions and considered it is acceptable to assume these trip distribution rates will be similar to the existing operation.

Traffic reduction

73. As described above, it is acknowledged that the surrounding road network is currently congested in the peak periods. Traffic effects of the additional related traffic could be mitigated through the changing modes of their travel, using alternative routes or travelling outside the peak times.
74. A reduction of 25% for the turning traffic from Taharoto Road into Northcote Road was used for the future scenarios. The main reason for the traffic reduction was based on that the motorway ramp metering system would limit the amount of through traffic that can be served by the network. Therefore, assumption has been made that the number of non-development related trips turning left or right from Taharoto Road into Northcote Road will be reduced to reflect the change in travel behaviour.
75. The 25% of these turns represents approximately 7% to 9% of all traffic on Taharoto Road. The traffic model for 2036 only includes a traffic reduction for evening peak background traffic volumes.
76. The key assumption used in the developed future traffic models is a 25% reduction rate of background/non-development related turning traffic movements from Taharoto Road into Northcote Road. This assumption reflects the change in travel behaviour in the future. These turning movement represents approximately 7% to 9% of all traffic on Taharoto Road. In addition, the traffic model for 2036 has only included a traffic reduction of background traffic volumes in the evening peak.
77. We consider this assumed reduction rate applied in the developed traffic model is acceptable.
78. As stated above, we consider that the trip generation rates used for both commercial and residential activities are acceptable. Overall, we agree that the assumed traffic volumes used in the traffic models for future developments are appropriate.

Modelling results

79. A total of five scenarios were developed for the traffic models, the five scenarios are mentioned in detail in the section 8.6 of the ITA.

| Scenario | Background Traffic | Smales Development | Hospital Development |
|---|--|---|--------------------------|
| 2026 Do-Minimum | 2026 forecasted volumes | 58,000sqm commercial 0 residential units (Same as 2017) | 80,540sqm (Same as 2017) |
| 2026 with Development | 2026 forecasted volumes | 92,000sqm commercial 285 residential units | 163,920sqm |
| 2026 Development with 25% turning traffic reduction | 2026 forecasted volumes with 25% reduction to movements from Taharoto Road into Northcote Road | 92,000sqm commercial 285 residential units | 163,920sqm |
| 2036 Do-Minimum | 2036 forecasted volumes | 58,000sqm commercial 0 residential units (Same as 2017) | 80,540sqm (Same as 2017) |
| 2036 Development with 25% turning traffic reduction | 2036 forecasted volumes with 25% reduction to movements from Taharoto Road into Northcote Road | 125,000sqm commercial 855 residential units | 163,920sqm |

Table 17: Modelled Scenarios

FIGURE 2: MODELLED FIVE SCENARIOS

80. We consider the five scenarios modelled are appropriate to identify the effects on the wider road network for the proposed development.
81. The detailed results for developed traffic models are shown in section 8.7 of the ITA report. With a 25% reduction in turning movements, the model shows a decrease in average journey time in the network for PM peak traffic. The results of the traffic models suggest that the 25% reduction would be necessary to minimise the effect of the proposed developments. As discussed above, it is considered acceptable to apply this with the proposed TOD.

Effects of Residential Development

82. Based on the developed traffic model, it is noted that the traffic effects of the proposed Smales Farm development are not assessed separately. The developed traffic models include the proposed development for North Shore Hospital as well. Therefore, we consider that it is appropriate to assess the effects contributed by each individual component on site.
83. For the proposed Plan Change, the key element changed on-site is to enable the development of residential activity within Smales Farm site. As shown in Figure 3 (Table 20 in the ITA report), the generated trips for each activity component are summarised.

| Activity | 2026 | | 2036 | |
|--------------------|--------------|--------------|--------------|--------------|
| | AM | PM | AM | PM |
| Smales Commercial | 1,440 (50%) | 1,140 (44%) | 1,957 (56%) | 1,550 (50%) |
| Smales Residential | 68 (2%) | 68 (3%) | 205 (6%) | 205 (7%) |
| Hospital | 1,352 (47%) | 1,376 (53%) | 1,352 (38%) | 1,376 (44%) |
| Total | 2,860 | 2,584 | 3,514 | 3,131 |

Table 20: Proportion of Trips Generated by Activity Type in the Peak Hour (veh/h)

FIGURE 3: TRAFFIC GENERATION SUMMARISED BY EACH ACTIVITY

84. As can be seen in Figure 3, the proposed residential activity on-site would generate the smallest proportion of the trips on the surrounding road network.
85. The ITA has stated that the traffic generated by residential activities will be in general opposite to the predominant movements of the commercial and hospital activities. However, we disagree with this statement as we consider that the generated residential traffic will be the same direction as the general traffic on the wider road network. Nevertheless, it is expected that the effects would not be significant.

6.5 TRANSPORT POLICY

86. The ITA report has also reviewed policies in seven different documents to ensure the proposed Plan Changes are in line with the policy and plans in these key documents.
87. The report below has provided a general summary for each document. In addition, our comments have been provided to show if we consider the proposed change is in line with the policy of each document.

Government policy statement (GPS)

88. The final GPS, which was released in June 2018, is reviewed in the ITA. The objectives, priorities and themes are summarised in section 9.1 of the ITA
89. The most relevant objectives in the GPS are increased access to economic and social opportunities, enabling of transport choice and developing resiliency. In addition, the GPS also emphasises a theme of integrating land use and transport planning delivery.
90. The proposed Plan Change will enable the site to become a TOD and therefore be considered compatible with the priorities in the draft GPS. The proposed Plan Change also increases access to social economic opportunities. Other transportation modes such as walking, and cycling are also available and will increase safety by encouraging less travel through private vehicles. The proposed Plan Change also enables the integrated land use.
91. Therefore, we consider that the proposed Plan Change aligns with the objectives, priorities and themes in the GPS

Auckland Plan

92. The Auckland Plan is Auckland Council's 30-year strategy to create the world's most liveable city. Three directions and seven focus areas are provided in section 9.2 of the ITA. We consider these summaries are appropriate and have no additional comments to add onto it.
93. The Auckland Plan outlines three directions for the transport and access outcome.

94. These directions are listed below:
- Create an integrated transport system connecting people, places, goods and services;
 - Increase genuine travel choices for a healthy, vibrant and equitable Auckland; and
 - Maximise safety and environmental protection.
95. The proposed Plan Change proposes to promote the transport mode split to/from the site and provide an integrated transport system to allow people to access to goods and services. Therefore, we consider that the proposed Plan Change integrates well with the transport and access outcomes of the Auckland Plan.

Auckland Unitary Plan

96. Objectives are provided in the Unitary Plan and listed in section 9.3 of the ITA report. We consider that the summarised objectives of the Unitary Plan are appropriate and we have no further comments to add onto it.
97. One objective of the Unitary Plan is that land use and all modes of transport need to be integrated. The integration of land use activity and transport should result in the provision of appropriate public transport, walking and cycling facilities and services.
98. The Smales Farm site is well located to a variety of transportation modes. Therefore, the proposed Plan Change integrates well with both the objectives of the Unitary Plan and the existing and future transportation network. We therefore consider that the proposed Plan Change would not be inconsistent with the objectives in the Unitary Plan.

Auckland Transport Alignment project (ATAP)

99. The ATAP was finalised in April 2018 to provide a package to develop Auckland's transport system over the next 30 years.
100. In the ATAP, a greater emphasis has been placed on public transport (including rapid transit), walking, cycling and safety. Ultimately, ATAP aims to provide Auckland with a transport system that provides safe, reliable and sustainable access.
101. The Northern Busway will be extended from Constellation Station to Albany, increasing accessibility in the North Shore. Accessibility for active modes will also be improved with the Skypath and Seapath projects over the next decade by providing Smales Farm with off-road routes for cyclists and pedestrians to Auckland's city centre.
102. These projects included within the ATAP package will further enhance the ability of Smales Farm to become a strong TOD and will encourage mode shifts away from single occupancy private vehicles. We therefore consider that the proposed Plan Change would not be inconsistent with the objectives of ATAP.

Regional land transport plan (RLTP)

103. The RLTP identifies the priority of a number of region-wide transport projects over a 10-year period. The current RLTP was adopted in 2015 and covers the period 2015-2025. Five strategic themes are provided in section 9.5 of the ITA report. We consider the summarised themes in the ITA report are appropriate and have no further comments on the RLTP.
104. One strategic theme in the transportation component is to provide rapid, high frequency public transport and build network optimisation and resilience.

105. Smales Farm is located close to high frequency public transport via the Northern Busway. This location of the site is considered to be such that it would be easy to develop a rapid transit facility and consequently increase the public transport mode share.
106. Furthermore, the proposed development would allow people to use a variety of feasible modes to travel to/from Smales Farm. We consider this would enhance the network optimisation and also enhance resilience and manages congestion. We consider that the proposed Plan Change would not be inconsistent with the objectives of the RLTP.

Regional public transport plan

107. The vision of the RPTP is to deliver “An integrated, efficient and effective public transport network that offers a wider range of trips and valued by Aucklanders”.
108. It is noted that the New Network (public transport) for North Shore was implemented in mid-2018 with the increased frequency of services and better accessibility for the public. This would assist Smales Farm to be developed as a TOD via the proposed Plan Change.

Integrated Transport Programme

109. Auckland’s 2012-2041 Integrated Transport Plan (ITP) sets out the 30-year investment programme to meet the transport priorities outlined in the Auckland Plan across travel
110. Projects identified in the ITP are largely addressed by ATAP, the RLTP and the RPTP. The objectives and theme for these strategies and programmes are as described above.
111. As assessed above, it is therefore considered that the proposed Plan Change would not be inconsistent with the ITP.

7.0 ASSESSMENT OF THE PROPOSED TRANSIT ORIENTED DEVELOPMENT

112. The Plan Change is clear in its intent to break Smales Farm out of its current mould as an office park and convert it into a mixed-use community anchored by a transit hub.
113. The ITA states that, from a transportation perspective, the Plan Change will consider the following four TOD Design Principles:
- Pedestrian Connectivity;
 - Reliable and Frequent Public Transport;
 - Private Vehicles; and
 - Mixed Use Activities

114. Based on these four principles, our assessment of the proposed TOD is set out below.

Pedestrian Connectivity

115. Smales Farm Precinct Plan will include ‘a central pedestrian plaza and several key pedestrian linkages which ensure that a high level of pedestrian connectivity within the site and to the external network is enabled.’

116. The plan in Figure 4 shows the proposed location for the pedestrian plaza.

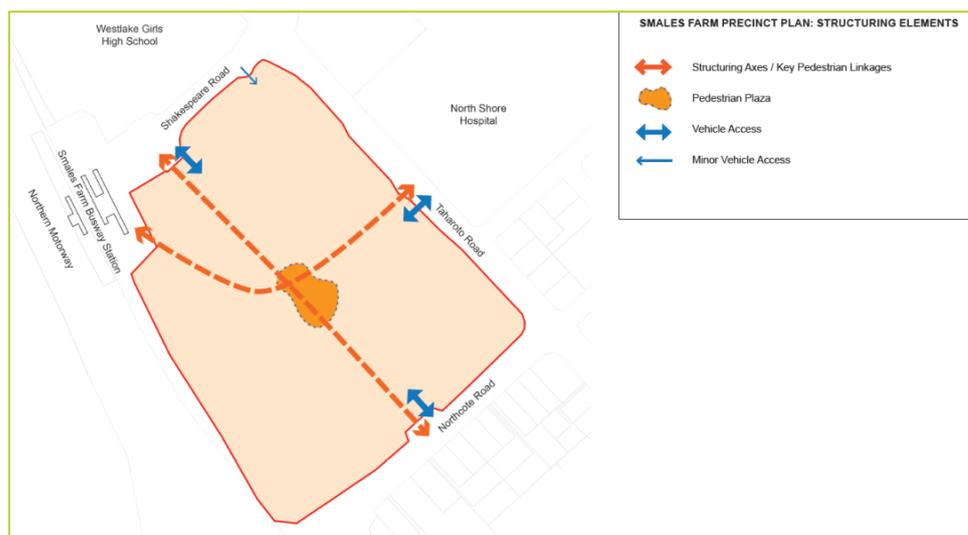


FIGURE 4: SMALES 1 PRECINCT PLAN

117. As per the Plan Change, the trigger for providing the plaza in this location will be 'No later than the completion of 125,000m² GFA of development in the Smales 1 Precinct.'
118. The details in the Urban Design Assessment note that the pedestrian plaza will have a minimum area of 400m² and will be linked by pedestrian routes within and through the site linking each of the main entrances from the surrounding street network and the bus station. It will also have the following design details:
- receive adequate winter sun between the hours of 11am and 2pm.
 - be appropriately sheltered from the south-westerly wind.
 - be designed having regard to CPTED principles.
 - incorporate hard and soft landscaping.
119. We agree that having a central pedestrian plaza can help to build up Smales Farm as a vibrant TOD community by serving as a gathering space for residents and employees to enjoy. Currently, there is a roundabout with a central feature at this location.
120. While the plan shows pedestrian linkages, it also needs to consider providing safe pedestrian crossings to access the plaza. In order to properly assess how this pedestrian plaza will be an asset to the TOD, the location and design details of the pedestrian plaza would need to be further reviewed during the resource consent stage.
121. The Plan Change would provide a connection for the three public street entrances with the centre of the precinct, as well as a new direct walking route between the bus station and the central heart. The ITA notes that the walking catchment of the Smales Farm Bus station 'can also be developed to its full potential through this Plan Change, including enhancing walking routes to / from the North Shore Hospital, with its high employment.'
122. Developing the walking catchment to/from the Smales Farm Bus Station and to local connector buses on Taharoto Road and Northcote Road will be a crucial part of enabling the efficiency of the TOD. In order for pedestrian linkages to be successful, they need to lead people to where they want to go.

123. Currently, the layout of the car parks affects the pedestrian experience by limiting the direct linkages to the surrounding road network. - This lends itself to multiple conflict points with motor vehicles. Nevertheless, in the proposed Precinct plan these car parking areas will be replaced by building (presumably with internal car parking spaces).

Reliable and Frequent Public Transport

124. This principle is the cornerstone of the proposed Plan Change for Smales Farm. Its prime location next to the Smales Farm Busway Station means public transit users already have easy access to fast, frequent services to the City Centre, Takapuna and other suburbs across the North Shore.
125. Aside from the pedestrian linkages to the bus station, there aren't any improvements being proposed to the PT network (as part of the Plan Change) – just a reliance on it being there. This alone does not create a TOD. The service that is provided at the transit hub must be reliable and frequent. Based on information provided by AT in the submissions, the current capacity of the public transport network is limited.
126. The Plan Change would be the basis for an influx of more people using the transit hub and Smales Farm becoming a trip origin and destination. The ITA states that since 2001 the *'limited and reducing capacity of the road network has led to Aucklanders increasingly arriving to Auckland's city centre via public transport.'* It goes on to assume that Smales Farm will experience the same type of shift given its access to transport modes such as the Northern Express route.
127. The ITA also states that adding residential activity would, during the morning peak, prompt non-peak direction trips on the Northern Express route from trips originating at Smales Farm and heading to Albany. We agree that the site could become a trip origin.
128. Before additional residential and commercial uses are established within the site, there needs to be a sound understanding of the current capacity and operations of the public transport network in the vicinity of the Smales Farm Bus Station and the expected burden on the road network based on the increased number of travel trips from transit and roadway users.
129. While the ITA focuses on wider access to areas such as Albany, additional information should be included to explore the effects on local access via the public transport network for trips originating at Smales Farm.
130. To improve efficiencies in the bus network for local trips from Takapuna and other centres and suburbs across the North Shore, considerations should be made to add T2/T3 lanes onto the surrounding road network. An assumption of services cannot be made and must be supported by further investment in public transport.

Private Vehicles

131. The Plan Change does not propose to add any vehicle access points to the site and will only maintain existing access for private or service vehicles. The existing rules for the precinct include requirement for 'a maximum number of parking spaces.' As a TOD, parking and access by private vehicles should be limited or contained within the activity.
132. If parking is included in residential or commercial activities, the Smart Transport programme should include a TDM strategy termed 'unbundled parking' to ensure that the cost of parking is clearly shown as a separate cost. Showing the true cost of parking will serve as a deterrent for tenants and serve as disincentive to private car ownership.

133. While the Plan Change mentions locating and screening 'parking, loading and service areas' to maintain pedestrian amenity, the focus here is based on aesthetics rather than safety. The Urban Design Assessment acknowledges that creating 'pedestrian-priority streets and public spaces' will require the 'redesign of existing internal streets and circulation spaces over time.' Yet the Plan Change does not provide enough detail as to how this detail will be carried out. In order to properly assess the safety and any potential conflict between vehicles and pedestrians, the location and design details of the internal streets and circulation would need to be further reviewed during the resource consent stage.

Mixed use Activities

134. The idea behind a TOD is ensuring that the TOD is largely a self-sufficient community. This means that residents would be able to accomplish their household tasks without having to go outside of their community or using a private vehicle.
135. Having a stronger link between transport and land use will allow for housing, business and employment growth at Smales Farm with better travel options for those travelling to and from the site.

Residential

136. Adding residential is another key cornerstone for TOD. The Plan Change recommends adding high density, mixed-use residential housing options to the area. With the implementation of residential activity, building up a TOD by continuing to add employment activities at Smales Farm would create the opportunity for current or potential employees to live closer, have shorter commutes and reduces pressure on the transport system.
137. The ITA states that the proposed staging for residential units would start with an estimated 190 apartments by the end of 2026 and ramp up to 1,380 apartment units by the end of 2051. The proposed commercial gross floor area would increase at Smales Farm from the existing 58,000m² to 162,000m² by the end of 2051.
138. To align with TOD principles, adding residential activities should be the focus rather than adding a large number of commercial activities at the site. Commercial activities should be limited to those that do not currently exist and will be an amenity for residents. The amount of commercial, non-office activities at the subject should be capped to ensure that the underlying business zone is complemented by residential and commercial only as an amenity.

Commercial

139. The Plan Change recommends adding a number of non-residential activities. Many of these provide a proper base for making the TOD attractive to those who live, work and play in the area. The proposed Plan Change calls for adding associated activities such as supermarket and drive-through restaurants to serve residents, employees and visitors. There are a few commerce-related activities of note that potentially conflict with TOD principles:

Supermarkets

140. The Plan Change recommends adding provisions for supermarkets up to 2,000m² gross floor area per tenancy as a permitted activity and greater than 2,000m² gross floor area per tenancy, albeit as a Discretionary Activity. This would potentially allow a supermarket of any size to be installed on site. Supermarkets tend to be high generator of vehicle trips and will attract vehicle trips from those outside of the TOD.

141. If a supermarket is included, to align with TOD principles, it should be a boutique supermarket that is no greater than 2,000m² gross floor area per tenancy without any associated parking.

Drive-through restaurants

142. The Plan Change recommends adding provisions for drive-through restaurants. Any activity that is introducing additional vehicle trips into the TOD should be avoided. Again, this activity is a high generator of vehicle trips and will attract vehicle trips from those outside of the TOD.
143. If restaurants are included in the Plan Change their primary purpose should be to serve those within the TOD and be accessible by walking, cycling or public transit.
144. Drive-through restaurants should be included in the Plan Change as a discretionary activity.

Service Stations

145. The Plan Change recommends adding provisions for service stations. While this activity could be used by residents that have vehicles the intent of a TOD is to promote non-vehicles trips.
146. A service station would attract 'pass by' trips from those outside of the TOD. If the location of any service station requires motorists to drive through the site, this will decrease the value of the TOD as a people-friendly and non-vehicle environment.
147. There are two service stations immediately adjacent to the site. In addition to the issue of whether a service station within a TOD is consistent with the objectives and policies of a TOD, the proximity of these two service stations means that residents and workers on the site have easy access to these two service stations.
148. Service stations should be included in the Plan Change, albeit as a Discretionary activity. We believe this would provide a greater level of consideration of criteria by Council than would be feasible if the activity was non-complying.

Retail

149. The Plan Change recommends adding provisions for retail but does not include any limitations on the gross floor area. There are certain retail activities such as a big-box retailer that should not be included in a TOD because they are an attractor for vehicle trips. If the intent of the TOD is to not attract additional vehicle trips then retail activities should be consistent with the principles of a TOD.
150. If additional retail is included, to align with TOD principles, it should be retail that is no greater than 2,000m² gross floor area per tenancy without any associated parking.
151. Big-box retail should be included in the Plan Change as a Discretionary activity.

Cycling

152. Even though active mode trips can improve the effectiveness of the TOD, cycling is not noted as a design principle. With the cycling improvements noted in the ITA, cycling should be looked to as an important means to increase active mode trips to/from Smales Farm and wider areas.
153. Internal cycling routes should be incorporated into the design of the Precinct Plan.

8.0 SUBMISSIONS

154. We have reviewed all submissions received by Council and have taken these into account as part of the review and assessment. It is difficult and complex to respond in detail to each submission.
155. Nevertheless, for completeness we have summarised the submissions and we have provided comment. A summary of each submission and our notes/comments are set out in Appendix 1. Where the specific response relates to any of the issues below, our response to the individual submission references the respective sections (8.1 to 8.5) below.
156. Three comprehensive submissions were received from Council, Auckland Transport (AT) and the New Zealand Transport Agency (NZTA). It is noted that the NZTA submission is largely based on proposing further amendments to the Plan Change provisions as amended by the applicant. A summary of these submissions is also included in Appendix 1.
157. There are several themes and key issues addressed by the various submitters and these are summarised and assessed below.

8.1 PRINCIPLES OF TOD

158. AT has provided a submission outlining the principles they consider appropriated for a TOD. As discussed above, we consider that the principles provided by AT are acceptable. Similar principles are provided in the ITA for the proposed TOD.
159. Based on our assessment of the proposed changes to the provisions of the Smales 1 Precinct, it is considered that the development of a TOD based on universally accepted principles can be strengthened with amended rules to the proposed Plan Change.

8.2 METROPOLITAN CENTRE CONTROLS IN THIS PLAN CHANGE

160. A few submissions stated that the proposed Plan Change referenced the function and amenity of the Business-Metropolitan Centre Zone with regard to achieving a similar proportion of mode split. The concern is that the location of the subject site would not provide public transport mode share similar to the Auckland City Centre. This concern would also relate to the assumed trip generation applied in the traffic models with the proposed residential acidity on-site.
161. One of the fundamental premises of the proposed TOD is the level of public transport services accessible from the site. It is considered that an optimistic view is presented with regard to public transport services accessible from the site. In the ITA the level of public transport services accessible from the site is considered to be similar to that in the Auckland City Centre. However, we consider that the subject site cannot achieve the same level of public transport service as Auckland City Centre. Therefore, we are not certain that the existing level of public transport services (or spare capacity) accessible from the site is sufficient to accommodate the proposed growth.
162. However, this assumption has also been adapted in the overall assessment to support the proposed TOD onsite.
163. We agree with this concern that the proposed Plan Change needs to provide more evidence to show that the subject site would have a similar Public Transport mode share as Auckland City Centre.

164. Nevertheless, we are of the view that this reduction in traffic generated by the proposed development can be achieved by including additional or amending the proposed provisions of the Plan Change.

8.3 PARKING PROVISIONS

165. One submitter has concerns that as a result of insufficient parking provided in the proposed development on Smales Farm parking would spill onto the street in the vicinity of the urgent Care Client. That is, on-street parking would not be available for their patients and staff.
166. In addition, AT also has concerns regarding the number of parking spaces accessory to non-residential activities if the current parking rate is maintained. In addition, some submitters also have concerns that the proposed parking provision of residential activity with no minimum and no maximum requirements would not be consistent with the principles of a TOD.
167. We agree that, in order to support a TOD, the proposed Plan Change should have parking requirements for the residential activity similar to that of the city centre development. Furthermore, we consider that the parking provision should be further assessed for non-residential activities on-site. The revised parking provision for new non-residential on site should be modified to reflect to the intended TOD on-site.

8.4 TRAFFIC MODELLING CONCERNS

168. Two major issues raised with regard to the traffic models are stated in a number of submissions.
169. The first is that a 25% reduction is applied on the turning movements from Taharoto Road into Northcote Road in the traffic models.
170. A number of submitters have concerns that the applied reduction rate on the existing traffic volume is not appropriate and would not reflecting to the reality. We consider that 25% reduction rate applied based on the assumption that transport modes split in the future is considered acceptable. This has also been further discussed and agreed with AT and NZTA.
171. The second is that the forecast model was developed for year 2026 and year 2036. However, the proposed staging development is planned for up to year 2051. Therefore, in order to minimize the adverse effect of the proposed development on the wider road network, the threshold for the trip generation of different activities cannot be the planned development by 2051.
172. The NZTA has suggested capping the proposed development value at the 2036 level (as modelled by the applicant). We consider the NZTA-recommended threshold is appropriate to be included in the plan change. Any development that exceeds the proposed threshold needs to be assessed further to minimise any potential adverse effect on the surrounding environment.

8.5 PROVISION FOR PEDESTRAIN AND CYCLING

173. A few submissions have expressed safety concerns for the proposed TOD.
174. We note that the proposed plan change has emphasised the safety and connectivity for pedestrians and cyclists to and from the site.

9.0 PREAMBLE TO SUGGESTED CHANGES TO PLAN CHANGE

175. Due to the significance of the proposed development Auckland Council, Auckland Transport and the New Zealand Transport Agency made comprehensive submissions to the proposed Plan Change.
176. All three organisations support the development of a TOD at the Smales Farm site. However, they have expressed concerns that the proposed rules are not, in general terms, consistent with the development of a TOD.
177. I understand that several discussions were held to address differences relating to the text and rules in the proposed Plan Change.
178. The applicant met with AT and NZTA to discuss the scope of the transport assessment and thresholds set out in the rules of the proposed Plan Change.
179. Following the above meeting, the applicant was to submit the following information:
- Assessment of Bus connectivity / delay on Shakespeare Road when travelling to the Smales Farm station.
 - Assessment of PT requirements on local network for future years – number of buses and active mode users expected on the network.
 - Provide a list of modelling assumptions around external infrastructure upgrades.
180. At the time of writing this report, this information has not been received.
181. In addition, officers of the three organisations (noted above) held several discussions to consider and determine a common and consistent response to the criteria and thresholds set out in the proposed Plan Change.
182. The key issues raised as part of the various discussions are as follows:
- There is uncertainty with regard to some of the assumptions made in the Integrated Transport Assessment (ITA). The 25% reduction in levels of traffic for specific movements was assumed as being necessary for the traffic-related impacts of the proposed development not to adversely affect maintaining the safe and efficient operation of the local road network. This is an unusual assumption and there is no empirical evidence for this.
 - There is consequently some level of uncertainty with regard to the traffic effects that might eventuate.
 - Some of the proposed rules (such as those related to parking) are not consistent with a TOD.
183. Considering the uncertainty of the traffic reduction assumption (and consequent traffic impacts) as described above, we considered that there should be a review or ‘soft check-in’ prior to ‘hard’ threshold being activated.
184. The soft check-in would enable the applicant and Council to determine how well the TOD is being developed. If required, the applicant will have the opportunity to address and implement measures to ensure that the policies and objectives of the proposed Plan Change are being achieved.
185. The soft check-in should also be undertaken at a time where:
- the applicant has had sufficient time to implement the principles of a TOD
 - the check-in is not undertaken too far in the future such that if the TOD was not being achieved, it might be too late to implement ‘corrective measures’.

186. The traffic models developed by the applicant were for the 2026 (92,000 m² GFA of commercial/retail activity together with 190 residential apartments) and 2036 (125,000 m² GFA of commercial/retail activity together with 570 residential apartments) development scenario levels. While there has been the assumed 25% reduction, the impact of these development scenarios is understood. So, in a sense and notwithstanding what we consider to be an optimistic assumption, this scenario is somewhat a known quantity.
187. It is also noted that the adjacent transport network is very sensitive to additional vehicles. Therefore, the proposed Plan Change needs to be robust with regard to achieving the TOD principle of managing parking supply/demand and using TDM measures to encourage sustainable modes of travel.
188. There is no certainty that the local transport infrastructure assumed in the ITA will be developed. Nevertheless, it is noted that, since the proposed development will be of a regional significance, this uncertainty should not be for the applicant to confirm. Furthermore, if the development is progressed following the principles of a TOD, the lack of local transportation infrastructure should not deter (further) development. Such infrastructure should be the responsibility of the road controlling authorities to develop in order to enhance and support the development of a TOD.
189. We therefore recommend a two-stage 'soft check-in' followed by a 'hard check-in' as follows:
- a preliminary check-in at the five-year (2026) level, that is 92,000 m² GFA of commercial/retail activity together with 190 residential apartments
 - a second 'soft check-in' at the 10-year (2031) level, that is 117,000 m² GFA of commercial/retail activity together with 380 residential apartments
 - a 'hard check-in' at the 15-year (2036) level, that is 125,000 m² GFA of commercial/retail activity together with 570 residential apartments.
190. The reasons for this are as follows:
- The applicant has an existing right to develop 105,000m² GFA of commercial/retail activity but no residential activity.
 - Based on the current rate of development of the commercial/retail activities, it is likely that the 2026 development scenario will be achieved by 2031. This is a 10-year horizon from the current Unitary Plan. Undertake a 'soft check-in' might be too long and too late to make necessary changes, if required. As described above, the 2026 development scenario has been modelled and can therefore be validated (or otherwise). Any changes to the Smales 1 Precinct can be reviewed at this milestone/timeframe.
191. The above check-in scenarios will allow Council and the applicant, should this be required/necessary, to either:
- discuss options to review (reduce) the criteria and provide encouragement to the applicant (probably in the form of amendments to the PC such as RD criteria, etc) to facilitate further development without any onerous requirements of the developer or
 - develop methodologies to bring back the development towards a TOD and signal to the developer that if this trend continues, Council could say implement more onerous requirements to achieve a TOD.
192. We note that at the 10-year timeframe, the Unitary Plan would be due for a review/update or a new Plan developed. Depending on the outcomes of the above reviews, this would give Council the opportunity to make corresponding and requisite changes to the Smales 1 Precinct.

193. Other issues such as parking provisions and specific criteria are addressed in the specific rules in section 10.0 and 11.0 below.

10.0 ASSESSMENT OF CHANGES TO POLICY IN H15 BUSINESS - BUSINESS PARK ZONE

194. As noted in section 1.0, the application seeks amendment Policy H15.3(18) of the Unitary Plan. The comments and recommended changes are summarised in the table below.

TABLE 1: RECOMMENDED CHANGES FOR POLICY H15.3.(18)

| Rule No. | Policy H15.3(18) |
|----------------------------------|---|
| Amendments proposed by applicant | <p>Policy H15.3(18)</p> <p><i>Amend as follows:</i></p> <p>(18) Require a plan change for new business parks and any amendment to the provisions of existing business parks, to:</p> <p>...</p> <p>(b) limit retail to those services such as food and beverage and convenience goods which meet the day to day needs of workers, <u>residents</u> and visitors to the zone;</p> <p>(c) <u>except within the Smales 1 Precinct</u>, limit residential activity (except for apart from visitor accommodation).</p> <p>...</p> |
| Comment and recommendation | <p>The NZTA has proposed the following amendments (in blue):</p> <p>(b) ‘...which meet the day to day needs of workers and residents <u>within and visitors to</u> the zone.</p> <p>(c) ‘<u>except within the Smales 1 Precinct</u>, limit residential activity <u>except for visitor accommodation and dwellings.</u>’</p> <p>With regard to (b), we consider that ‘visitors’ to the zone is in the original text and should be retained. It is likely that this reference is related to visitors that are associated with commercial and retail activities in the zone and are not retail ‘shoppers’.</p> <p>With regard to (c), it is the intention of the proposed Plan Change to include residential activity. Hence the change as proposed by the applicant should be retained. The limit of residential activity can be set out in the rules of the Smales 1 Precinct.</p> |

11.0 ASSESSMENT OF CHANGES TO I538. SMALES 1 PRECINCT

195. The assessment of the proposed changes to the provisions of the Smales 1 Precinct is set out in a table format below. Our assessment is set out as follows:

- The amendment as proposed by the applicant is set out in the first row.
- Appropriate comment (including those from submissions) are set out in italics and our recommendations are set out below that.

I538.1. Precinct description

The zoning of land within the ~~precinct~~Smales 1 Precinct is the Business - Business Park Zone.

The Smales 1 Precinct (Smales Farm) is located on the corner of ~~Taharoto-Taharoto~~ and Northcote roads, and is adjacent to State Highway 1 and the Northern Busway. The precinct permits non-residential activities (subject to a maximum gross floor area for), residential activities, a maximum number of car parking spaces, and provides for some accessory activities to address demand from those employed on the site, residents, and visitors to the precinct.

We have no comment on this.

I538.2. Objectives

(1) The intensive development of the Smales 1 Precinct as a vibrant mixed-use Transit Oriented Development is enabled.

~~(1)(2)~~ Ongoing development of the Smales ~~Farm Technology Office Park~~1 Precinct as an employment node is enabled while managing significant adverse effects ~~on the safe and efficient operation of the transport network~~, on the amenity of neighbouring zones, and on the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone.

(3) Residential development is enabled to use the land more efficiently, increase housing capacity and choice, particularly for employees of businesses at the Smales 1 Precinct and other nearby business areas, and to take advantage of the proximity of the Smales Farm station on the Northern Busway.

(4) The Smales 1 Precinct is an attractive place to live, work and visit.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

Overall, we consider the objectives to be too general and the objectives should be strengthened with specifics.

The deletion of the text 'on the safe and efficient operation of the transport network' is not supported. The impacts on the operation of the transport network is a significant issue and needs to be retained.

I538.3. Policies

The Auckland-wide and underlying zone policies apply in this precinct in addition to those specified below.

- (1) Require ~~office activity~~development over 162,000m² gross floor area of business activity in the Smales 1 Precinct to demonstrate that significant adverse effects on the amenity of neighbouring zones will be managed and that the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone will not be significantly adversely affected.
- (2) Enable the development of intensive residential activities at the Smales 1 Precinct and require it to be designed to provide privacy and outlook; and have access to daylight and sunlight.
- (3) Require landscaped open space and pedestrian connections to be provided or maintained with each stage of development to ensure an appropriate level of amenity for residents, workers and visitors to the Smales 1 Precinct.
- ~~(2)~~(4) Limit Provide for accessory activities to ~~those which~~ meet the immediate needs of office workers ~~and visitors to Smales Farm, residents and visitors to the Smales 1 Precinct while limiting the extent of those activities to manage potential adverse effects on the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone.~~
- ~~(3)~~(5) Require ~~business~~ development over ~~406~~162,000m² gross floor area of business activity in the Smales 1 Precinct to demonstrate that ~~they~~the activity will not significantly adversely affect the safe and efficient operation of the transport network, or that such effects will be mitigated.
- (6) Limit the supply of on-site parking over time to recognise the accessibility of the Smales 1 Precinct to public transport services, while supporting the planned growth of non-residential activities and acknowledging the need for an appropriate supply of parking on the site in the short term to encourage that growth.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above

Amend Policy (3) (amendments in italics) to read as follows (or similar): ‘Require landscaped open space and pedestrian connections to be provided or maintained (*that is appropriate for a TOD*) with each stage of development to ensure an appropriate level of amenity for residents, workers and visitors to the Smales 1 Precinct. *The pedestrian links should also provide safe and legible connections to the bus station.*

Policy (6) seems somewhat a contradiction. The latter part of the policy could result in a situation where the parking supply rate is above that finally envisaged for the TOD. If short term growth is based on providing parking not consistent with a TOD, it would be difficult to take away these parking provisions at a later stage. Delete all the text from the second part of the sentence so it reads, *Limit the supply of on-site parking over time to recognise the accessibility of the Smales 1 Precinct to public transport services.*

The intent of the following Policies (7) and (8) (relating to cycling/walking and TDM) proposed in the NZTA submission is supported. It is noted that the provision of passenger transport services is beyond the control of the applicant. Nevertheless, the wording of the policy could be amended to reflect that the applicant could work

with Council to provide encouragement and incentives to the people living and working at Smales Farm to use passenger transport.

- (7) *Encourage walking, cycling and the provision of passenger transport services and facilities compatible with the character and amenity of the area.*
- (8) *Require the overall development of the Smales 1 Precinct to incorporate traffic demand management approaches to encourage changes in commuting behaviours to reflect a Transit Orientated Development.*

I538.4. Activity table

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I538.4.1 specifies the activity status of land use activities in the Smales 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I538.4.1 Activity table Smales 1 Precinct

| Activity | Activity status |
|--|-----------------|
| General | |
| (A1) Activities <u>Non-residential activities</u> exceeding the 162,000m² gross floor area maximum <u>maximums</u> in Standard I538.6.1. | D |
| (A2) Activities exceeding the gross floor area limit in Table I538.6.1.4 | D |
| (A3) Activities exceeding the limits in Standard I538.6.2 | RD |
| (A4) Activities exceeding the limits in Standard I538.6.4 | RD |
| Use | |
| <u>Accommodation</u> | |
| (A5) Dwellings | P |
| (A6) <u>Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding.</u> | RD |
| (A7) <u>Integrated residential development</u> | P |
| (A8) <u>Supported residential care</u> | P |
| (A9) Visitor accommodation and boarding houses | P |
| <u>Commerce</u> | |
| (A10) <u>Conference facilities</u> | P |
| (A11) <u>Entertainment facilities</u> | D |
| (A12) <u>Retail</u> | P |
| (A13) <u>Service stations</u> | NC |
| (A14) <u>Supermarkets up to 2,000m² gross floor area per tenancy</u> | P |
| (A15) <u>Supermarkets greater than 2,000m² gross floor area per tenancy</u> | D |
| (A16) <u>Drive-through restaurants</u> | RD |
| <u>Community</u> | |
| (A17) <u>Community facilities</u> | P |
| (A18) <u>Education facilities</u> | P |
| (A19) <u>Tertiary education facilities</u> | P |
| <u>Development</u> | |
| (A23) <u>Temporary structures that are established for less than 21 days.</u> | P |
| Signs | |
| <u>Comprehensive development signage</u> | |
| (A25) <u>Comprehensive development signage that is further than 30m from the Shakespeare Road, Taharoto Road and Northcote Road frontages.</u> | P |
| <u>Temporary activities</u> | |
| <u>Temporary Activities – General</u> | |
| (A26) <u>Temporary activities for up to 21 consecutive days.</u> | P |
| <u>Specific Temporary Activities</u> | |
| (A27) <u>Noise events</u> | P |

Unless as addressed below, we agree with the above amendments.

- (A1) delete reference to the maximum in standard I538.6.1. Non-residential activity exceeding 125,000m² GFA and 570 units should be – **RD** and exceeding 162,000m² GFA should be – **D**.
- (A3) This is acceptable subject to I538.6.2. being amended as per our recommendation.

(A13) Service stations **D**

A (14) Supermarkets up to 2000 m² GFA per tenancy but with a restriction on parking at one per 60m² – **P**.

A (15) Supermarkets greater than 2000 m² GFA per tenancy - **D**.

A (16) Drive through restaurants – **D**.

I538.5. Notification

(1) Any application for resource consent for ~~an~~ restricted discretionary, discretionary or non-complying activity listed in Table I538.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

Not applicable to our area of expertise.

I538.6. Standards

The standards applicable to the underlying zone and Auckland-wide apply in this precinct, except the following:

- ~~Policy Standard E27.3(2) Integrated transport assessment 6.1 Trip generation for non-residential~~ development up to ~~405~~ 162,000m² gross floor area (~~see Standard I538.6.3~~);
- ~~Standard E27.6.1 Trip generation~~ or for residential development ~~up to 405,000m² gross floor area~~ (see Standard I538.6.3); ~~and~~
- Standard E27.6.2(5);
- Standard ~~H16~~ H15.6.1 Building height;
- Standard H15.6.3 Yards; ~~and~~
- Standard H15.6.7 Outlook space.

All activities in the Smales 1 Precinct must comply with the following standards.

Delete 162,000m² and replace with 125,000m².

1538.6.1. Gross floor area (GFA)

(1) The maximum gross floor area in the precinct for non-residential activities is 162,000m² subject to ~~the following in Table 1538.6.1.1(2) below:~~

Table 1538.6.1.1 Gross floor area

| Activity | Gross floor area |
|---------------------------------|---|
| Commercial services | Must not exceed 3,800m² plus a cumulative gross floor area of 500m² for every 10,000m² of gross floor area of offices over 41,120m² including development already established in the Smales 1 Precinct |
| Food and beverage | |
| Retail | |
| Service stations | |
| Care centres | |
| Community facilities | |
| Repair and maintenance services | |

(2) The Gross Floor Area occupied by retail and commercial services activities must not exceed 3.800m² plus a cumulative gross floor area of 500m² for every 10.000m² of gross floor area of development over 41.120m² including development already established in the Smales 1 Precinct.

This is acceptable.

1538.6.2. Parking

(1) The number of parking spaces accessory to non-residential activities must not exceed:

- (a) 1936 car parking spaces for the first 44,770m² gross floor area;
- (b) an additional one car parking space per 31.8m² gross floor area for development between 44,770m² and 105,000m² gross floor area; and
- (c) an additional one car parking space per 45.1m² gross floor area for development in excess of 105,000m² gross floor area to a maximum of 5094 spaces

(2) No minimum or maximum parking requirements apply to residential activity.

The current Precinct provisions as proposed by the applicant will result in up to 4,872 parking spaces. However, included in the calculation is a proviso for a maximum of 5,094 car parking spaces. No rationale has been provided for this upper limit.

Limiting car parking is one of the key mechanism to limiting non-residential vehicle trips. Limiting non-residential car parking provisions is a key success factor of a TOD and achieving the objectives of the Precinct.

It is recommended that a maximum parking rate of one space per 60m² GFA (for GFA over and above that currently developed) is implemented for non-residential activities.

- This is consistent with a TOD and other higher density areas such as the Wynyard Quarter.

- In addition, it is likely that the TOD will include a reasonable proportion of ancillary activities that would not require additional parking provisions.
- If necessary, parking could be unbundled and used for 'complementary' activities during and outside of normal working hours.
- There are currently 2,044 parking spaces on the site and a total GFA of 58,000 m².
- Applying the one space per 60m² GFA for the remainder of the entire development would result in the provision of 3,777 spaces.
- Based on the proposed rate of one parking space per 60m² GFA, the overall parking rate for the fully developed GFA of 162,000m² will be approximately one space per 42.9m² GFA. This is not too dissimilar to that proposed by the applicant.

With regard to parking for residential activity, the 'no minimum and no maximum' rule is not supported.

The Translink TOD-related document (referenced in paragraph 17 of section 4.0) states that:

- *managing parking demand is one of the most effective strategies in shifting travel demand away from single-occupancy vehicles...*
- *...newer approaches are targetting parking demand to reduce the number of parking spaces required...*
- *...free parking is an invitation to drive and leads to inefficient utilisation of limited space...*

In the ITA, vehicle trip generation rates have been sourced from the New South Wales Road and Maritime Services' *Guide to Traffic Generating Developments* (RMS Guide).

The RMS Guide included recommendations for the provision of parking for *high density residential flat buildings*. For Metropolitan Sub-Regional Centres, the recommended minimum number of parking spaces is 0.6 spaces per one-bedroom unit, 0.9 spaces per two-bedroom unit and 1.2 spaces per three-bedroom unit.

The RMS Guide also states that, 'Councils may wish to reduce this requirement for buildings located in close proximity to public transport, or where short-term unit leasing is expected.'

We therefore consider that, in order to achieve the design principles of a TOD, the provision of parking for residential activity should have no minimum requirements but be limited to a maximum of one space per unit. We consider that this rate represents a reasonable average taking into account the uncertainty of the mix of various-sized apartments.

1538.6.3. Trip generation

(1) ~~Development~~ **Non-residential development up to 405,162,000m² gross floor area, and residential development,** will not be subject to the following:

- (1) Policy E27.3(2) Integrated transport assessment; and
- (2) Standard E27.6.1 Trip generation.

Modify the above thresholds to 125,000m² GFA and 570 residential apartments.

I538.6.9. Pedestrian Plaza

(1) No later than the completion of 125,000m² GFA of development in the Smales 1 Precinct, a pedestrian plaza shall be provided approximately in the location shown on Precinct Plan 2. The pedestrian plaza shall:

- (a) have a minimum area of 400m².
- (b) receive adequate winter sun between the hours of 11am and 2pm.
- (c) be appropriately sheltered from the south-westerly wind.
- (d) be designed having regard to CPTED principles.
- (e) incorporate hard and soft landscaping.

This is acceptable.

I538.9. Special information requirements

There are no special information requirements in this precinct.

The following general information is to be provided as requirements for 'site travel management plan'.

- Traffic information and surveys of employees / residents are to be undertaken every two years.
- Include an assessment of pedestrian and cycling connections to and through the site to determine if these are consistent with the objectives and policies of the Precinct.
- The level of bicycle parking and car parking spaces developed on the site. This information should include relevant details such activities related to the respective parking spaces, locations, etc.
- Reporting on TDM measures, management and monitoring undertaken.

Other restriction and/or rules.

We consider that this additional rule is included within the proposed Plan Change.

To protect safe and efficient operation of key FTN/RTN services, no vehicle access is permitted on Shakespeare Road extension.

12.0**CONCLUSION AND RECOMMENDATIONS**

196. We believe that the proposed Plan Change generally supports the development of a TOD. However, there are some concerns regarding the parking provisions. We consider these are inconsistent with the principles of a TOD.
197. The Smales Farm site is handily located close to the Smales Farm Bus Station and the Northern Motorway. Therefore the site is well connected for those looking to access the site by bus or private vehicle. We consider that the site is easily accessible by public transit and appropriate to be the base for a TOD. Access to walking and cycling infrastructure is also very good.

198. There are a number of future regional projects that, when implemented, will improve the mode choice availability for people associated with activities on the site.
199. The modelling undertaken is comprehensive. However, there has been an assumption that a 25% reduction in a specific traffic movement is considered as being necessary for the traffic-related impacts of the proposed development not to adversely affect maintaining the safe and efficient operation of the local road network.
200. This is generally an optimistic assumption that is not a proven assumption or empirically determined outcome. There is consequently a level of uncertainty with regard to the traffic effects that might eventuate.
201. The proposed development of a TOD at Smales Farm is consistent with national and regional policies.
202. A number of submissions were received, including comprehensive submissions from Council, Auckland Transport and the New Zealand Transport Agency. The latter submissions included a comprehensive list of suggest amendments to the proposed Plan Change. In summary, the other submissions covered the following areas:
- Principles of a TOD
 - Metropolitan Centre controls
 - Parking provisions
 - Traffic modelling concerns and
 - Provision for pedestrian and cycling.
203. In addition to the modelling assumption described above, the proposed rules (related to parking) are not consistent with a TOD and there is not sufficient discouragement of vehicle trips by the proposed parking provisions.
204. Officers of the three organisations (noted above) held several discussions to consider and determine a common and consistent response to the criteria and thresholds set out in the proposed Plan Change.
205. In order to address the concerns as described above, we recommend a two-stage ‘soft check-in’ followed by a ‘hard check-in’ as follows:
- a preliminary check-in at the five-year (2026) level, that is 92,000 m² GFA of commercial/retail activity together with 190 residential apartments
 - a second ‘soft check-in’ at the 10-year (2031) level, that is 117,000 m² GFA of commercial/retail activity together with 380 residential apartments
 - a ‘hard check-in’ at the 15-year (2036) level, that is 125,000 m² GFA of commercial/retail activity together with 570 residential apartments.
206. The above reviews will allow the applicant sufficient time to implement the principles of a TOD. They will also enable Council to discuss the implementation of ‘corrective measures’ should the development progress be considered not to be achieving the principles of a TOD.
207. With regard to the Plan Change text and criteria, we recommend the following:
- amendments as suggested by the New Zealand Transport Agency as specifically set out in this report
 - **I538.2. Objectives** – reinstatement of the text ‘on the safe and efficient operation of the transport network’
 - **I538.3. Policies** - Amend Policy (3) (amendments in *italics*) to read as follows (or similar): ‘Require landscaped open space and pedestrian connections to be provided or maintained (*that is appropriate for a TOD*) with each stage of development to ensure an appropriate level of amenity for residents, workers

and visitors to the Smales 1 Precinct. *The pedestrian links should also provide safe and legible connections to the bus station.*

- **I538.3. Policies** Policy (6) (amendments in italics) - delete all the text from the second part of the sentence so it reads, *Limit the supply of on-site parking over time to recognise the accessibility of the Smales 1 Precinct to public transport services.*
- **I538.3. Policies** - the inclusions of the Policies (7) and (8) (relating to cycling/walking and TDM), albeit with slight amendments, proposed in the NZTA submission is supported.
- **I538.4. Activity Table** – the following are proposed:
 - (A1) - delete reference to the maximum in standard I538.6.1. Non-residential activity exceeding 125,000m² GFA and 570 units should be – **RD** and exceeding 162,000m² GFA should be – **D**
 - (A3) - This is acceptable subject to I538.6.2. being amended as per our recommendation.
 - (A13) - Service stations - **D**
 - A (14) - Supermarkets up to 2000 m² GFA per tenancy but with a restriction on parking at one per 60m² – **P**
 - A (15) - Supermarkets greater than 2000 m² GFA per tenancy – **D**
 - A (16) - Drive through restaurants – **D**
- **I538.6. Standards**
 - Delete 162,000m² and replace with 125,000m².
 - We also consider that a provision for bicycle parking spaces is included. Since this is a TOD, the provision of an appropriate level of bicycle parking spaces is critical to the success of creating a TOD.
- **I538.6.2. Parking**
 - a maximum parking rate of one space per 60m² GFA (for GFA over and above that currently developed) is implemented for non-residential activities
 - Parking for residential activity should have no minimum requirements but be limited to a maximum of one space per unit
- **I538.6.3. Trip Generation** - modify the thresholds to 125,000m² GFA and 570 residential apartments.
- **I538.9. Special information requirements** - The following general information is to be provided as requirements for 'site travel management plan'.
 - Traffic information and surveys of employees / residents are to be undertaken every two years
 - Include an assessment of pedestrian and cycling connections to and through the site to determine if these are consistent with the objectives and policies of the Precinct
 - The level of bicycle parking and car parking spaces developed on the site. This information should include relevant details such activities related to the respective parking spaces, locations, etc.
 - Reporting on TDM measures, management and monitoring undertaken
- **Other restrictions and/or rules** - we consider that this additional rule is included within the proposed Plan Change.
 - To protect safe and efficient operation of key FTN/RTN services, no vehicle access is permitted on Shakespeare Road extension.

208. We conclude that the proposed Plan Change would support the development of a TOD, subject to the implementation of the above changes.

13.0 LIMITATIONS

13.1 GENERAL

This report is for the use by Auckland Council only, and should not be used or relied upon by any other person or entity or for any other project.

This report has been prepared for the particular project described to us and its extent is limited to the scope of work agreed between the client and Harrison Grierson Consultants Limited. No responsibility is accepted by Harrison Grierson Consultants Limited or its directors, servants, agents, staff or employees for the accuracy of information provided by third parties and/or the use of any part of this report in any other context or for any other purposes.

APPENDICES

APPENDIX 1

DETAILED COMMENTARY ON SUBMISSIONS

Submission No. 1 - Shorecare Medical Services Ltd.**Summary**

Concern over potential loss of on-street car parking for patients and staff of an Urgent Care Clinic.

Response

This submission is unclear, but it seems the submitter is concerned about the limited parking provisions in the Precinct. That is, visitors to the Precinct will use on-street parking on The Boulevard and reduce the level of on-street parking for their patients and staff.

Since the Plan Change is for a TOD, we consider that the parking provision should correspond to a TOD. It is noted that the submitter's business and The Boulevard is located within the site and The Boulevard will be part of the road network serving the TOD.

It is expected that some form of time-restricted parking will enable and enforce a high turnover, and consequently supply, of on-street parking. It is also noted that the on-street parking should not be used by staff of local businesses.

Submission No. 2 – Anthony Kang**Summary**

Mixed use development would include activities like supermarkets and commercial activities and these are not included in the traffic modelling as part of the trip generation.

Traffic currently travelling to the site is in the direction opposite to the peak traffic flow. There would be increased traffic volume for the proposed development along the existing road network. Due to the proposed residential activity, the increased traffic volume will be the same direction as the existing peak period. This will have adverse effects on the wider road network.

Has concerns that the 25% reduction factor applied for traffic from Taharoto Road into Northcote Road requires a significant behavioural change from the existing road users.

The proposed development cannot achieve the proposed transport model split and reduction factor.

Safety concern for pedestrian and cyclists. It is mentioned that potential U-turns needs to be looked after.

Impact for construction traffic.

The proposed development will exceed the capacity for PT.

Response

It is noted that the traffic modelling has included these activities on a Gross Floor Area (GFA) basis.

The nature of a TOD is to reduce vehicular traffic, especially in the peak periods. As has been seen in Auckland's City Centre, the lack (and increasing cost) of parking together with the lack of space within the road corridors to increase the capacity for private single-occupancy vehicles have created a significant mode shift to public transport. Through this process, it is intended that appropriate rules (related to parking) for proposed commercial activities will have restrictions to reflect the intention of the TOD.

The traffic modelling issue has been discussed between AT and the NZTA as set out in section 8.4 of this report.

Due to the local network being close to capacity, the impact of the TOD will not create a significantly worse environment for pedestrians and cyclists. As the development progresses and if pedestrian and safety issues arise, these would be addressed by AT.

The impact of the construction traffic will be addressed when individual resource consent applications are lodged.

The concerns for the capacity of the existing PT has been discussed in the section 6.3 of the report. As the development progresses and indeed growth occurs in Auckland and the local areas surrounding the Precinct, AT would have to upgrade and develop at PT infrastructure that will cope with Auckland's growth.

Submission No. 3. Toho Consulting

Summary

Support and agreed that the proposed changes can be served by full range of transport connections.

Response

Supports the proposed changes.

Submission No. 4. Jungho Hong

Summary

Has concern regarding the traffic impact on the existing road network; 25% deduction on the road network;

How to achieve transit-oriented development.

If parking spaces are provided for the residents, the trips will be generated on road network.

Response

Issues related to traffic, the 25% reduction and the TOD are discussed above in the response to Submission 2. The assessment of the proposed TOD is included in this report in section 7.0.

Submission No. 5 Susan Peace

Summary

The traffic assessment threshold should stay at 105,00m² for Policy I538.3(3).

Response

The modelling developed for the 2036 scenario is based on a GFA of 125,000m². This is discussed in section 6.4 of our report and the traffic effects are shown to be acceptable. Therefore it would not be reasonable to retain this threshold.

Submission No. 6. Sentinel Planning Ltd

Summary

Supports the proposed Plan Change and the use of Smales Farm as a mix use Transport Orientated Development Centre.

Response

Supports the proposed changes.

Submission No. 7 Sally Slawson**Summary**

Negative traffic impact with increasing traffic volume on congested road network.
When events are held, the traffic would be worse.

Response

The effects of traffic as a result of the proposed TOD are discussed above in the response to Submission 2. Events are not usually held in peak traffic times. While events might create a significant level of traffic, events are generally held in the evenings or over weekends when there is sufficient capacity on the road network. In addition, events of any significant magnitude are managed by the implementation of temporary traffic management plans.

Submission No. 8 Soon Bok Ko**Summary**

Limited capacity to accommodate more traffic on the existing road network;
The PT connectivity is not comparable to CBD or Newmarket;
Limited parking spaces would cause impact on side road.
Submitters have concerns on the viability of the TOD.

Response

These issues have been included in the responses above. It is noted that on-street parking is a public facility/amenity and cannot be 'allocated or reserved' albeit informally for specific groups of people. Nevertheless, if external parking does become an issue in say the local residential areas, Council can easily impose restrictions with parking permits for local residents.

Submission No. 9 Charles Crisp**Summary**

Existing PT and road network cannot accommodate the proposed development.

Response

This issue has been addressed above.

Submission No. 10 NZTA**Summary**

NZTA is in general supportive of the proposed Plan Changes with recommended further amendments to the provisions of the Plan Change.

NZTA has provided detailed comments and amendments to each proposed rule.

Response

In developing our responses to the rules, we have taken into account these comments.

Submission No. 11 AT

Summary

Key issues are addressed in AT's submission are related to the issues set out below:

- AT emphasised that the Plan Change is not to be inconsistent with TOD principles.
- The impact on the timing and development of strategic transport infrastructure.
- Potential appropriate quantum and mix of land use activities and associated trip characteristics.
- Potential integration of the development with public transport.
- Traffic generation / network effects and identified mitigation measures.
- Demand and provision of walking and cycling facilities.
- Parking provisions and associated effects.
- Vehicle access and circulation.

Timing and staging in relation to future transport network changes.

Response

Auckland Transport has raised a number of issues and wants these issues to be addressed before a decision is made on the proposed Plan Change.

In developing our responses to the rules, we have taken into account these comments.

Submission No. 12 Sovereign Services Limited**Summary**

Sovereign Services Ltd. has concerns that the proposed development would have adverse effects on the function and amenity of the existing business park development.

The submitter also has concerns that there is no restriction on the parking requirements for proposed residential activities on site.

Response

As noted above, the proposed TOD will improve function and amenity by creating a more people-orientated and less car-dominated environment.

The parking threshold for both non-residential and residential activities will be recommended to be modified. We consider that a maximum parking requirements for the proposed residential activity should be implemented.

Submission No. 13 Auckland Council**Summary**

Auckland Council supports the PPC23 in part, subject to amendments, so far as:

- It retains a cap on retailing activities on site and limited provision is made for residential activity
- limited provision is made for residential activity:
 - (a) support that no provision is made to enable camping grounds or retirement villages;
 - (b) support that conversion of a building or part of a building to dwellings or visitor accommodation be provided for as a restricted discretionary activity;
 - (c) support that provision is made for dwellings as a permitted activity, subject to compliance with appropriate standards (noting that new buildings are a restricted discretionary activity);

(d) do not support provision for 'integrated residential development', 'supported residential care' or floor boarding house';

(e) do not support that residential activity (excluding visitor accommodation) can be established on ground

(f) that 'service stations' are non-complying, activity (A13) in Table I538.4.1

In general, the text should be amended to:

- Better explain the Precinct description and objectives to set the planning context, precinct purpose and reasoning driving the introduction of additional land use activity opportunities and rationale for building scale.
- Reduce the scale and wide range of residential uses or activities so the equivalent of a 'city centre' is not enabled;
- Achieving a 'transit-oriented' rather than just 'transit-adjacent' node of activity;
- Ensuring the precinct is worded in line with Auckland Unitary Plan conventions.
- Removing 'temporary activities' from the provisions.
- Removing 'signage activities' from the provisions.

Addressing the change of activity status of 'drive through restaurants' from restricted discretionary to non-complying (as per the Business Park underlying zone), including the removal of assessment criteria.

Response

We are in general agreement with this submission.

Submission No. 14 Westlake Girls School

Summary

Increased traffic volume would potential increase congestion.

Dwellings and visitor accommodation activities should not be permitted activities.

Response

The issue of congestion has been included above.

We believe that residential activity is vital to the development of a TOD. It is important that if visitor accommodation is provided, it is to a very low level.

Submission No. 15 Housing New Zealand

Summary

HNZ is generally supportive but opposes the provisions of PPC23 and seeks specific changes on few matters.

The main traffic related concerns are:

- The underlying zoning should be Business Mixed Use which would include 'appropriate assessment framework'
- There should be a minimum level of non-residential development required; and
- There should be no overall floor area limit (of 162,000)
- Development of >100 dwellings should be subject to the generic traffic assessment provisions (for trip generation) of chapter E27.6.1, and not have special exemptions

- Ground floor residential should be prevented, as for centres zones, and change documentation should be amended to assess the 'reduced delivery' of office/commercial.

Response

We are in general agreement with these issues and note that the threshold for trip generation needs to correspond with the thresholds used in the traffic models. A number of the issues are more planning- or urban design-related.

Submission No. 16 Watercare

Summary

Accept the plan modification
The concerns raised by Watercare are not traffic related issues.

Response

Noted.

Submission No. 17 Svetla Grigorova

Summary

Decline the plan modification (due to proposed zoning breach; traffic impacts – roads not equipped to support the changes; noise impacts on local area; health impacts - population growth and effects on North Shore Hospital services.)

Response

With regard to traffic-related issues, these are addressed in the above responses.

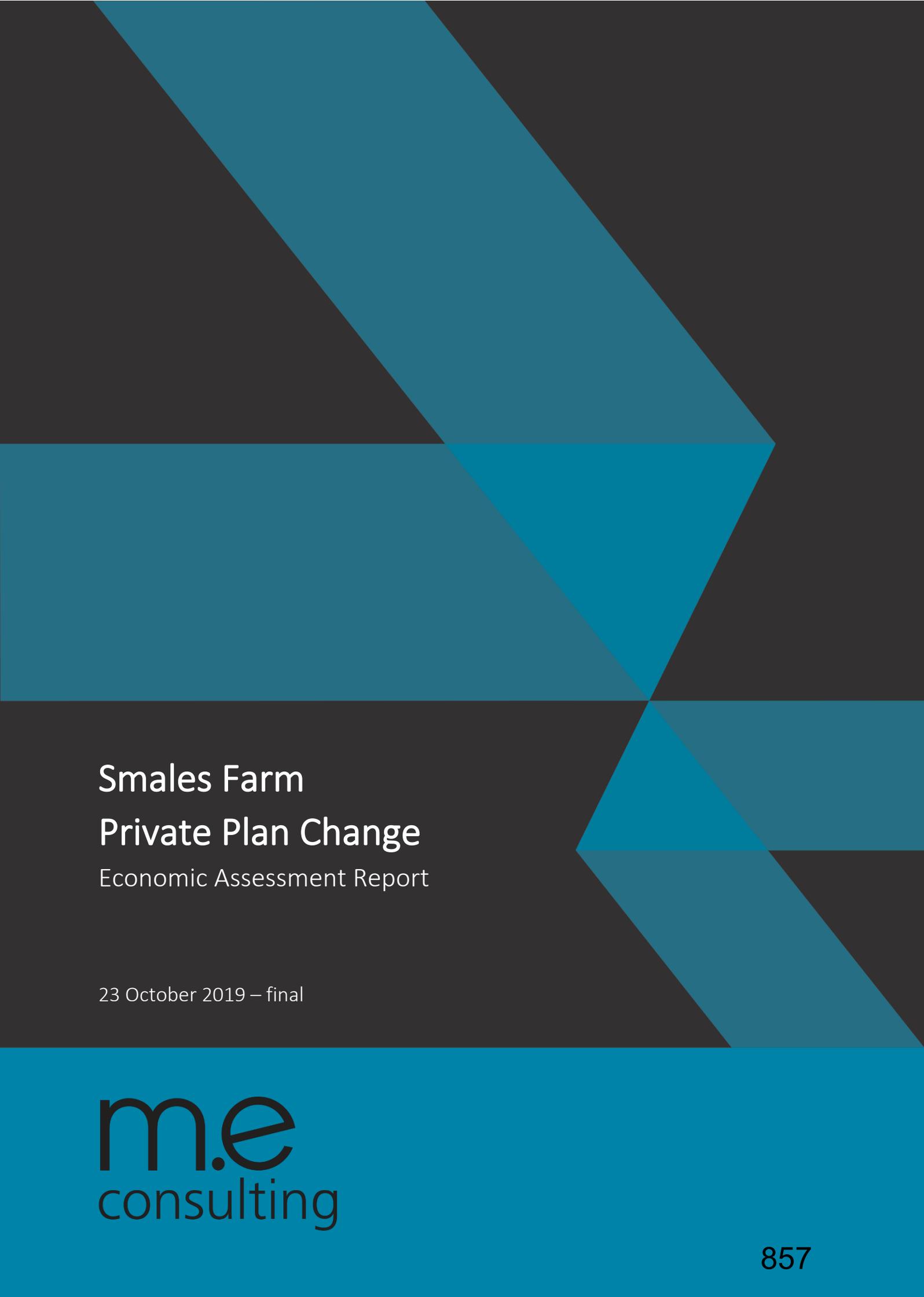
Submission No. 18 Private Atanas Gornakov

Summary

Decline the plan modification (due to proposed zoning breach; traffic impacts – roads not equipped to support the changes; noise impacts on local area; health impacts - population growth and effects on North Shore Hospital services.)

Response

With regard to traffic-related issues, these are addressed in the above responses. It is noted that this submission is similar to Submission No 17.



Smales Farm
Private Plan Change
Economic Assessment Report

23 October 2019 – final

m.e
consulting



Smales Farm

Private Plan Change

Economic Assessment Report

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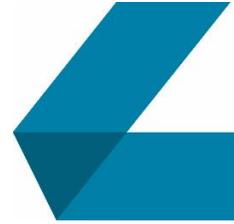
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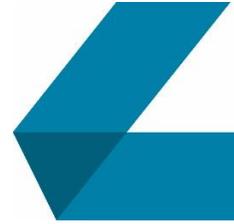


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1 Introduction

Market Economics Ltd (“M.E”) has been commissioned by Auckland Council to review the Sales Farm Private Plan Change (“PPC”) application lodged by Northcote RD1 Holdings Limited, in July 2018.

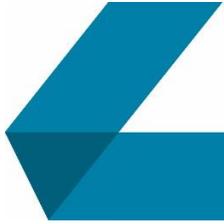
1.1 Objective

The objective of this report is to provide such economic advice to Auckland Council as is required to enable Council to adequately assess the PPC application.

1.2 Involvement in application

M.E has reviewed and provided specialist economic advice on the PPC application, including in relation to the following documents:

- “Likely Economic Effects of a Proposed Private Plan Change for Smales Farm”, Insight Economics Limited, 11 June 2018 (“IEL report”)
- “Auckland Unitary Plan (Operative in Part) Application for Private Plan Change Smales Farm”, Vaughan Smith Planning Limited, 25 July 2018
- “Auckland Unitary Plan (Operative in Part) Application for Private Plan Change Smales Farm Explanation, Assessment of Environmental Effects and Section 32 Analysis”, Vaughan Smith Planning Limited, July 2018
- “Smales Farm Plan Change – Response to Clause 23 Requests”, 15 October 2018



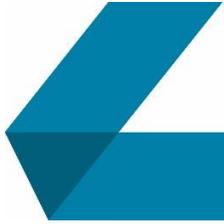
2 The PPC

This application seeks to changes provisions in the Auckland Unitary Plan – Operative in Part (the “Unitary Plan”) affecting the Smales Farm Business Park (“Smales Farm”). Under the Unitary Plan, Smales Farm is zoned Business Park and the Smales 1 Precinct applies to activities and development on the Site. Offices are permitted in the zone, up to a maximum gross floor area (“GFA”) limit specified in the precinct provisions (being a part of the 162,000m² permitted for non-residential activities). Office development in excess of that limit is a discretionary activity. Residential activity is a non-complying activity, and other provisions limit commercial services, food and beverage, retail, care centres, and community activities by a formula that relates their maximum GFA to the amount of development on the Site.

The purpose of the PPC is to facilitate the development of a Transit Oriented Development (“TOD”) on the Site to better reflect what is identified in the application as an opportunity to make better use of the Site’s attributes and proximity to the Smales Farm Bus Station. A TOD is described in the application as a high-density, mixed-use development in close proximity to a major public transport station. The application proposes to maintain the amount of office activity currently anticipated, while also providing for dwellings as a permitted activity. Retail activity would be permitted, but limited by applying a formula that imposes a maximum developable retail GFA related to the amount of other GFA on the Site. Beyond the limit the activities would be discretionary. The formula proposed for retail and commercial services activities is contained in Standard I538.6.1(2):

The Gross Floor Area occupied by retail and commercial services activities must not exceed 3,800m² plus a cumulative gross floor area of 500m² for every 10,000m² of gross floor area of development over 41,120m² including development already established in the Smales 1 Precinct.

In total, the PPC assumes that full development of the Site would yield 300,000m² GFA, of which 162,000m² would be business activities and the balance (138,000m²) residential. The PPC would enable incremental increases in retail and commercial services GFA in step with the residential and non-residential development, with the intention of avoiding adverse effects on the role, function and amenity of centres such as Milford and Takapuna.



3 Housing demand

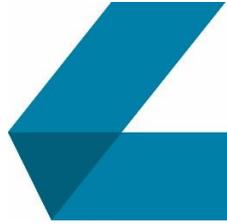
The IEL report provides commentary on the state of the Auckland housing market, and concludes that there is a significant shortage of residential dwelling supply in the region.

3.1 Housing supply issues

The current Unitary Plan and the Future Urban Zones together provide sufficient residential capacity to support the community's demand for housing over the life of the operative Unitary Plan. However Smales Farm is an appropriate location for higher density dwelling supply, and the type of dwellings that will be permitted by the PPC will help to diversify local housing options in an area close to a public transport interchange, and an employment node. While we do not agree that there is insufficient potential (i.e. residential or future residential) capacity at a regional level, increased residential supply in relatively central locations such as Smales Farm represent efficient responses to accommodating residential demand. For those reasons we agree that residential supply on the PPC Site is appropriate.

3.2 Dwelling yield

Based on our assessment of average Auckland dwelling sizes, we agree that IEL's assumption about an average 100m² dwelling size for Smales Farm is reasonable, and that the yield of 1,380m² is therefore also reasonable.



4 Benefits of TODs

We agree with IEL's assessment of the benefit of Transit Oriented Developments ("TODs"), and that Smales Farm meets the criteria to support a TOD.

5 Retail and services demand

In this section we review the applicant's assessment of demand for retail and commercial services space at Smales Farm.

5.1 Quantum of space

The formula proposed for retail and commercial services activities is contained in Standard I538.6.1(2):

The Gross Floor Area occupied by retail and commercial services activities must not exceed 3,800m² plus a cumulative gross floor area of 500m² for every 10,000m² of gross floor area of development over 41,120m² including development already established in the Smales 1 Precinct.

The IEL report states¹ that that would equate to some 16,500m² of retail and commercial services GFA. From our assessment² Standard I538.6.1(2) would permit 16,300m² of retail and commercial services GFA, so we are broadly in agreement with IEL on the permitted quantum of that space.

5.2 Total demand for retail and services space

The IEL report concludes that at full build out (142,000m² of office space, 138,000m² of dwellings, 16,500m² of retail and commercial services space and 3,500m² of healthcare and other services)³ there would be demand for 16,810m² of retail and commercial services space at SF, made up of:

- SF office workers: 9,620m² (Table 2)
- SF residents: 2,990m² (Table 3)
- Visitor demand: 4,200m² (section 6.3.3)

We review the IEL report's assessment of each of those components in the following sections.

5.3 Worker demand for retail and services space

The IEL report assessed that office workers at SF would support 9,620m² of retail and commercial services space. That figure was calculated⁴ by:

- estimating the number of office workers likely at SF in the 142,000m² of office space

¹ p10

² Calculated as 3,800m² (base) + 500m² per 10,000m² of GFA over 41,120m². Maximum total GFA is 300,000m², or 258,880m² GFA in addition to 41,120m². There are 25 lots of 10,000m² in 258,880m², and 25 x 500 = 12,500m². Also permitted is 3,800m² base GFA, for a total of 12,500 + 3,800 = 16,300m².

³ p10

⁴ Section 6.3.1

- applying an assumed spend per worker per week, from their place of work
- applying a local capture rate for spend in each category
- translating that locally captured spend into a quantum of floorspace required.

We comment on each step of that process below.

5.3.1 Number of office workers

The IEL report assumes that the employment density of SF's office space will be 11-12m² per worker, although suggests that is conservatively large, and might actually be 10m² per worker. At those densities, the 142,000m² of office space will support somewhere between 11,800 workers (at 12m² per) and 12,900 workers (11m² per), or potentially even 14,200 workers (at 10m² per).

Those employment densities are quite high (i.e. a low m² per employee) in an Auckland context. Although average densities are increasing, the average CBD office density for longer, fixed-term workplace leases in New Zealand is 16.5m²/worker, including 16.7m² per in the public sector, and 15.5m² in the private sector.⁵ The most space efficient sector is Information Media and Telecommunications, in which densities average 12.2m²/worker. In CBD prime office space, densities average 14.5m²/worker, and in secondary space 18.7m²/worker. In Auckland's 'metro areas' (large, non-CBD centre locations) densities are lower than in the Auckland CBD, at 17.8m²/worker for prime space, and 22.2m² in secondary space, averaging 19.8m² across all metro office space.

From this research it appears that IEL's assumed 11-12m²/worker is high, and is unlikely to be achieved across large office developments for some time yet, as Activity Based Working (ABW) and flexible workspace initiatives take some time to gain acceptance from employers. In our opinion a figure of 18m² per worker would be more representative of short-term expected densities, or possibly as low as 15m² if a very high tech presence results (given technology firms tend to be early adopters of flexible workspaces etc).

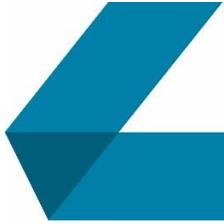
5.3.2 Assumed spend per worker

To place the survey data relied on by IEL in context, that sample is from a relatively small study. As IEL note (p22) that survey captured data from 4,000 office workers. The Smales Farm envisaged by IEL would be 3 to 3.5 times larger than that (i.e. around 12,000 workers), and so the survey relied on is only around one third of a Smales Farm. That is not a large survey base to provide an accurate representation of worker spending, especially when those 4,000 workers are spread across many different locations, including small towns, large metropolitan areas, in downtown business districts and suburbs.

Further, the study is limited to workers in the United States of America, and it is highly likely that the retail spending patterns of households and workers in the USA are not representative of spending in NZ. To assess this we have reviewed data collated by the World Bank that presents households' final consumption expenditure for different countries. That expenditure data is predominantly retail categories, although it

⁵

<https://www.colliers.co.nz/~media/new%20zealand%20website/files/research/specialty%20reports/colliers%20international%20workspace%20trends%20new%20zealand%20fixedterm%20and%20flexible%20workspace%20report%202018.ashx/>



includes imputed rent for owner-occupied dwellings and payments to governments to obtain permits and licenses, so some caution is required when comparing expenditure between countries. Nevertheless, the World Bank data shows that for all of the last 30 years households' final consumption expenditure has been significantly greater in the USA than in NZ, with the USA being between 61% and 85% more than NZ every year over that time (currently at the low end of that range, at 61% more in 2017, the last year in the data series).⁶ If total household retail expenditure is significantly greater in the USA than in NZ, it stands to reason that retail spend from near work is also significantly greater in the USA than NZ, which calls into question the relevance of the study relied on by IEL.

From that study, IEL apply an average spend from near the place of work of \$171 per week per worker (Table 2). If that number had been adjusted to reflect the tendency of USA consumers to spend more on retail a much lower number should have been applied. Assuming USA workers spend 61% more than NZ workers near their place of work, the \$171 would more accurately be around \$106.

We have found several examples of studies making estimates of workforce spend, and have our own estimates calculated through quantitative estimates, however there is not a large body of work on the subject, and in this section we provide comparable data from the limited examples we have found. We convert all figures to 2018 NZD⁷, and to spending per week, using IEL's assumed 45 weeks per year.⁸ We have also inflation adjusted the NZ spend figures presented.

From those studies, the following spend per worker from their place of work are applied in retail planning assessments:

- \$66-82 per week from a 2010 Australian study⁹ projecting demand for retail space in a 187ha greenfields urban growth area.
- \$59-89 per week from a 2014 Australian study¹⁰ (same author as the 2010 study) projecting demand for retail space in a 4ha mixed use retail and office brownfields redevelopment.
- \$110-130 per week from a Singapore study¹¹ in an area including a large office presence around a shopping precinct

From our own assessment of workers' retail spend from place of work in New Zealand, we have assessed \$103-114 per week in Christchurch's CBD in the period 2014-2017 (annual average weekly spend for every year in that period).¹² There was by this stage sufficient opportunity to spend in retail activities that the data assessed can be considered representative of regular (unaffected) retail spending patterns.

⁶ <https://data.worldbank.org/indicator/NE.CON.PRVT.PC.KD>

⁷ Australian CPI inflation of 1.179 (2010-2018) and 1.0681 (2014-2018), and Singapore inflation of 1.0 (2014-2018)

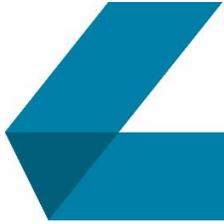
⁸ AUD\$1 = NZD \$0.8 in 2010, and \$0.92 in 2014, SGD\$1 = NZD\$1 in 2014

⁹ <https://www.planning.nsw.gov.au/~media/Files/DPE/Reports/appendices-vol-2-south-tralee-supplementary-report-to-the-tralee-local-environmental-study-2010.ashx>

¹⁰ http://edas.canadabay.nsw.gov.au/dwroot/datawrks/stores/default/default/orig/docsetid/4117679/currentflag/1/dw_get

¹¹ https://fct.frasersproperty.com/newsroom/20140512_175650_J69U_EQ6ASZLFT5NIS5LM.3.pdf

¹² Unpublished. That study used BNZ Marketview credit and debit card spend data, and classified spend as coming from a worker if a unique card was recorded as having transacted in 31 out of 47 weeks in a calendar year (i.e. two weeks out of three). That regular spend distinguishes spending made by non-workers who are unlikely to spend in the CBD that regularly. We were told at the time of commissioning the data request that that methodology has been applied by Statistics NZ and the Ministry of Business,



We agree with IEL's point that there are likely to be variations depending on the opportunity to spend in any given work location. Workers in industrial areas with very little retail nearby will likely spend little near their place of work, whereas workers in very large commercial centres such as the Auckland CBD have much greater opportunity, and will likely spend much more near their place of work. The objective of providing some retail space at Smales Farm should be to provide convenient access to a relatively narrow range of goods and services for Smales Farm residents and workers. It should not, as IEL recognise¹³, be to provide a large retail presence to attract customers into Smales Farm from outside the development. While IEL have appropriately allowed for only part of that work-based demand to be captured locally, to avoid any misunderstanding we note that that allowance would still have to be made to even the lower figure of \$110 per week, and so that local capture proportion applied by IEL does not mitigate the high USA spend figure they assume.

5.3.3 Other assumptions regarding worker spend

In our opinion the other assumptions (local capture, work weeks per year and sales/m²) made by IEL in relation to workers' retail spend are reasonable.

5.3.4 Conclusions on worker demand

From the data presented above, we believe a more accurate indication of likely worker spend from near their place of work would be:

- \$110 per worker per week, instead of the \$171 IEL applied. Because \$110 is 65% of \$171, assuming that lower rate of spend per worker would directly translate into floorspace per workers being 65% of that which IEL have assessed.
- A workforce of around 10,800, instead of the c.12,500 that IEL applied. The former is 86% of the latter, which if applied to the demand assessment would directly translate into floorspace per workers being 86% of that which IEL have assessed

In our opinion both of those alternative assumptions should apply (a smaller workforce, and less spend per worker), which would have the effect of yielding a total floorspace supported by workers of 56% of that which IEL assessed, or 5,360m² (56% = 86% x 64%). IEL assessed 9,620m².

5.4 Residents' demand for retail and services space

IEL has based its assessment of residents' spend on data from the 2016 Household Economic Survey ("HES"). In our opinion:

- the HES data used accurately reflects the average weekly spend per household on retail and services of Auckland households;

Innovation and Employment on data requests relating to worker spend, although we are unaware of any published assessment resulting from those data requests.

¹³ For example in their assumed local capture rates, which are nil for clothing, department, discount, shoe, sporting and jewellery stores.

- it is reasonable to assume that the average spend by Smales Farm households will match the regional average, so the total annual demand of Smales Farm households applied is appropriate; and,
- The sales per m² estimates assumed are reasonable.

We do, however question the local capture rates applied. While a number of retail categories are appropriately assumed to result in no spend at Smales Farm businesses, (e.g. clothing, reflecting the fact that stores selling those products will not be present at Smales Farm), most of the other retail categories are assumed to result in very high proportions of spend at Smales Farm. Overall IEL have assumed that half of all retail spend by Smales Farm households will be spent at Smales Farm businesses, including some categories which have no local spend). That is a very high proportion of spend to be directing to any single location, especially for:

- a relatively small retail destination such as the future Smales Farm
- a retail node which IEL do not anticipate will have any stores selling apparel, electronics appliances, furniture, textiles, recreation equipment and tools.

From our internal models, we estimate that of all retail spend in Auckland:

- 35% is directed to the CBD or Metropolitan Centres,
- 32% is directed to non-centre locations (e.g. General Business, Mixed Use, Light Industry and other zones)
- 33% is directed to Town, Local and Neighbourhood centres.

There is no reason to expect that Smales Farm households would be likely to behave much differently to the average Auckland household, and therefore it is likely that Smales Farm households would have no more than around one third of their spend to direct to all Town, Local and Neighbourhood centres. It is unlikely that all of that spend (33% of total household spend) would be directed only to Smales Farm (as a kind of a proxy local centre), meaning the share that is directed to Smales Farm businesses would likely be even lower than 33%.

While we acknowledge that the capture rates assumed are necessarily subjective and uncertain, we suggest that much lower capture is likely. We make particular reference to supermarkets, as an example of indicative market shares. Supermarkets are a relevant example because many of the goods listed in IEL's Table 3 are sold (primarily) at supermarkets. We have significant experience conducting market analyses for supermarkets and understand sales distance decay relationships for that store type. Overall supermarkets tend to capture 30- 40% of spend in their immediate vicinity, and certainly much less than the 60-80% assumed by IEL for most of the food items listed in Table 3. Even accounting for Smales Farm households to be a captive market who live within easy walking distance of Smales Farm stores, households will still be mobile and have particular brand preferences and be willing and able to direct spend to non-Smales Farm businesses. It is likely that most Smales Farm households would consider spending within Smales Farm to be attractive, however we believe IEL's assumptions about local capture are optimistic.

In our opinion more realistic capture rates would be as follows:

- Alcoholic beverages: IEL assume 67%, whereas we expect a much lower rate of around 30%.
- Other food and beverages: IEL assume 80%, we expect 20-30%
- Personal care and effects: IEL assume 67%, we expect 20%
- Groceries: IEL assume 50%, we expect 30%.

Overall, we would expect that Smales Farm retail businesses might be expected to capture no more than 25% of spend by Smales Farm households. That equates to around half the share IEL have assumed, and half the floorspace supported, which we estimate might be in the vicinity of 1,500m², compared to IEL’s estimate of 3,000m².

5.5 Visitor demand

We agree with IEL that visitor spending is very difficult to estimate, and agree that given its TOD-location and large office presence, some retail spend by visitors is likely. However, from our experience IEL’s assumption that one quarter of total sales will be made to visitors is unlikely. At that level visitors would provide over a third more spend than households, and nearly half as much as the large workforce. Given the temporary nature of visitors, they are unlikely to be in the area often, or for long, and would likely have infrequent, low value transactions, such as purchasing coffee when visiting to go to a meeting, or passing through from the bus station.

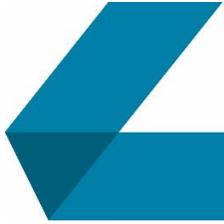
To place in context the 4,200m² of space that IEL suggests will be supported by visitors, we present some hypothetical numbers indicating how many visitors would be required to support the level of spend indicated. At the average sales per m² indicated in IEL’s Table 2 (\$5,125/m²), 4,200m² of space would support \$21.5m of sales annually. Assuming the parameters presented in Figure 5.1 under the “Realistic” scenario, we consider that a reasonable indication would be that 17,200 visitors a day would be needed to support that much retail space. Even if visitors arrived every day of the week (not concentrated in weekdays), spend more per transaction and more visitors spend, still nearly 6,000 visitors to Smales Farm would be needed every day.

Figure 5.1: Visitors to Smales Farm required to support IEL assumed floorspace

| | Realistic | High |
|------------------------------|---------------|--------------|
| Annual sales (\$m) | \$ 21.5 | \$ 21.5 |
| Days | 250 | 365 |
| Average day sales | \$ 86,160 | \$ 59,020 |
| Average transaction | \$ 10 | \$ 15 |
| Share of visitors spending | 50% | 66% |
| Total visitors needed | 17,232 | 5,962 |

To place that number in context, there were 1.10m passenger movements through the Smales Farm bus station in 2017-2018.¹⁴ Assuming that two thirds of those were return trips by the same individual and one

¹⁴ <https://www.greateruckland.org.nz/2018/09/06/2018-rail-and-busway-station-boardings/>



third were one way trips (and 365 days of travel), that equates to 2,030 unique people per day through the station. Even if all those bus travellers visited Smales Farm businesses, there would still need to be another 4,000 visitors spending at Smales Farm every day to generate enough spend to support IEL's indicated 4,200m² of retail space (assuming high spend per person and high market capture).

In addition, a large proportion of those bus station users will be employed at Smales Farm, and so their contribution to supporting retail space is already accounted for in the spend generated by the local workforce. That means that there would need to be even more than 4,000 (non-Smales Farm workforce) visitors to Smales Farm to support the amount of space indicated by IEL. That non-Smales Farm visitor base is unlikely to grow in proportion to development growth at Smales Farm because whereas there is significant development capacity at Smales Farm, that is not true for the surrounding area (e.g. the hospital and retirement homes that surround Smales Farm).

It seems unlikely that there would be more than 4,000 (non-Smales Farm workforce) visitors to Smales Farm every day, on average, calling into question the visitor spend estimates applied in IEL's report.

In our opinion it is unlikely that community events would support much retail space in addition to the core space supported by other activities on site (referred to by IEL on p25). We are aware that a number of community events have occurred at Smales Farm in the past, often making use of The Meadow, the large grassed area between AIA House and the motorway (events such as the Stellar Festival of Light, the Auckland Heritage Festival, a monthly car meet, and outdoor movie showings). However:

- As development proceeds and more of the site is devoted to permanent buildings, the opportunity to accommodate events relying on large outdoor space will be likely to decrease.
- Often these sort of community events do not support permanent retail space, but instead are serviced predominantly by temporary outlets such as food trucks.
- Often these events are held in the evening or at weekends when the weekday workforce is absent. That provides significant spare capacity for businesses that service the workforce to temporarily divert to providing for the needs of event-goers, but would not support additional permanent space.

In our opinion total visitor spend is likely to be much lower than the 25% of all Smales Farm sales that IEL assessed, and probably in the order of 10%. Even at 15%, and assuming the lower estimates of space supported by households and workers are correct, visitor-supported floorspace would be around 1,200m², which is much less the 4,200m² IEL assessed.

5.6 Total retail space supported

From the preceding assessment we believe IEL has been optimistic in its supportable retail floorspace estimates. Using the alternative (lower) estimates presented for each market segment, we assess that the sustainable retail floorspace at Smales Farm would be around 8,100m² at full build out (Figure 5.2). That is, from our assessment a much smaller area of floorspace (less than half) would be supported at Smales Farm as that which IEL assess. The implication of a lesser amount of space being supported by Smales Farm



workers, households and visitors is that if a larger amount of retail and commercial services space were to establish as IEL recommend, that space would:

- have to be supported by an inflow of custom that is currently directed to other centres, with implications for the sales performance and vitality etc of those centres;, or
- the space would be underutilised or remain vacant.

Figure 5.2: Alternative Smales Farm retail and commercial services floorspace supported (m²)

| | IEL | M.E | Difference |
|-----------------------------|---------------|--------------|----------------|
| Floorspace supported | | | |
| Households | 2,990 | 1,510 | - 1,480 |
| Workforce | 9,620 | 5,360 | - 4,260 |
| Visitors | 4,203 | 1,212 | - 2,991 |
| Total | 16,813 | 8,082 | - 8,731 |
| Share of floorspace | | | |
| Households | 18% | 19% | |
| Workforce | 57% | 66% | |
| Visitors | 25% | 15% | |
| Total | 100% | 100% | |

We understand that the total floorspace of the existing retail and commercial services businesses is the 3,800m² referred to in the proposed rule governing future permitted retail and services space. That existing space at Smales Farm comprises:

- Goodside: a recently completed restaurant precinct of eight venues.
- Q4 building: A number of tenancies comprising nearly 1,800m², and including a dentist, hair salon, delicatessen, bank, several eateries and a pharmacy
- A medical centre, childcare and a gym

That amount of existing space would leave an additional 13,000m² to be occupied if IEL’s estimate of sustainable future space eventuates, or just under 4,300m² if our estimate applies. Given recent trends evolving in Auckland it is possible that Smales Farm might seek to attract a small supermarket (likely to be no more than say 1,500m², comparable to the imminent New World Metro store in Takapuna’s Shore City). If so, that would leave:

- 2,800m² of retail space under our estimate, or 19 stores at an average of 150m² per tenancy (11 at 250m² per store); or,
- 11,500m² under IEL’s estimate, which is 77 stores at 150m² per store, or 46 at 250m² per tenancy.

It is difficult to envisage what type of businesses would fill 46-77 tenancies under the scenario recommended by IEL, in order to provide for the needs of Smales Farm residents and workers. That is, there



are only so many cafes, hairdressers, grocery stores and florists (etc., as identified in IEL's Table 2) that are required to support a compact mixed use development.

At 16,800m² the Smales Farm retail and commercial services presence would be a very substantial node of that type of activity. By way of comparison, following are the leasable retail areas of some comparably sized Auckland retail assets that are all or part of shopping centres that service a number of surrounding suburbs¹⁵:

- Highbury Mall is 11,500m²
- Milford Mall is 14,600m²
- Northcote Shopping Centre is 19,700m²
- Shore City (Takapuna) is 14,000m²
- Southmall (Manurewa) is 14,270m²
- The Airport Shopping Centre is 12,800m²
- Hunters Plaza is 17,070m²

5.7 Conclusion on space supported

In conclusion, our assessment indicates that the amount of retail space that will be required to support the retail and services needs of the Smales Farm workforce, residents and visitors to the complex will be less than half as much as assessed by IEL. From that assessment it is likely that the quantum of space recommended by IEL would be far in excess of what is required at Smales Farm, and would be likely to result in large underutilised or vacant areas of space at Smales Farm, and/or larger than expected adverse effects on other nearby centres.

¹⁵ From NZ Property Council's Shopping Centre Database

6 Other matters

6.1 Employment capacity

We have also been requested by the processing planner to assess the extent to which the PPC might result in a loss of employment capacity at Smales Farm. As part of this matter, Council wishes to understand whether:

- some minimum limit of floorspace at Smales Farm should somehow be promoted
- there is potential for a significant adverse effect to result as a consequence of this possibility, and if so whether that possibility needs to be addressed by way of modified PPC provisions (for example to prevent solely residential development from occurring at the expense of 'office' activity).

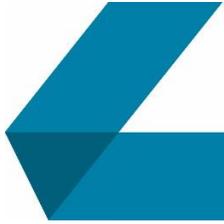
The IEL report does not assess this issue. Two submissions touch on this issue:

- Sovereign submission point 12.2 seeks to add to policy (1A) “while avoiding adverse effects on the function and amenity of the existing business park development”. This could be interpreted to include a concern for the increase in business/employment development of Smales Farm that may be of interest to Sovereign.
- Housing NZ submission point 15.3 seeks to generally uphold future business activity and avoid residential development dominating through seeking to “retain a minimum level of non-residential GFA” to ensure that residential development will not reduce previously planned business activity on the site, and that the remaining part of the Site is not dominated by residential uses.

Our assessment for the Unitary Plan included modelling supply and demand for commercial space. From that assessment we understand that there is very large theoretical capacity to accommodate office development in Auckland, because of the multi-level (re)development capacity that exists in many Auckland centres. That is, land can be used very efficiently for office-based activities, much more so than for industrial activities, which are typically only single-level. That capacity exists in most centres across Auckland, and means that (potential) supply of office space to accommodate the needs of growth was not a matter of concern in the Unitary Plan hearings.

Our understanding is that that is still the case, and there remains plentiful supply of office space across Auckland. That being the case, it would not be of significant concern if the office development capacity (162,000m² GFA) at Smales Farm were not achieved. It would also not be a concern if residential activity occurred but no office activity (assuming residential capacity remained capped at a maximum of 138,000m² as proposed in the PPC).

Nevertheless, there would be a significant opportunity cost of foregone office supply were no more office development to occur at Smales Farm, particularly if that were to be a permanent preclusion as the result of residential buildings constructed in such a way as to realistically prevent additional development of office space. Given the assessment presented in IEL's section on TODs, Council may wish to consider avoiding an



outcome where residential development occurs on the Site in preference to office-based activities, given the favourable attributes of the site for accommodating a large workforce (e.g. proximity to a public transport interchange). We are unclear on the technicalities of imposing limits, however we imagine that there may be some difficulties faced by Council if a particular type of activity (e.g. offices) were required to be constructed – we are not aware of any mechanism by which a landowner can be compelled to develop their land in a particular manner. One possible solution could be to only allow residential development in line with office development, in a similar way to the retail development ‘triggers’ that are proposed.

One additional consideration could be that residential activity should not be permitted to locate in parts of Smales Farm that are already built. One scenario (although possibly unlikely) could be that existing office space could be converted for residential uses once those residential uses are permitted.

6.2 Effects on centres

A further consideration in addressing this issue is that the Unitary Plan generally envisages office activity to locate in centres. While provision is made for office activity in business parks, any plan change for business parks is required to limit office space to not adversely affect the function, role and amenity of centres.¹⁶ That assessment does not appear to have been carried out as part of the application, and so it is not understood whether there will be adverse effect on nearby centres (such as Takapuna).

As a Metropolitan Centre, Takapuna is anticipated to capture a relatively large proportion of growth in office activities, however that may be jeopardised by competing out of centre office nodes such as an expanded Smales Farm. Takapuna relies quite heavily on its workforce to support retail and services businesses, and movement of those businesses away from the centre (for example to Smales Farm) might adversely affect the future viability of at least some of Takapuna’s non-office businesses, as well as having adverse effects on the centre’s vibrancy generally. Other centres such as Milford and Northcote may also be affected by large-scale office development at Smales Farm, and the potential effects are not limited only to Takapuna.

¹⁶ H15.3.(18)



7 Conclusion

From our assessment the Standard I538.6.1(2) proposed in the PPC application would support significantly more retail and commercial services floorspace than would be required to adequately provide for the needs of the local workforce and dwellings. That standard as notified reads:

The Gross Floor Area occupied by retail and commercial services activities must not exceed 3,800m² plus a cumulative gross floor area of 500m² for every 10,000m² of gross floor area of development over 41,120m² including development already established in the Smales 1 Precinct.

To provide a more appropriate level of floorspace, which we assess to be in the order of 8,000m² retail and commercial services floorspace (Figure 5.2), the rule should be revised to read somewhere between:

- 175m² for every 10,000m² of gross floor area (yielding 7,800m² maximum); and
- 200m² for every 10,000m² of gross floor area (yielding 8,800m² maximum).

We agree with IEL's assessment that Smales Farm is an appropriate location to support residential development, and that the scale of residential dwellings likely aligns with that which IEL has assumed in its assessment.

We note that there has been no assessment of the potential adverse effects on the function, role and amenity of centres as is required by the Unitary Plan, and therefore have been unable to assess those potential effects.

Auckland Council

Peer Review Comments

| | |
|----------------------------------|---|
| Peer Reviewer: | Rebecca Skidmore |
| Area of Expertise: | Urban Design Landscape and Visual Effects |
| Date: | 15 th October 2019 |
| Application Details: | Private Plan Change request by Northcote RD 1 Holdings Ltd. that seeks changes to the provisions in the Auckland Unitary Plan affecting the Smales Farm Business Park. |
| Peer Reviewers Reference: | Council Ref. PC023 – Smales Farm (Private) My ref.: 17040 |
| Documents Reviewed: | <ul style="list-style-type: none">▪ Private Plan Change application (July 2018);▪ AEE by Vaughan Smith Planning Ltd. (July 2018) (Annexure 1 of application);▪ Urban Design Assessment by Boffa Miskell (10 July 2018) (Annexure 5 of Application);▪ Drawing Package (Annexure 6 of Application);▪ Landscape and Visual Assessment by Boffa Miskell (10th July 2019) (Annexure 7 of application);▪ Further information response (15th October);▪ Submissions. |

1 Introduction and Area of Expertise

- 1.1 I am an Urban Designer and Landscape Architect. I hold a Bachelor of Science degree from Canterbury University, Christchurch, a Bachelor of Landscape Architecture (Hons.) degree from Lincoln University, Christchurch and a Master of Built Environment (Urban Design) degree from Queensland University of Technology in Brisbane, Australia. I am a director of the consultancy R. A. Skidmore Urban Design Limited and have held this position for approximately eight years.
- 1.2 I have approximately 24 years' experience in practice in both local government and the private sector. In these positions I have assisted with district plan preparation and I have reviewed a wide range of resource consent applications throughout the country. These assessments relate to a range of rural, residential and commercial proposals.
- 1.3 In my current role I regularly assist local authorities with policy and district plan development in relation to growth management, urban design, landscape, and amenity matters. I also have considerable experience in carrying out character assessments.
- 1.4 I am an independent hearings commissioner.
- 1.5 I regularly provide expert evidence in the Environment Court. I have appeared as the Court's witness in the past.
- 1.6 I have visited the Smales Farm Site and surrounding environs on numerous occasions.
- 1.7 In the following review the area subject to the proposed Smales Farm Precinct is referred to as the Site.

2 Site Description / Receiving Environment

- 2.1 A description of the original vision for the Smales Farm Technology Office Park and the evolution of its development to date is set out in Section 3 of the Urban Design Assessment report (the "UD report"). The Site's surrounding context is clearly described in Section 7 of the report. The description identifies a number of key features of urban infrastructure in the immediately surrounding area including: North Shore Hospital; a large retirement village; Westlake Girls' High School; the Northern Busway; Takapuna Intermediate School; AF Thomas Park which accommodates the Takapuna Golf Course and the North Shore Events Centre. The description notes the surrounding heavily trafficked street environment, creating a poor pedestrian and cycling environment.
- 2.2 The Landscape and Visual Assessment report (the "LVA report") also provides an analysis of the Site and its landscape context. I agree with that analysis. With

reference to Part 5, Figure 1 (Site Context) of the Drawing Package, the surrounding landholdings that contain the various activities described above are noted as being large. Around these are a range of smaller scale commercial, mixed-use and residential sites with changes in the AUP zoning enabling higher density and building heights in the future. The analysis notes that the scale and character of the street network surrounding the Site clearly defines and separates the Site from land-uses beyond.

- 2.3 The pattern of development in the wider context is also described and depicted in Part 5, Figure 2 of the Drawing Package. I note that the volcanic feature of Lake Pupuke is located approximately 500m to the northeast of the Site. It is identified as an Outstanding Natural Feature in the AUP.

3 Adequacy of Information

- 3.1 In response to a request for further information, additional detail was provided by the Applicant. This included a package of additional drawings to assist an understanding of the provisions proposed and the supporting information included in the application.
- 3.2 Following the close of submissions I attended two meetings with the Applicant team to explore possible amendments to the Plan Change provisions to address matters raised by submitters and in response to issues I had previously raised. Revised provisions have been developed by the Applicant and these will be referred to in the following review.

4 Matters of Agreement Within the Scope of Expertise

- 4.1 Areas of agreement include:
- Description of the Site and its context as set out in both the UD report and the LVA report;
 - The Site is suitably located to accommodate a TOD;
 - The amendments to the package of provisions are generally appropriate to address urban design, landscape and visual amenity concerns raised in submissions.

5 Matters of Disagreement Within the Scope of Expertise

- 5.1 There are generally no areas of disagreement between the experts if the amendments to the provisions discussed with the Applicant following the close of submissions are adopted.
- 5.2 In reviewing the drawing package material included in Annexure 6 of the Application, I suggest caution is adopted in relying on the 3D modelling as depicting the outcomes enabled by the package of provisions. In particular, the indicative masterplan does not accurately reflect the outcomes that may be achieved in accordance with the provisions.
- 5.3 I also recommend a number of minor amendments to the provisions. These are outlined in the following section.

6 Analysis of Urban Design, Landscape and Visual Effects Issues

- 6.1 The purpose of the proposed Plan Change is to enable a greater density and diversity of development at Smales Farm, including opportunities for residential apartment living. The UD report describes the aspiration to “provide for a greater mix of uses and development intensity at Smales Farm including tall buildings up to 75-100m, while ensuring a walkable urban form of high design quality results that provides for appropriate levels of amenity both within the precinct and in relation to surrounding streets and neighbouring areas.”¹
- 6.2 Following is a review of key urban design, landscape and visual effects issues that have been raised in submissions.

Transit Oriented Development – Suitability of Site and Achieving Principles

- 6.3 The Urban Design report finds that the Site is well suited to accommodate greater scale, intensity and mix of activities to function as a Transit Oriented Development (“TOD”). The report sets out six principles to successfully create a TOD, drawn from the Translink ‘British Columbia Design Guidelines for Transit Oriented Communities’. Drawing on these principles, Section 12 of the report sets out a

¹ Para. 2.2, p. 6, Urban Design Assessment, Boffa Miskell, 10/07/18

number of desired urban design outcomes. I agree that the Site's large scale and single ownership and its adjacency to the northern busway station and proximity to a range of employment and community facilities infrastructure mean it is well suited to transition to a TOD.

- 6.4 A number of submissions (e.g. New Zealand Transport Agency ("NZTA"), Auckland Transport ("AT"), Auckland Council ("AC")) seek changes to ensure the Plan Change will align with TOD principles.
- 6.5 I consider that the notified plan change provisions lack detail regarding the outcomes sought and certainty that the TOD principles described in the Urban Design report will be delivered.
- 6.6 In my opinion, the amendments now proposed by the Applicant provide a more robust framework to deliver key urban design outcomes for a TOD. In particular, the Precinct Description is more explicit about the function of the Precinct as a TOD with the key principles for achieving a TOD clearly articulated. The policy framework is also expanded to identify the outcomes sought for connectivity through the Precinct by way of primary and secondary linkages and the quality of public realm required to support a pedestrian focussed environment.

Activity Mix

- 6.7 As set out in the Urban Design report, enabling the establishment of a mix of complementary activities is important in order to achieve a vibrant urban node that reduces car dependence and supports transit use.
- 6.8 The submissions by AC and Housing New Zealand ("HNZ") supports provision being made for residential activity within the Precinct but does not support it being established at ground level.
- 6.9 In my opinion, the establishment of residential activity within the Precinct will be a key aspect of creating a mixed and vibrant TOD. In order to facilitate residential development I do not consider it necessary to avoid ground level residential activity throughout the Precinct. However, I agree that it should be discouraged along the primary linkages identified in Precinct Plan 2: Structuring Elements, given the primacy of these routes in creating high amenity and vibrant connections to the public transport hub. The amended provisions proposed by the Applicant includes a development standard to avoid dwellings, including residential units within an integrated residential development, with frontage to a primary linkage. In other locations, I consider the assessment criteria for new buildings, including those relating specifically to 'ground floor residential activity' are suitable to ensure an appropriate interface is created between dwellings and adjacent areas of public access.

- 6.10 The submission by NZTA questions the appropriateness of large scale supermarkets (above 2,000m²) and drive-through restaurants within the precinct given their high traffic generating nature and the potential conflicts with the active transport mode focus of a TOD. In terms of urban form outcomes, I consider that these activities can result in conflicts with the amenity outcomes sought for the Precinct and, particularly, the primary linkages to the public transport hub. While smaller supermarkets usefully contribute to the amenity of residents and workers within the precinct and can be accommodated without compromising the character and amenity of the public realm, I agree that larger supermarkets (larger than 2,000m²) should be avoided. Similarly, I agree that drive-through restaurants should be considered as a full Discretionary activity.

Provision of Open Space – Linkages and Plaza

- 6.11 Key principles in creating a TOD are ensuring an urban structure that provides direct and legible linkages through the precinct to the transit interchange and creating a high amenity, safe environment for active transport modes. A number of key desirable features of walkable and pedestrian focussed public spaces are set out in the UD report.² I agree that these are important features to create a TOD.
- 6.12 The submissions by AT and AC seek amendments to the Plan Change to ensure safe and attractive connections from the wider environment and within the Precinct to the public transport interchange are achieved.
- 6.13 Precinct Plan 2: Structuring Elements identifies two key axes through the precinct connecting Tahoroto Road, Northcote Road, Shakespeare Road and the Busway Station intersecting at the centre of the Precinct with an indicative location for a pedestrian plaza identified in this area. At a broader level and being cognizant of the existing development pattern at Smales Farm, I consider this provides a suitable structuring framework. However, the package of provisions provides less certainty about how a suitable network of high amenity connections will be achieved at a more detailed level.
- 6.14 The Applicant has proposed a number of amendments to address this concern. These include:
- A more explicit description of the environment to be created in the Precinct Description, with explicit reference to the use of public transport being encouraged by ensuring high quality pedestrian connection to be provided;
 - Additional objectives and policies that seek to achieve high quality primary and secondary pedestrian connections linking through the Precinct and

² P. 35, Urban Design Assessment report, Boffa Miskell, 10/07/19

central plaza space to the bus station and to ensure integration between different stages of development;

- The introduction of the central plaza and new and redeveloped primary linkages as Controlled activities with associated assessment criteria;
- A requirement for the primary linkages to be delivered after a GFA threshold has been reached.

6.15 Ensuring co-ordination between different stages of development (which may occur over an extended timeframe) will be critical to delivering a well-connected, legible and high amenity public realm. In addition to the policies and assessment criteria for primary linkages and landscaped open spaces, consideration could also be given to including a special information requirement for each significant stage of development to produce an 'integration plan' demonstrating how the proposal fits with the already developed and consented urban structure and form. This would assist to demonstrate how the policies and assessment criteria are being met.

6.16 In my opinion, the changes proposed will provide an improved framework to ensure good linkages are achieved while maintaining flexibility for development options within the Precinct.

6.17 The notified version of the Plan Change provisions included a development standard requiring a 400m² pedestrian plaza to be provided once 125,000m² GFA is achieved (I538.6.9) with a number of requirements for the space. Precinct Plan 2: Structuring Elements identifies the general location for the plaza. Following discussions with the Applicant, further analysis has been carried out by Boffa Miskell to articulate the function of the space and determine the key features to be delivered with reference to benchmarking of other public spaces.

6.18 Amendments to the provisions now propose requiring the plaza space to be a Controlled activity with the Council's control limited to the design of the space. The associated criteria provides a more detailed framework for considering the suitability of the space to provide a successful gathering space at the heart of the Precinct. Of particular note, the proposed amendment to the development control requiring the establishment of the Plaza increases the minimum area of the space from 400m² to 1,000m². In my opinion, the amendments proposed will improve the Precinct Provisions and provide greater certainty that the space to be created will make a positive contribution to the public realm amenity of the Precinct, supporting its role as a TOD.

Provision for Higher Buildings

6.19 A number of submissions oppose the height of buildings enabled by the Plan Change, with concerns raised about visual effects, privacy and shading.

- 6.20 Section 11 of the UD report sets out a number of urban design considerations for tall buildings, noting the role that taller buildings can perform in achieving an increased density of activity to support the role of the Precinct as a TOD. The report draws on 'Guidance on Tall Buildings' (July 2007) by the former United Kingdom Commission for Architecture and the Built Environment to highlight relevant considerations for the Plan Change provisions. In my opinion, the factors identified are relevant and have been suitably considered in developing the package of provisions.
- 6.21 The height strategy for the Precinct enables buildings up to RL50.4 (27m above the average GL of the Taharoto Road frontage) along the Taharoto Road corridor wrapping around the corners to Shakespeare Road and Northcote Road (Height Area 1). The balance of the Precinct is identified as Height Area 2 which enables buildings up to a height of RL123.4 (100m above the average GL of the Taharoto Road frontage). However, the total area of building footprint extending above RL98.4m (75m above the average GL of the Taharoto Road frontage) is limited to 3,000m². Given the potential confusion of the interpretation of this development standard (Rule I538.6.4(2)) the Applicant now proposes to include an explanatory diagram to assist interpretation. In my opinion this is helpful.
- 6.22 The existing AUP provisions enable buildings up to 25m within the Precinct. The Plan Change will enable considerable change in the scale of buildings in this location, particularly within Height Area 2. I agree with the analysis set out in Paragraphs 13.18 – 13.30 of the Urban Design report regarding the suitability of the Site to accommodate taller buildings in relation to its surrounding context. I agree that enabling taller buildings (generally up to 75m tall) will mark Smales Farm as an identifiable transit-oriented node in a manner that is complementary to the scale of buildings enabled in the immediate and wider environment. The provision for a limited number of buildings to extend further (up to 100m) will assist to provide additional height variation and visual interest to the skyline.
- 6.23 In terms of concerns about effects on the amenity of surrounding properties expressed in some submissions, I note that the Plan Change includes specific criteria for buildings that are higher than RL50.4m (27m above the average GL of the Taharoto Road frontage) including:
- Adverse off-site effects of tall buildings, in particular wind, shadowing, dominance and privacy effects, are mitigated.*
- 6.24 In my opinion this should be expanded to state:
- Adverse off-site effects of tall buildings, in particular wind, shadowing, dominance and privacy effects, are avoided or suitably mitigated.*
- 6.25 In my opinion, assessment of specific resource consent proposals is the appropriate time to assess the effects generated by proposed buildings on the

amenity of surrounding properties. At a broad level, given the separation created by the existing street network and the distribution and activity mix in the immediately surrounding context, I consider adverse amenity effects can be suitably managed.

6.26 The Plan Change application is also supported by a LVA report. The report adopts an appropriate methodology for assessing landscape and visual effects. As noted in the report, the considerable visual change enabled by the Plan Change provisions will not occur at one time. The change is likely to be gradual over a considerable timeframe. The report organises the assessment of visual effects into three categories: foreground views; middle ground views and distant views.

6.27 I agree with the identification of key features of the Plan Change provisions, in addition to the permitted height standards, that will influence the visual effects arising from new buildings³. These include:

- Maximum tower dimensions;
- Minimum separation distance between taller buildings;
- The location of a lower height limit at the Taharoto perimeter of the Site;
- The assessment criteria for new buildings.

6.28 In addition to those features identified in the LVA report, I also note that the height in relation to boundary control applying in relation to neighbouring residential zones (contained in the Business Park zone provisions) will also influence the visual effects of buildings when viewed from areas immediately surrounding the Precinct.

6.29 I agree with the overall conclusion that the adverse visual effects resulting from the additional height enabled by the Plan Change will generally be neutral, with moderate adverse effects experienced from a limited number of local viewpoints including parts of the Onewa Domain and residential properties where taller buildings will be viewed directly in front of a visual connection to Rangitoto Island. I also consider some residents in the neighbourhood immediately to the southeast of the Precinct may perceive the visual change as moderately adverse. I also agree with the opinion that, from many locations, the higher buildings may be perceived as having beneficial visual effects. In this respect, implementation of the assessment criteria for new buildings, and alterations and additions will be important to ensure buildings make a positive contribution to the built environment.⁴ I have some reservations about the criterion referring to 'building design is of a high

³ Section 6.5, pl 14-15, Landscape and Visual Assessment, Boffa Miskell, 10/07/19

⁴ Section 6.6, p. 15, *ibid*.

quality', which is very subjective and may be difficult to administer. This could be expanded to refer more explicitly to the outcomes sought such as:

Building design is of a high quality, expressing a clear and coherent design concept that responds to its surrounding context and utilises a robust palette of materials to express the building form.

- 6.30 I agree with the LVA report assessment of the effects on the landscape values of the Outstanding Natural Feature, Lake Pupuke. Given its surrounding urban context and its separation from the Precinct, I agree that the visual integrity and experiential values of the feature will not be compromised by the scale and form of development enabled to any more than a very limited extent.⁵
- 6.31 Both the UD report and the LVA report rely on reference to the Drawing Package contained in Annexure 6 of the Application. The package includes considerable 3D modelling with a preliminary masterplan used to model a possible development scenario within the PC provisions. While the modelling and the associated visual simulations are helpful to gain some understanding of the visual change that can be expected both in accordance with the Plan Change provisions and in the wider environment in accordance with AUP zoning envelopes, I suggest some caution in relying on the imagery in determining the appropriateness of the provisions. In contrast to a resource consent application, where a specific proposal is being considered, a plan change enables various different built outcomes. The masterplan used does not extend to the full envelope that the Plan Change provisions enable and shows one scenario of the distribution of building forms within the Precinct. I also question whether the site layout and envelope configurations depicted in the masterplan would meet other provisions contained in the Plan Change.

7 Conclusions

- 7.1 In my opinion the Plan Change request is supported by UD and LVA reports that address the relevant urban design, landscape and visual effects considerations.
- 7.2 A number of submissions raise concerns about the robustness of the provisions and how they reflect the foundation concept of creating a TOD in this location. Some submissions also oppose the height limits proposed and raise concerns about the effects of taller buildings on the amenity of immediately surrounding properties and the wider environment.

⁵ Section 7.2, p. 16, *ibid.*

- 7.3 In consideration of these submission, the Applicant has proposed a number of amendments to the Precinct Provisions. As set out in the review above, I consider the amendments are positive. In particular, I consider the expansion of the Precinct Description and the strengthening of the policy framework, together with changes to the activity status for a number of activities and additional assessment criteria, will provide a better framework to support the outcomes sought for a successful TOD as outlined in the UD report.
- 7.4 Overall, I consider the Plan Change will facilitate a transition of the Precinct towards a denser, more diverse and vibrant TOD node over time. In my opinion, such a change is appropriate in this location.



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2 October 2019

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Dear Ewen,

Review of noise effects- Private Plan Change 23- Smales Farm

Auckland Council has engaged Styles Group to undertake a review of the noise effects associated with the private plan change request- Plan Change 23 (Private): Smales Farm (**PC23**) by Northcote RD1 Holdings Ltd (**the applicant**).

The plan change seeks to amend two policies in the H15 Business- Business Park Zone (**BPZ**)¹ and to amend and introduce new provisions and precincts plans to Chapter 1538 Smales 1 Precinct (**the Smales 1 Precinct controls**). The request also seeks any other alterations to the Auckland Unitary Plan (**AUP**) required as a consequence of the changes, or any further alterations Council considers appropriate to enabling a “Transit Oriented Development”.

PC23 is not accompanied by an acoustic assessment. Our advice has been informed by a review of the following information:

- i. The PC23 request;
- ii. Relevant submissions;
- iii. The AUP framework for the management of noise effects, including controls to manage noise effects within and between zones, inter-tenancy noise in mixed use environments, and for temporary activities.

This review considers the noise effects arising from PC23 in the context of the AUP noise management framework, including the district-wide noise provisions of Chapter E25. We have also reviewed the relevant submissions on PC23 relating to noise effects.

This review provides recommendations on the measures required to adequately address the potential noise effects arising from PC23, with specific consideration to:

- The potential conflict between noise-generating activities and noise-sensitive activities proposed within the Site;

¹ To exclude the Smales 1 Precinct from the requirement to limit residential activity and visitor accommodation in the BPZ.

- The potential inter-tenancy noise effects arising from the activities permitted under PC23 and facilitated through the underlying Business Park Zone (BPZ) controls;
- Traffic noise exposure (including SH1 and arterial roads);
- Noise levels from Temporary Activities/ Noise Events proposed to be permitted under PC23;
- The appropriate noise-related rules (and supporting policy) that should be incorporated into PC23.

To preface this assessment, our review identifies that PC23 requires modification to adequately address the potential health and amenity effects on future occupants of noise sensitive activities proposed within the Site, taking into account the potential noise effects arising from permitted land uses under the precinct and underlying BPZ controls. Addressing these potential effects will thereby avoid any reverse sensitivity effects between land uses.

This review identifies that while Chapter E25 of the AUP provides a comprehensive noise management framework to manage effects within and between sites in mixed use environments, these provisions would not apply to the Site unless PC23 is modified. Alterations are required to ensure the Smales 1 Precinct adopts the same acoustic insulation controls which apply to the Business- Mixed Use Zone (BMUZ) under Rules E25.6.9 and E25.6.10.

1.0 The Site

Smales Farm (the Site) is located at 8-94 Taharoto Road, and is held in two certificates of title, comprising a total area of 10.8ha.

The AEE recognises the Site is bordered by major roading infrastructure on all four boundaries:

“Taharoto Road and Northcote Road form, respectively, the northern and eastern boundaries of the Site, while the Northern Busway and the Northcote Road Offramp of the Northern Motorway are located adjacent to the southern boundary. Shakespeare Road provides access along the western boundary of the Site to the Smales Farm bus station”.

The proximity of the Site to these transport corridors has a significant influence on the noise environment within the Site.

1.1 Zoning

The Site is located within the Business Park Zone (BPZ) and Smales 1 Precinct of the AUP. Figure 1 identifies the zoning applying to the site and surrounding land.

The noise environment within the Site is controlled by the land use activities prescribed under the BPZ and Smales 1 Precinct controls, and the noise levels prescribed for the BPZ under Chapter E25 of the AUP. These are discussed below.

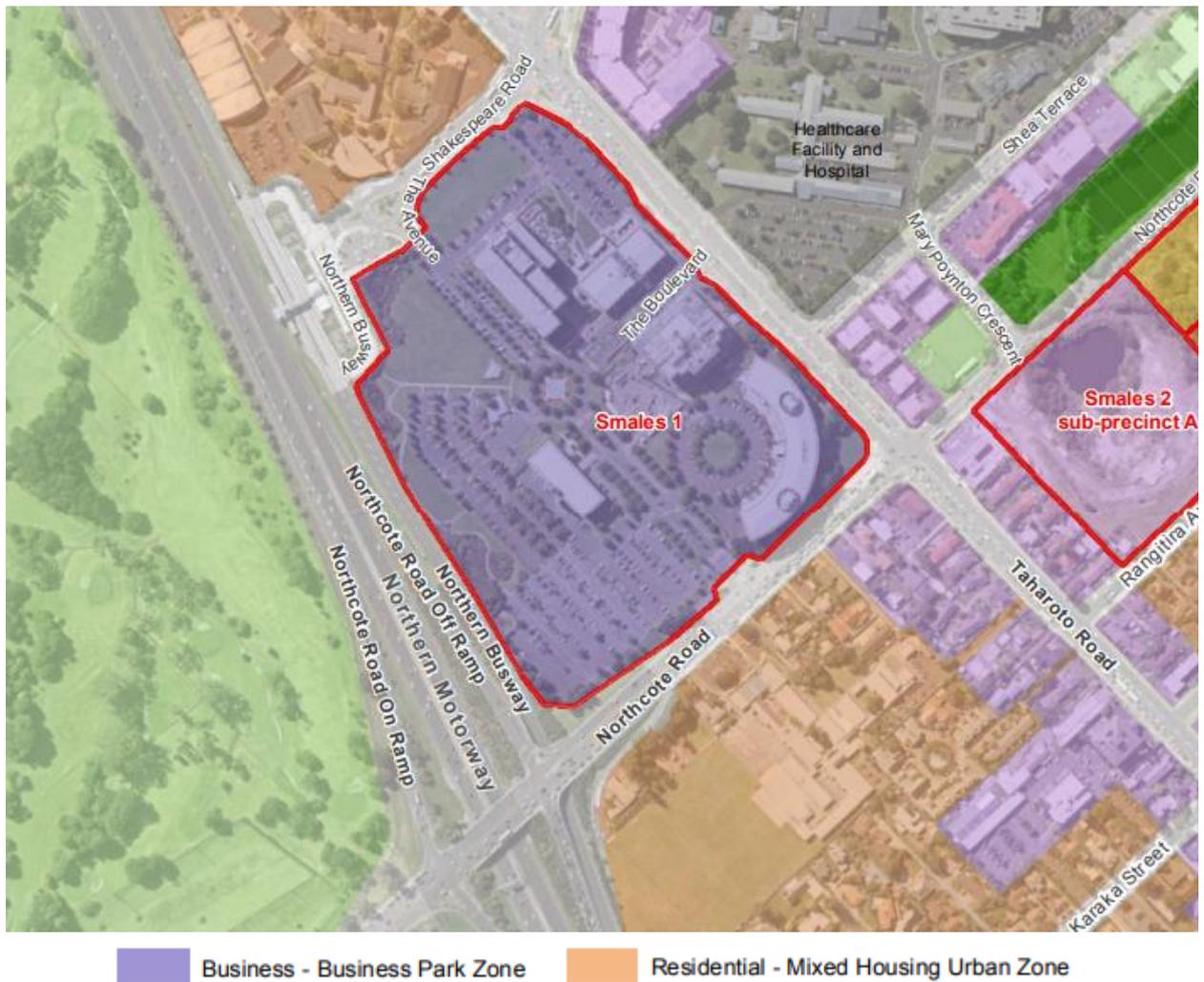


Figure 1 Smales 1 Precinct within the Business Park Zone of the AUP

1.2 Business Park Zone activity table

The purpose of the BPZ is to provide “a location where office-type business activities can group together in a park or campus like environment”². Activity table H15.4.1 sets out the activity status of land use and development activities within the BPZ. In terms of noise effects, the activity table states:

- Accommodation activities within the BPZ are non-complying (with the exception of visitor accommodation and boarding houses which are restricted discretionary);
- Restaurants and entertainment facilities are non-complying;
- Industrial activities are non-complying, however light manufacturing, servicing, repair and maintenance services are permitted;
- Community, tertiary education and education facilities are discretionary.

² H15.1 Zone description of the AUP.

1.3 E25 Noise limits within the BPZ

Noise levels for activities within the BPZ are prescribed under E25.6.6 of the AUP. This rule requires that the noise (rating) level arising from an activity in the BPZ (measured within the boundary of any other site in the zone) must not exceed the limits in Table E25.6.6.1.

Table E25.6.6.1 prescribes a noise limit of 60 dB L_{Aeq} (at all times) between sites in the BPZ. A noise limit of 60dB L_{Aeq} (at all times) reflects a high noise environment. Such noise levels are incompatible with residential activity unless specific acoustic insulation is provided.

As residential dwellings are a non complying activity under the BPZ activity table, the BPZ noise limits do not anticipate the establishment of visitor accommodation activities, and therefore enable high noise levels on a 24/7 basis (with no lower night time noise limits for sleep protection).

There are no low frequency noise limits under the BPZ noise limits. The low frequency noise levels applying within other mixed use Business Zones control the potential sleep disturbance effects arising from the tonal bass component of music noise. These effects are typically associated with Food and Beverage activities³ which are permitted in the BPZ. There are no L_{AFmax} controls in the BPZ.

1.4 E25 Noise limits for the BPZ- Residential Zone interface

Figure 1 identifies that the land to the north and south of the Site (the dwellings on Shakespeare and Northcote Roads) is located within the Residential- Mixed Housing Urban Zone (MHUZ) of the AUP.

Noise emissions from within the Site, and received at the MHUZ are controlled under Rule E25.6.19 of the AUP. This rule requires that the noise (rating) and maximum noise level from any activity in the business zones must not exceed the levels in Table E25.6.19.1 (when measured within the boundary of a site within the residential zone).

Table E25.6.19.1 Noise limits at the business zone interface

| Time | Noise Level |
|-----------------------------|--|
| Monday to Saturday 7am-10pm | 55 dB L_{Aeq} |
| Sunday 9am-6pm | |
| All other times | 45dB L_{Aeq} 60dB L_{eq} at 63 Hz 55dB L_{eq} at 125 Hz 75 dB L_{AFmax} |

³ J1.3 Nesting Tables includes bars and taverns, restaurants and cafes, and drive through restaurants under the classification of 'food and beverage'.

1.5 Smales 1 Precinct rules

Chapter I538 of the AUP provides specific criteria relating to gross floor area requirements for activities within the Smales 1 Precinct. Chapter I538 does not provide any further noise criteria within or from the Site, and the provisions of the BPZ and Auckland-wide (noise) rules prevail.

2.0 Noise effects authorised by PC23

Through requested amendments to the Smales 1 Precinct Activity Table I538.4.1, PC23 proposes a permitted activity status for a greater range of land use activities than are currently provided for within the underlying BPZ and/ or Smales 1 precinct controls. The key activities relevant to the consideration of noise effects are set out below.

2.1 Accommodation activities

PC23 seeks to amend the Smales 1 Precinct Activity Table I538.4.1 to apply a permitted activity status to the following accommodation activities:

- Dwellings
- Integrated residential development
- Supported residential care
- Visitor accommodation and boarding houses.

The conversion of a building or part of a building to dwellings/ integrated residential development, visitor accommodation or boarding is subject to a restricted discretionary activity status⁴. As such, the residential use of new buildings is permitted under PC23.

2.2 Community activities

PC23 seeks to amend the Smales 1 Precinct Activity Table I538.4.1 to apply a permitted activity status to the following community activities:

- Community facilities
- Education facilities
- Tertiary facilities

Section 6.16 of the AEE notes:

“Allied with the enablement of residential activities, it is considered that Community facilities should be a permitted activity in order to enable a level of community infrastructure to be established on the Site. Education facilities and Tertiary education facilities have been identified as permitted activities because they can be appropriate occupiers of multi-storey buildings (evidenced by the use of many

⁴ Acoustic matters are not identified within the matters of discretion or assessment criteria.

buildings in the City Centre) and because they are very well suited to sites with excellent public transport services”.

Chapter J1 of the AUP states that lecture theatres in tertiary education facilities and classrooms in education facilities are Activities Sensitive to Noise. As requested, PC23 would permit the relevant community activities, with no acoustic controls to ensure protection from other high-noise generating activities in the Precinct.

2.3 Temporary activities/ noise events

PC23 seeks to provide for ‘noise events’ as a permitted activity. Section 6.17 of the AEE notes that:

“temporary structures and activities have been identified as permitted activities (up to a specified duration), reflecting the historic and ongoing programme of community-focused events at Smales Farm. The large size of the Site, and the lack of sensitive uses in the immediate vicinity, will ensure that adverse effects of such activities are unlikely to be of a magnitude to cause concern”

Whilst there may currently be no sensitive land uses in the immediate vicinity⁵ as suggested, PC23 would permit the establishment of residential/ accommodation and education activities into the Precinct. On this basis, we disagree with the statement above.

Noise events are “an event that exceeds the general noise controls for a site ... either in level or duration” as set out in Chapter J. Rule E40.6.4 of Chapter E40 *Temporary Activities* of the AUP prescribes the following permitted activity standards⁶ for noise events:

- (1) Up to 15 noise events at a venue are permitted outside the City Centre and Metropolitan Centres in any 12 month period, provided that no more than two noise events occur in any seven-day period, and the noise event complies with all of the following:
 - (a) the noise event does not exceed six hours in duration, excluding two hours for sound testing and balancing that is undertaken between 9am and 7pm on the day of the event;
 - (b) the noise event does not exceed a noise level of 70dB LAeq and 80dBA LA01 except;
 - (i) three noise events can have a noise limit of 80dB LAeq and 90dBA LA01 for a maximum of three hours, excluding one hour for sound testing and balancing undertaken after 9am on the day of the event; and
 - (ii) three noise events in the Auckland Domain can be held with no noise limits applying.

⁵ Notwithstanding residential dwellings on Northcote, Taharoto and Shakespeare Roads and nearby healthcare facilities.

⁶ E40.6.1 requires the noise limits for noise events must be met 1m from any adjacent occupied building outside the venue used for a noise event.

- (c) the noise event starts before 9am and ends by 11pm, except on New Year's Day where the noise event ends by 1am.

2.4 Commerce/ industry activities

PC23 proposes a number of changes to the Smales 1 Precinct Activity Table I538.4. However, as the provisions of the underlying BPZ apply within the Precinct (unless otherwise specified) the noise effects arising from PC23 must be considered in the context of the range of commercial/industry activities that are authorised within the BPZ. The permitted commerce and industry activities authorised under PC23 and the BPZ are set out below:

| Permitted Commerce* and Industry activities enabled within the Smales 1 Precinct under PC23 Table I538.4 and the operative Business Park Zone controls | |
|---|---------------------------------------|
| Conference facilities | Commercial services |
| Retail | Food and beverage |
| Supermarkets up to 2,000m ² per tenancy | Offices (subject to gfa restrictions) |
| | Industrial laboratories |
| | Light manufacturing and servicing |
| | Repair and maintenance services |
| <i>*Non residential activities are subject to gfa restrictions under PC23</i> | Warehousing and storage |

With reference to the J1.3 nesting tables of the AUP, "food and beverage activities" includes bars and taverns, restaurants and cafes (drive through restaurants are restricted discretionary under PC23). As such, PC23 would provide for food and beverage activities to be established adjacent to the relevant proposed residential/ accommodation/ education activities (without the noise controls that accompany the co-location of these activities in other Business Zones). The AEE and Section 32 analysis notes that there are existing cafes and taverns within the Site, and further food and beverage tenancies under construction.

3.0 PC23 noise effects

3.1 Activities Sensitive to Noise

If confirmed, PC23 will enable Activities Sensitive to Noise (residential/ accommodation/ educational) activities to be established within the Smales 1 Precinct/ BPZ. These are not currently provided for in the Smales 1 Precinct controls or the BPZ.

The noise management framework of Chapter E25 does not prescribe specific criteria to require noise sensitive activities within the BPZ to adopt the performance standards that otherwise apply within the Business Zones⁷. These rules include:

- E25.6.9 *Noise levels between units*. This rule prescribes internal-tenancy noise levels between units⁸ in the specified Business zones, including noise levels for bedrooms and sleeping areas within units containing activities sensitive to noise. The noise levels ensure a sufficient level of amenity is provided and sleep disturbance effects are avoided where noise sensitive activities establish within the same buildings as other noise generating activities;
- E25.6.10 *Noise levels for noise sensitive spaces*. This rule requires any noise sensitive activities within the identified Business zones to be designed and insulated to achieve the internal noise levels specified in Table E25.6.10.1. The internal noise levels ensure that bedrooms, sleeping areas and other noise sensitive spaces are adequately protected from the maximum level of noise exposure permitted in the zone or precinct (or the adjacent zone or precinct). This ensures that an appropriate level of amenity/ internal noise level is achieved, and sleep disturbance is avoided.
- E25.6.10(3) requires that mechanical ventilation/ cooling is provided to any noise sensitive space within the specified Business zones. This means that windows and doors can be kept closed to enable compliance with the internal noise levels, whilst a reasonable internal temperature and fresh air supply is maintained.

As Rules E25.6.9 and E25.6.10 do not apply to the BPZ, there are no controls to require noise sensitive activities within the Site to be acoustically insulated from the maximum noise levels provided for within the Site. If PC23 is confirmed, the relevant noise limits applying under Table E25.6.6.1 will enable a maximum noise level of 60dB L_{Aeq} (at all times) between sites in the BPZ, and there will be no inter-tenancy noise controls (other than the requirements of G6 of the New Building Code⁹).

Without any specific insulation measures, noise levels inside bedrooms, habitable rooms and other noise sensitive spaces could be between 45-50 dB L_{Aeq} at night. Such levels are 10 to 15 decibels higher than the noise levels typically adopted for the avoidance of sleep disturbance effects for most people, being 35 dB L_{Aeq} . Noise levels in noise sensitive spaces during the day could be at approximately the same level – interfering with concentration, productivity and amenity.

In our view, allowing noise sensitive activities into a zone with high noise limits, without any acoustic controls to insulate those noise sensitive activities, will result in conflict. Quite simply, residential/ accommodation/ educational activities in the BPZ, (and under PC23 as requested) will be potentially incompatible with the other commercial activities that are also provided for.

⁷ The Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone and the Business – Light Industry Zone.

⁸ This rule applies in situations where common building elements such as floors and walls connect two units.

⁹ Clause G6 only controls the construction details of inter-tenancy walls and floor/ceilings. It does not control the noise level from one unit or habitable space into another habitable space.

Acoustic insulation controls are therefore necessary to ensure that this conflict and incompatibility does not arise.

4.0 Recommendations

Following our assessment of PC23 as requested, we have determined that a number of modifications are required to avoid potential incompatibility, unreasonable noise levels for noise sensitive activities and reverse sensitivity effects on lawful noise generators arising from the establishment of uncontrolled (uninsulated) noise sensitive activities.

Our recommendations to address these potential effects are set out below.

4.1 Objectives and policies

Our recommendations on PC23 have been prepared with regard to the overarching objectives and policies of Chapter E25 of the AUP. The objectives and policies relevant to the consideration of PC23 seek to ensure:

- E25.2(1) *People are protected from unreasonable levels of noise and vibration.*
- E25.2(3) *Existing and authorised activities and infrastructure, which by their nature produce high levels of noise, are appropriately protected from reverse sensitivity effects where it is reasonable to do so.*

Policies:

- E25.3(1) *Set appropriate noise and vibration standards to reflect each zone's function and permitted activities, while ensuring that the potential adverse effects of noise and vibration are avoided, remedied or mitigated.*
- E25.3(2) *Minimise, where practicable, noise and vibration at its source or on the site from which it is generated to mitigate adverse effects on adjacent sites.*
- E25.3(3) *Encourage activities to locate in zones where the noise generated is compatible with other activities and, where practicable, adjacent zones.*
- E25.3(4) *Use area or activity specific rules where the particular functional or operational needs of the area or activity make such rules appropriate.*

4.2 Recommendations

In our view, PC23 seeks to authorise a mixed use environment but without any acoustic controls. We consider it necessary to apply the appropriate controls to ensure:

- That the noise levels on the occupants of the Precinct (including residential/ accommodation/ educational) are no greater than reasonable;
- That the potential reverse sensitivity effects are avoided;

- That the mix of land uses can be managed to be compatible.

We note that the Site is currently held in two Certificates of Title, and therefore the inclusion of appropriate controls to achieve internal noise levels between tenancies (potentially containing incompatible activities) is fundamentally important.

4.2.1 Adoption of Rules E25.6.9 and E25.6.10 for the Smales 1 Precinct

We recommend that PC23 is amended to incorporate the acoustic controls for Activities Sensitive to Noise as set out under E25.6.9 and E25.6.10. This would treat the mixed use environment in the same way as any other Business Zone under the AUP where a similar mix of activities is provided for.

4.2.2 Recommendations for Temporary Activities/ Noise Events

We do not support a permitted activity status for temporary activities and major events within the Site. The existing noise management framework under Chapter E40 *Temporary Activities* provides an appropriate framework for permitted activities. The resource consent process is the appropriate mechanism for the consideration of the effects of temporary activities/ noise events which do not meet the permitted activity criteria.

4.3 Consequential amendments

If PC23 is confirmed subject to the recommend amendments, all other consequential amendments should be made to ensure the Smales 1 Precinct Controls incorporate relevant acoustic objectives, policies, matters of discretion and assessment criteria as they relate to the construction and operation of Activities Sensitive to Noise within mixed use environments.

If the assessment criteria under E25.8 are incorporated within the Smales 1 Precinct Controls, necessary amendments would be required to ensure the criteria are applicable to the Smales 1 Precinct. This could be achieved through careful cross referencing, noting the Smales 1 Precinct/ BPZ is not one of the zones listed under E25.8(2) and (4) *Assessment- restricted discretionary activities*, and these criteria would be relevant to activities within the Site.

5.0 Submissions

We have reviewed the relevant submissions which raise discuss noise effects arising from PC23. Further commentary on the relief sought within the submissions and our recommendations is set out below.

5.1 Anthony Kang/ Svetla Grigorova

The submission of A Kang opposes a permitted activity status for Temporary Activities/ Noise Events within the Precinct. The submitter notes resource consent LUC60325517¹⁰ provides for

¹⁰ We understand the resource consent provides for up to 6 events (with music as a primary or key feature) over a period of 12-month on the subject site, with the events taking place from 9am to 11pm (14 hours maximum duration)

6 annual events within the Precinct, and affording a permitted activity status for Noise Events “would aggravate these ongoing noise problems by not having sufficient control on the frequency or extent of these events”.

The submission of S Grigorova opposes PC23 due to noise effects, stating:

“there is a hospital, a number of retirement villages, schools, other medical facilities – where quietness (noise limit importance) is needed for these facilities to function properly without disruptions. Plus there are a lot of family homes in the area where people need to be able to relax, rejuvenate, recharge and recover from their hard working week”.

While the submission of S Grigorova does not specifically identify the noise source of concern within the Site, we understand that it is likely to be made in relation to Noise Events.

We do not support a permitted activity status for temporary activities/ noise events under PC23. Chapter E40 provides an appropriate framework for the management of temporary activities, and the resource consent process provides the appropriate mechanism for the noise effects of other temporary activities to be considered on a case by case basis. We consider that Chapter E40 should be relied upon in this case also.

5.2 New Zealand Transport Agency (NZTA)

The submission of the NZTA supports PC23, subject to the relief sought, including the adoption of the requirements for ‘Residential Amenity New Provision 1538.6.10’ to manage human health effects arising from SH1 noise and vibration on ‘Noise Sensitive Activities’¹¹.

The rule proposed by NZTA would require any new buildings or alterations to existing buildings containing Noise Sensitive Activities within 40m of the edge line of the nearest carriageway of SH1, to be designed, constructed and maintained to achieve road traffic vibration levels complying with class C of NS 8176E2005.

Any new buildings or alterations to existing buildings containing Noise Sensitive Activities within 100m of the nearest carriageway edge line of SH1, will need to be designed, constructed and maintained to achieve the specified indoor design noise levels from road traffic (40dB L_{Aeq} for residential living and sleeping spaces). Where windows and doors are required to be closed to achieve the prescribed internal noise levels, the proposed rule requires the installation of a ventilation and cooling system.

An acoustic report is required to demonstrate compliance with the rules, taking into account future permitted traffic noise exposure from SH1.

on Saturdays. The anticipated capacity for each event is expected to be 1,200 – 5,000 people and enables amplified music up to 75 dB L_{Aeq} measured from adjacent sites.

¹¹ The NZTA submission does not provide their definition of ‘noise sensitive activities; however Chapter J of the Auckland Unitary Plan defines an Activity Sensitive to Noise as “Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centres, lecture theatres in tertiary education facilities, classrooms in education facilities and healthcare facilities with an overnight stay facility.”

We support the intention to reduce traffic noise levels for the avoidance of significant health and amenity effects on people. However, the proposed rule would only apply to noise sensitive activities within 100m of SH1, which would only include a small part of the Site. As discussed in this review, the potential noise exposure on occupants of Activities Sensitive to Noise within the Site will not only be generated from traffic noise (including SH1 and the arterial roads which border the Site), but also:

- Noise levels from commercial/ light industrial activities authorised within the Precinct under PC23 and the underlying BPZ controls;
- Inter-tenancy noise effects where commercial/ light industrial activities share common building elements with noise sensitive activities,

We have recommended the modification of PC23 to require appropriate acoustic insulation controls are adopted across the Site. In turn, this will also mitigate the potential traffic noise exposure effects on future residents, and should therefore address the concerns of the NZTA in relation to potential noise effects.

We do not support the adoption of the vibration controls sought by NZTA. There are no controls for managing the potential vibration effects from traffic flows on residential activity (or any activity) under the AUP, and it is our view that no such controls should apply in this instance. In our experience, noticeable adverse vibration effects arising from the flow of traffic on roads is unusual in Auckland, although there are some known and clear instances of this being an issue.

The adverse vibration effects from traffic flows as received in dwellings arise most commonly from the passing of heavy vehicles over defects in the pavement or subgrade, and generally only where open-road speeds are permitted (70-110km/hr). Where the pavement and subgrade are in good condition with no defects or sudden changes in grade, and where vehicle speeds are low (<70km/hr) the likely of adverse vibration effects arising is very low or negligible.

Because the effects are generally localised around a defect in the pavement, it is not possible to characterise the vibration levels in an area with only a few vibration measurements. It is not possible to objectively determine whether any unreasonable vibration effects are currently being generated by traffic flows on the Site, without undertaking several hours of attended vibration measurements in roughly the centre of the floor of at least two rooms in every proposed building (within 40m of the SH1 edge line) containing noise sensitive activities across the Site. It is important to note that like road traffic noise, the objective vibration limits most-commonly adopted allow for some minor levels of vibration to be felt at times, but that the worst of the effects are avoided. The standard for acceptable vibration levels in a situation such as this where the road already exists would be to meet Class C acceptability in terms of Norwegian Standard NS 8176.E:2005 *Vibration and shock – Measurement of vibration in buildings from land based transport and guidance to evaluation of its effects on human beings*. This is not a 'no-effects' standard.

Due to the significant expense and effort that would be required to determine the measures necessary to ensure compliance with the proposed vibration control, and that vibration issues are most-often caused by localised defects in the pavement that are under the control of the NZTA, we consider that the relief sought by NZTA is overly onerous on the neighbouring landowner. Given that the NZTA have an ongoing duty under s16 to maintain the vibration

levels in the surrounding environment at a reasonable level, on balance we consider that no specific vibration rule is required.

5.3 Auckland Council

The submission of Auckland Council supports PC23 in part, subject to amendments. In terms of matters related to noise effects, the submission supports limited provision for residential activity within the precinct, whereby:

- No provision is made to enable camping grounds or retirement villages.
- The conversion of a building or part of a building to dwellings or visitor accommodation is provided for as a restricted discretionary activity.
- Provision is made for dwellings as a permitted activity, subject to compliance with appropriate standards (noting new buildings require restricted discretionary approval), and where no residential activity (excluding visitor accommodation) can be established on the ground floor
- No provision is made for integrated residential development, supported residential care and boarding houses.

The submission does not support a permitted activity status for Temporary Activities/ Noise Events, on the basis that the AUP has an existing management regime under the AUP provisions. We concur with this.

The submission notes that the BPZ would not be the most relevant or appropriate zone if PRC23 was approved in its notified form and should be amended to remove the tension which exists between the BPZ and the precinct controls. The submission does not specifically identify noise effects, however seeks an outcome which produces a high quality built environment. We concur that the BPZ controls under E25 do not include sufficient acoustic controls to ensure a high quality mixed use environment which provides an appropriate level of amenity for noise sensitive activities. We have provided recommendations for PC23 to adopt additional acoustic controls (including relevant objectives, policies, matters of discretion and assessment criteria) if noise sensitive activities are to be introduced to the Site.

5.4 Housing NZ

The submission of Housing New Zealand (HNZ) opposes PC23 unless relief is provided by addressing the requested amendments set out in the submission.

The submission considers that rather than amending Smales 1 Precinct controls, changing the underlying zoning from the BPZ to the BMUZ would better manage the anticipated effects and desired outcomes for a high density, comprehensive mixed use development. The submission notes that the Precinct controls were not developed to anticipate or address proposals for comprehensive, high density residential development.

While the submission does not discuss noise effects specifically, it identifies that the mixed use outcome of PC23 is not supported by the additional controls which otherwise apply to residential development within the BMUZ.

We concur that the BMUZ controls provide an appropriate noise management framework to facilitate the establishment of noise sensitive activities within mixed use environments. We have recommended that the Smales 1 Precinct adopt the same acoustic insulation controls as if the underlying zoning of the Site was in the BMUZ (Rules E25.6.9 and E25.6.10). The adoption of these controls will require noise sensitive spaces within the Precinct to be adequately insulated from the potential noise sources within the Precinct, thereby ensuring compatibility between land uses, and avoiding potential reverse sensitivity effects.

6.0 Conclusion

PC23 proposes to authorise the establishment of Activities Sensitive to Noise (residential/ accommodation/ educational) activities within the Smales 1 Precinct/ BPZ. These are not currently provided for in the Smales 1 Precinct controls or the BPZ, and therefore the noise management framework of Chapter E25 does not prescribe specific criteria to require noise sensitive activities within the BPZ to adopt the acoustic performance standards that otherwise apply within the Business Zones¹².

As PC23 does not include controls to require noise sensitive activities within the Site to be acoustically insulated from the maximum noise levels provided for within the Site, a maximum noise level of 60dB L_{Aeq} (at all times) will be permitted between sites, and there will be no inter-tenancy noise controls (other than the requirements of G6 of the New Building Code). This level of noise exposure will not provide an appropriate level of acoustic amenity to noise sensitive activities, and this will give rise to conflict and incompatibility between land uses.

PC23 requires modification to adequately address the potential health and amenity effects on future occupants of noise sensitive activities proposed within the Site, taking into account the potential noise effects arising from permitted land uses under the precinct and underlying BPZ controls. Addressing these potential effects will thereby avoid reverse sensitivity effects between the permitted land uses.

This review identifies that while Chapter E25 of the AUP provides a comprehensive noise management framework to manage effects within and between sites in mixed use environments, these provisions would not apply to the Site unless PC23 is modified. Alterations are required to require the Precinct to adopt the acoustic controls for Activities Sensitive to Noise as set out under E25.6.9 and E25.6.10. This would treat the mixed use environment of PC23 in the same way as any other Business Zone under the AUP where a similar mix of activities is provided for.

¹² The Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone and the Business – Light Industry Zone.

We recommend that consequential amendments are also required to ensure the wider policy framework for the Smales 1 Precinct (including objectives, policies, matters of discretion and assessment criteria) recognise the need to ensure an appropriate level of amenity is provided to Activities Sensitive to Noise, to avoid reverse sensitivity effects arising between incompatible land uses.

We do not support a permitted activity status for temporary activities/ noise events within the Site. These effects are more appropriately managed through the resource consent process where the permitted activity criteria of E40 are not achieved.

Please contact me if you require any further information.

Yours sincerely,



Jon Styles, MASNZ
Director and Principal

APPENDIX 5

APPLICANTS REVISED PLAN CHANGE - 15 OCTOBER 2019

Plan Change 23 – Revised provisions 15 October 2019
Amendments to the notified version highlighted in grey

I538. Smales 1 Precinct

I538.1. Precinct description

The zoning of land within the ~~precinct~~Smales 1 Precinct (Smales Farm) is the Business - Business Park Zone.

The ~~Smales 1~~Smales 1 Precinct (Smales Farm) is located on the corner of ~~Taharato~~Taharoto and Northcote roads, and is adjacent to State Highway 1 and the Northern Busway. ~~The precinct permits non-residential activities (subject to a maximum gross floor area for), residential activities, a maximum number of car parking spaces, and provides for some accessory activities to address demand from those employed on the site, residents, and visitors to the precinct.~~

~~Initial development on the site was in the nature of an office park, as provided for in the North Shore District Plan and the Auckland Unitary Plan. Most forms of residential development were non-complying activities.~~

~~However, the characteristics of the site, and the physical and transport environment in the adjacent area, make it a very suitable location for a Transit Oriented Development (TOD).~~

~~Accordingly, the precinct provisions provide for residential activity on the site, in addition to non-residential activities (including accessory activities to address demand from workers, residents, and visitors to the precinct), and they encourage intensive development by providing for tall buildings to be developed. A high standard of building design and pedestrian amenity is ensured by the application of appropriate assessment criteria.~~

~~The use of public transport is specifically encouraged by ensuring high quality pedestrian connections (both primary and secondary) are provided through Smales Farm to access the bus station, and imposing limits on the number of car parking spaces for non-residential activities.~~

~~With the precinct provisions, the site has the potential to achieve the recognised success factors for the location and design of a Transit Oriented Development (TOD), namely:~~

- ~~• The site is of a suitable size and is located adjacent to a high capacity, high frequency, public transport corridor – the Northern Busway, and high capacity bus services that link to it by way of Smales Farm Station;~~
- ~~• Compact, high density development is provided for within easy walking distance of the Smales Farm station on the Northern Busway;~~
- ~~• The provisions encourage a walkable public realm outcome, particularly in relation to primary linkages;~~
- ~~• A good diversity of uses is provided for, including employment and residential activities, and supporting activities including retail; and~~
- ~~• The congested road network surrounding the site, the proximity of the bus station, and a limit on parking spaces for non-residential development, encourage the use of alternatives to sole occupancy car travel, particularly public transport.~~

I538.2. Objectives

- (A1) The intensive development of the Smales 1 Precinct as a vibrant mixed-use Transit Oriented Development is enabled.
- (1) Ongoing development of the Smales ~~Farm Technology Office Park~~ 1 Precinct as an employment node is enabled while managing significant adverse effects ~~on the safe and efficient operation of the transport network,~~ on the amenity of neighbouring zones, and on the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone.
- (2) Residential development is enabled to use the land more efficiently, increase housing capacity and choice, particularly for employees of businesses at the Smales 1 Precinct and other nearby business areas, and to take advantage of the proximity of the Smales Farm station on the Northern Busway.
- (2A) A high quality public realm is provided, including a central plaza that serves as a gathering place at the heart of the precinct.
- (2B) High quality primary and secondary pedestrian connections are provided within the site with the primary connections linking each of the Northcote Road, Taharoto Road and Shakespeare Road street frontages and the bus station with the heart of the Precinct.
- (3) The Smales 1 Precinct is an attractive place to live, work and visit, with a high standard of amenity, and activities enabled to meet the needs of residents, workers and visitors.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

I538.3. Policies

The Auckland-wide and underlying zone policies apply in this precinct in addition to those specified below.

- (1) Require ~~office activity~~ development over 162,000m² gross floor area of business activity in the Smales 1 Precinct to demonstrate that significant adverse effects on the amenity of neighbouring zones will be managed and that the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone will not be significantly adversely affected.
- (1A) Enable the development of intensive residential activities at the Smales 1 Precinct and require it to be designed to provide privacy and outlook; and have access to daylight and sunlight.
- (1B) Require landscaped open space and pedestrian connections to be provided or maintained with each stage of development to ensure an appropriate level of amenity for residents, workers and visitors to the Smales 1 Precinct.
- (2) Limit Provide for accessory activities to ~~those which~~ meet the immediate needs of office workers ~~and visitors to Smales Farm,~~ residents and visitors

to the Smales 1 Precinct while limiting the extent of those activities to manage potential adverse effects on the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone.

- (2A) Enable the establishment of tall buildings on the site to maximise the opportunity for intensification and the efficient use of the land within the Smales 1 Precinct, and to take maximum advantage of the public transport services available adjacent to the site.
- (2B) Require the establishment of a central pedestrian plaza at the heart of the Smales 1 Precinct that provides a vibrant people-focused space to support the evolving mixed-use community where growing numbers of people work, live and play.
- (2C) Require primary linkages to be provided connecting the central pedestrian plaza with the bus station and the Northcote Road, Taharoto Road, and Shakespeare Road frontages, which are high quality walking connections and are also supportive of people using other active travel modes – bicycles, scooters and other micro-mobility choices.
- (2D) Recognise the role of secondary linkages that provide a network of walkable connections to integrate all buildings and spaces within the Smales 1 Precinct with the primary linkages.
- (2E) At each stage of development, require consideration of how primary and secondary linkages and landscaped open spaces, provided or maintained with each new building, are integrated with adjacent linkages and landscaped open space to ensure an appropriate level of amenity for residents, workers and visitors to the Smales 1 Precinct, whilst preserving flexibility of options for future stages.
- (3) Require ~~business~~ development over 405,162,000m² gross floor area of business activity in the Smales 1 Precinct to demonstrate that ~~they~~the activity will not significantly adversely affect the safe and efficient operation of the transport network, or that such effects will be mitigated.
- (4) Limit the supply of on-site parking serving non-residential activities over time to recognise the accessibility of the Smales 1 Precinct to public transport services, while supporting the planned growth of non-residential activities and acknowledging the need for an appropriate supply of parking on the site in the short term to encourage that growth.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above

I538.4. Activity table

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I538.4.1 specifies the activity status of land use activities in the Smales 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I538.4.1 Activity table Smales 1 Precinct

| Activity | Activity status |
|--|-----------------|
| General | |
| (A1) <u>Activities</u> Non-residential activities exceeding the 162,000m ² gross floor area maximum <u>maximums</u> in Standard I538.6.1. | D |
| (A2) Activities exceeding the gross floor area limit in Table I538.6.1.1 | D |
| (A3) Activities exceeding the limits in Standard I538.6.2 | RD |
| (A4) Activities exceeding the limits in Standard I538.6.4 | RD |
| Use | |
| <u>Accommodation</u> | |
| (A5) Dwellings | P |
| (A6) Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding | RD |
| (A7) Integrated residential development | P |
| (A8) Supported residential care | P |
| (A9) Visitor accommodation and boarding houses | P |
| <u>Commerce</u> | |
| (A10) Conference facilities | P |
| (A11) Entertainment facilities | D |
| (A12) Retail | P |
| (A13) Service stations | NC |
| (A14) Supermarkets up to 2,000m² gross floor area per tenancy | P |
| (A15) Supermarkets greater than 2,000m² gross floor area per tenancy | D |
| (A16) Drive-through restaurants | RD D |
| <u>Community</u> | |
| (A17) Community facilities | P |
| (A18) Education facilities | P |
| (A19) Tertiary education facilities | P |
| <u>Development</u> | |
| (A23) Temporary structures that are established for less than 21 days. | P |
| (A24) The central plaza. | C |
| (A24A) New and redeveloped primary linkages. | C |

| | |
|--|----------|
| <u>Signs</u> | |
| <u>Comprehensive development signage</u> | |
| (A25) <u>Comprehensive development signage that is further than 30m from the Shakespeare Road, Taharoto Road and Northcote Road frontages.</u> | <u>P</u> |
| <u>Temporary activities</u> | |
| <u>Temporary Activities – General</u> | |
| (A26) <u>Temporary activities for up to 21 consecutive days.</u> | <u>P</u> |
| <u>Specific Temporary Activities</u> | |
| (A27) <u>Noise events</u> | <u>P</u> |

I538.5. Notification

(A1) An application for resource consent for a controlled activity listed in Table I538.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

- (1) Any application for resource consent for ana restricted discretionary, discretionary or non-complying activity listed in Table I538.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I538.6. Standards

The standards applicable to the underlying zone and Auckland-wide apply in this precinct, except the following:

- ~~Policy Standard E27.3(2) Integrated transport assessment 6.1 Trip generation for non-residential development up to 105,162,000m² gross floor area (see Standard I538.6.3);~~
- ~~Standard E27.6.1 Trip generation or for residential development up to 105,000m² gross floor area (see Standard I538.6.3); and~~
- Standard E27.6.2(5);
- ~~Standard H16~~H15.6.1 Building height.;
- Standard H15.6.3 Yards; and
- Standard H15.6.7 Outlook space.

All activities in the Smales 1 Precinct must comply with the following standards.

I538.6.1. Gross floor area (GFA)

- (1) The maximum gross floor area in the precinct for non-residential activities is 162,000m² subject to ~~the following in Table I538.6.1.1(2) below:~~

Table I538.6.1.1 Gross floor area

| Activity | Gross floor area |
|---------------------------------|--|
| Commercial services | Must not exceed 3,800m ² plus a cumulative gross floor area of 500m ² for every 10,000m ² of gross floor area of offices over 41,120m ² including development already established in the Smales 1 Precinct |
| Food and beverage | |
| Retail | |
| Service stations | |
| Care centres | |
| Community facilities | |
| Repair and maintenance services | |

(2) The total Gross Floor Area within the Smales 1 Precinct that is occupied by retail and commercial services activities must not exceed 3,800 2,000m² plus a cumulative gross floor area of 500m² for every 10,000m² of gross floor area of development over 41,120m² including development already established in the Smales 1 Precinct.

I538.6.2. Parking

- (1) The number of parking spaces accessory to non-residential activities must not exceed:
- (a) 1936 car parking spaces for the first 44,770m² gross floor area;
 - (b) an additional one car parking space per 31.8m² gross floor area for development between 44,770m² and 105,000m² gross floor area; and
 - (c) an additional one car parking space per 45.1m² gross floor area for development in excess of 105,000m² gross floor area to a maximum of 5094 spaces

(2) No minimum or maximum parking requirements apply to residential activity.

I538.6.3. Trip generation

- (1) Development Non-residential development up to 405162,000m² gross floor area, and residential development, will not be subject to the following:
- (1) Policy E27.3(2) Integrated transport assessment; and
 - (2) Standard E27.6.1 Trip generation.

I538.6.4. Building height

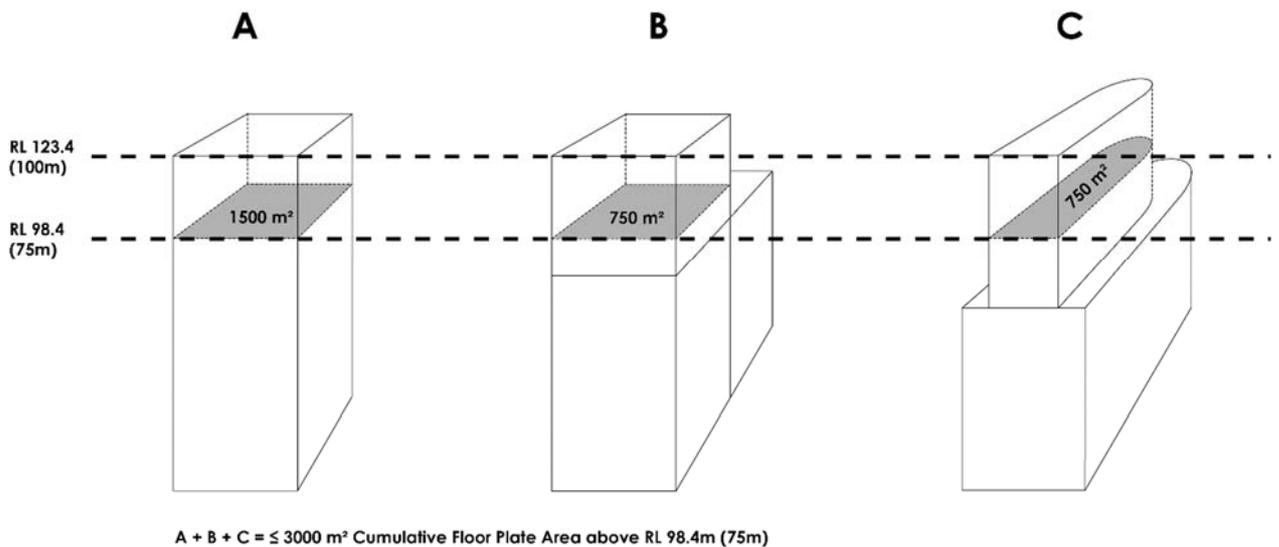
- (1) Buildings must not exceed RL48.5m in height the heights in the following table (expressed as an RL - Reduced Level above Mean Sea Level):

Table I538.6.4.1 Building height

| <u>Height Area as identified on Precinct Plan 1</u> | <u>RL</u> | <u>Height above average GL at Taharoto Road frontage</u> |
|---|--------------|--|
| <u>1</u> | <u>50.4</u> | <u>27m</u> |
| <u>2</u> | <u>123.4</u> | <u>100m</u> |

(2) Notwithstanding I538.6.4(1) the cumulative area of the largest floor plate in each building in Height Area 2 above a height of RL98.4 (75m above average GL at the Taharoto Road frontage) must not exceed 3,000m². For clarity, this standard does not constrain the total gross floor area of buildings above RL98.4. Refer to Figure I538.4.1 for an example of the calculation of the cumulative area of floorplates.

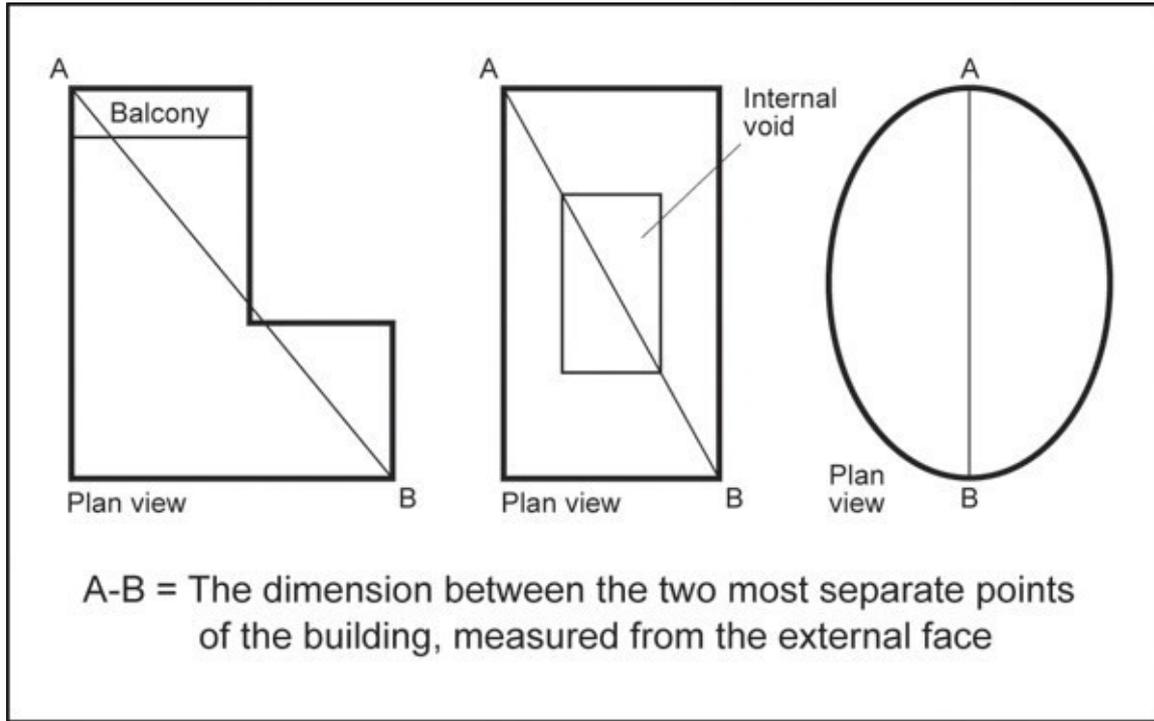
Figure I538.6.4.1 Calculation of the cumulative area of floorplates



I538.6.5. Maximum tower dimension and tower separation

- (1) The maximum plan dimension of that part of a building above 27m must not exceed 55m.
- (2) The maximum plan dimension of that part of a building above 75m must not exceed 35m.
- (3) The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.
- (4) Above a height of 27m, a minimum distance of 20m must be provided between buildings.

Figure I538.6.5.1 Maximum tower dimension plan view



I538.6.6. Outlook space

(1) Refer to H9 Business – Metropolitan Centre Zone, Standard H9.6.10.

I538.6.7. Minimum dwelling size

(1) Refer to H9 Business – Metropolitan Centre Zone, Standard H9.6.11.

I538.6.7A Residential at ground floor

(1) Dwellings, including units within an integrated residential development, must not locate on the ground floor of a building where the dwelling or unit has frontage to a primary linkage.

I538.6.8. Noise events

(1) Refer to E40 Temporary activities, Standards E40.6.1 and E40.6.4.

I538.6.9. Central Pedestrian Plaza

(1) No later than the completion of 125,000m² GFA of development in the Smales 1 Precinct, a pedestrian plaza shall be provided approximately in at the location intersection of the primary pedestrian linkages shown on Precinct Plan 2. The pedestrian plaza shall:

- (a) have a minimum area of 400m²;
- (b) receive adequate winter sun between the hours of 11am and 2pm;
- (c) be appropriately sheltered from the south-westerly wind;
- (d) be designed having regard to CPTED principles;
- (e) incorporate hard and soft landscaping.

(2) The central pedestrian plaza shall have a minimum area of 1,000m².

(3) Notwithstanding the definition of landscaped area in Chapter J Definitions, any part of the central pedestrian plaza that is not part of the internal vehicular network shall be included in the calculation of landscaped area for the Smales 1 Precinct.

I538.6.10 Primary linkages

(1) No later than the completion of 125,000m² GFA of development in the Smales 1 Precinct, the primary linkages shown on Precinct Plan 2 shall be provided.

I538.7. Assessment – controlled activities

~~There are no controlled activities in this precinct~~ the Smales 1 Precinct.

I538.7.1. Matters of control

For activities and development that are controlled activities in the Smales 1 Precinct, the Council will reserve its control to the following matters in addition to the matters specified for the relevant controlled activities in the Business – Business Park zone and the Auckland-wide provisions:

- (1) The central pedestrian plaza
 - (a) Design
- (2) New and redeveloped primary linkages
 - (a) Design

I538.7.2. Assessment criteria

For activities and development that are controlled activities in the Smales 1 Precinct, the Council will consider the relevant assessment criteria below in addition to the criteria specified for the relevant controlled activities in the Business – Business Park zone and the Auckland-wide rules:

- (1) The central pedestrian plaza
 - (a) Design

The extent to which the central pedestrian plaza:

- Provides a central gathering place and public space heart to the precinct;
- Achieves a strong sense of edge definition to the public space through building and other elements (e.g. walls, screens, changes in level, vegetation) acknowledging that temporary design solutions may be used as interim measures where adjacent development has not occurred;
- Creates a positive interface and closely integrates with the adjoining primary pedestrian linkages;
- Receives adequate sun during the winter between the hours of 11am and 2pm;
- Is appropriately sheltered from the prevailing south-westerly wind;
- Provides comfortable places to sit and spend time in;
- Is primarily hard-surfaced to provide for pedestrian movement, people

gathering and events; and

- Provides lighting to support a safe night-time environment.

(2) New and redeveloped primary linkages

The extent to which primary linkages:

(a) Are consistent with Precinct Plan 2

(b) Achieve legible, accessible and good quality walking routes between the street entrances, bus station and central pedestrian plaza;

(c) Achieve edge definition through building and other elements (e.g. walls, screens, changes in level, vegetation) acknowledging that temporary design solutions may be used as interim measures where adjacent development has not occurred;

(d) Achieve a high-quality interface with adjoining activity, recognising the importance of this interface to the overall quality of the pedestrian environment;

(e) Provide lighting to support a safe night-time environment; and

(f) Create a positive interface and closely integrate with the central pedestrian plaza.

I538.8. Assessment – restricted discretionary activities

I538.8.1. Matters of discretion

~~The~~ For activities and development that are restricted discretionary activities in the Smales 1 Precinct, the Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Business – Business Park zone and the Auckland-wide or zone provisions:

(1) ~~(1) refer~~ Activities exceeding the limits in Standard I538.6.2

(a) Refer to E27 Transport and H16 Business – Business Park Zone, Rule E27.8.1(5) for the matters for activities that do not comply with the above standards.

(2) Activities exceeding the limits in Standard I538.6.4

(a) The effects of the infringement on the amenity of neighbouring sites.

(b) The effects of the infringement on on-site amenity.

(c) The location of the site in relation to its suitability for high buildings.

(d) The contextual relationship of the building with adjacent buildings and the wider landscape.

(3) Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses

(a) Refer to H9 Business – Metropolitan Centre zone, Rule H9.8.1(5).

(4) Drive-through restaurants

(a) Refer to H9 Business – Metropolitan Centre zone, Rule H9.8.1(1).

~~(1)(5)~~ New buildings, and additions and alterations not comply with the above standards otherwise provided for

(a) Consistency with Precinct Plan 2.

(b) Building design.

(c) The design of ground floor residential activity.

(d) The provision and design of landscaped open space.

(e) Pedestrian amenity, safety and access.

(f) The design of tall buildings.

I538.8.2. Assessment criteria

~~The~~ For activities and development that are restricted discretionary activities in the Smales 1 Precinct, the Council will consider the relevant assessment criteria below ~~for restricted discretionary activities,~~ in addition to the ~~assessment~~ criteria specified for the relevant restricted discretionary activities in the ~~overlay, Auckland wide or zone provisions:~~

~~(1) refer to E27 Transport and H16 Business – Business Park Zone for the relevant assessment criteria for activities that do not comply with the above standards.~~ zone and the Auckland-wide rules:

(1) Activities exceeding the limits in Standard I538.6.2.

(a) Refer to E27 Transport, Rule E27.8.2(4)(b) to (h).

(2) Activities exceeding the limits in Standard I538.6.4

(a) The extent to which the amenity of neighbouring sites is adversely affected.

(b) The extent to which the Smales 1 Precinct can accommodate higher buildings without generating significant adverse effects on the wider environment.

(c) The extent to which the height of a new building is appropriate in the context of the height of buildings on adjacent land and within the wider landscape.

(3) Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses

(a) Refer to H9 Business – Metropolitan Centre zone, Rule H9.8.2(5).

(4) Drive-through restaurants

(a) Refer to H9 Business – Metropolitan Centre zone, Rule H9.8.2(1).

(5) New buildings, and additions and alterations not otherwise provided for

(a) Consistency with Precinct Plan 2

The extent to which development is generally consistent with the structuring elements identified on Precinct Plan 2. Note: Key Pedestrian Linkages need not be linear.

(b) Building design

The extent to which:

- Building design is of high quality.
- Features such as façade modulation and articulation, and/or the use of materials and finishes, are used to manage visual amenity effects of building bulk and scale, and to create visual interest.
- The roof profile is part of the overall building form and rooftop plant and equipment is integrated into the building design.

(c) Ground floor residential activity

Where ground floor residential activity adjoins a publicly accessible area of public access, the extent to which the design of the public/private interface:

- Addresses the privacy of occupiers of dwellings.
- Provides appropriate levels of passive surveillance of the adjoining area of public access.
- Maintains the visual and pedestrian amenity of the adjoining area of public access.

(d) Landscaped open space

The extent to which:

- Landscaped open space is provided or maintained with each stage of development.
- the design of hard and soft landscaping integrates with and appropriately enhances the design and configuration of buildings and the amenity of public places within the site for the various users of the Smales 1 Precinct.

(e) Pedestrian amenity, safety and access.

The extent to which:

- ~~Legible pedestrian routes are provided within and through the site linking each of the main entrances from the surrounding street network and the bus station to the location of the future pedestrian plaza.~~
- The design of a building contributes to pedestrian vitality and interest where it fronts an area of significant pedestrian activity, in particular adjoining primary pedestrian linkages and the central pedestrian plaza.
- Building entrances are easily identifiable and accessible, and provide pedestrian shelter.
- Separate pedestrian entrances are provided for residential activity that are clearly located and legible for public access and provide a sense of address for residents and visitors.

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- The design of development has regard to pedestrian and personal safety.
- Parking, loading and service areas are located and screened (as necessary) to maintain pedestrian amenity.

(f) Buildings extending above RL50.4m

The extent to which:

- the building maintains the visual amenity of the overall development on the site as viewed from residential zones and public places outside the Smales 1 precinct.
- the building makes a positive contribution to the collective skyline of the Smales 1 Precinct, including architectural expression to the rooftops and upper levels of tall towers.
- the building responds and relates appropriately to the scale and form of neighbouring buildings within the Smales 1 Precinct.
- adverse off-site effects of tall buildings, in particular wind, shadowing, dominance and privacy effects, are mitigated.

I538.9. Special information requirements

There are no special information requirements in this precinct.

I538.10. Precinct plans

I538.10.1 Smales 1 Precinct: Precinct Plan 1 – Maximum Height

I538.10.2 Smales 1 Precinct: Precinct Plan 2 – Structuring Elements

APPENDIX 6

COUNCIL'S REVISED PLAN CHANGE TEXT (FOLLOWING APPLICANT'S REVISION)

Plan Change 23 Smales Farm – Revised provisions
Section 42A report version – 24 October 2019

I538. Smales 1 Precinct

I538.1. Precinct description

The zoning of land within the Smales 1 Precinct (precinct /Smales Farm) is the Business - Business Park Zone.

The precinct is located on the corner of Taharoto and Northcote roads, and is adjacent to State Highway 1 and the Northern Busway.

Initial development within the precinct ~~on the site~~ was in the nature of an office park, as provided for in the North Shore District Plan and the Auckland Unitary Plan. Most forms of residential development were non-complying activities.

However, the characteristics of the site, and the physical and transport environment in the adjacent area, make it a very suitable location for a Transit Oriented Development (TOD).

Accordingly, the precinct provisions provide for residential activity on the site, in addition to non-residential activities (including accessory activities to address demand from workers, residents, and their ~~visitors to the precinct~~), and they encourage intensive development and the efficient use of land by providing for tall buildings to be developed. A high standard of building design and pedestrian amenity is ensured by the application of appropriate policies, standards and assessment criteria.

The use of public transport is specifically encouraged by ensuring high quality pedestrian / active mode ~~connections~~ linkages (both primary and secondary) are provided through Smales Farm to access the bus station, and imposing limits on the number of car parking spaces for ~~non-residential~~ activities within the precinct.

With the precinct provisions, the site has the potential to achieve the recognised success factors for the location and design of a Transit Oriented Development (TOD), namely:

- The site is of a suitable size and is located adjacent to a high capacity, high frequency, public transport corridor – the Northern Busway, and high capacity bus services that link to it by way of Smales Farm Station;
- Compact, high density development is provided for within easy walking distance of the Smales Farm station on the Northern Busway;
- The provisions encourage an interesting walkable public realm outcome, particularly ~~in relation to~~ by way of primary pedestrian / active mode linkages;
- A good diversity of uses is provided for, including employment and residential activities, and necessary supporting activities including retail; and
- The congested road network surrounding the site, the proximity of the bus station, and a limit on parking spaces ~~for non-residential development~~, encourage the use of alternatives to sole occupancy car travel, particularly public transport.

I538.2. Objectives

- (1) Smales Farm is a vibrant, intensively and efficiently developed mixed-use precinct which:
 - (a) Is an attractive place to live, work and visit
 - (b) Integrates well with, and takes advantage of its close proximity to the adjoining rapid transit bus station
 - (c) Integrates with, and responds to, its immediate surrounds; and
 - (d) Has a strong sense of place.
- (2) Smales Farm is a dynamic transit-oriented employment node that successfully integrates intensive, high amenity residential developments and an appropriate range and scale of accessory uses and developments to support its workers, residents and their visitors.
- (3) Smales Farm develops and functions in a way which promotes:
 - (a) Travel mode shifts to rapid transit and active modes
 - (b) Reduced car trip generation and car parking over time
 - (c) A high quality public realm containing a central plaza gathering place; and
 - (d) A well-connected and legible network of primary and secondary pedestrian / active mode linkages connecting the precinct with its immediate surrounds and providing a good standard of amenity and accessibility throughout the precinct.
- (4) Smales Farm does not generate adverse effects in respect of:
 - (a) The safe and efficient operation of the transport network of the locality
 - (b) The amenity of neighbouring zones and sites
 - (c) The function and amenity of Business – Metropolitan or Town Centre zones.

~~(A1) The intensive development of the Smales 1 Precinct as a vibrant mixed-use Transit Oriented Development is enabled.~~

~~(1) Ongoing development of the Smales 1 Precinct as an employment node is enabled while managing significant adverse effects on the amenity of neighbouring zones, and on the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone.~~

~~(2) Residential development is enabled to use the land more efficiently, increase housing capacity and choice, particularly for employees of businesses at the Smales 1 Precinct and other nearby business areas, and to take advantage of the proximity of the Smales Farm station on the Northern Busway.~~

~~(2A) A high quality public realm is provided, including a central plaza that serves as a gathering place at the heart of the precinct.~~

~~(2B) High quality primary and secondary pedestrian connections are provided within the site with the primary connections linking each of the Northcote Road, Taharoto Road and Shakespeare Road street frontages and the bus station with the heart of the Precinct.~~

~~(3) The Smales 1 Precinct is an attractive place to live, work and visit, with a high standard of amenity, and activities enabled to meet the needs of residents,~~

~~workers and visitors.~~

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

I538.3. Policies

The Auckland-wide and underlying zone policies apply in this precinct in addition to those specified below, provided that clauses (b) and (c) of policy H15.3(18) do not apply.

- (1) Require any development ~~over~~ which causes the cumulative total gross floor area of business activity to exceed $\leq 162,000\text{m}^2$ ~~gross floor area of business activity~~ in the ~~Smales 4~~ precinct to demonstrate that significant adverse effects on the amenity of neighbouring zones will be managed and that the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone will not be significantly adversely affected.
- (1A) Enable the development of intensive residential activities ~~at~~ within the ~~Smales 4~~ precinct and require it to be designed to provide privacy and outlook, ~~and have~~ with good access to daylight and sunlight.
- (1B) Require the development of intensive residential activities within the precinct to be designed, constructed and maintained to provide the occupants of noise sensitive spaces with a reasonable level of internal acoustic amenity to mitigate the higher levels of ambient noise that may result from non-residential activities, thereby avoiding any potential reverse sensitivity effects.
- (2) Provide for accessory activities to meet the immediate needs of office workers, residents and their visitors ~~to the Smales 1 Precinct~~ while limiting the extent of those uses and activities to manage potential adverse effects on the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone.
- (2A) Enable the establishment of tall buildings ~~on the site~~ within the precinct to maximise the opportunity for intensification and the efficient use of the land ~~within the Smales 1 precinct, and to take~~ taking maximum advantage of the public transport services available ~~adjacent to the site~~ while avoiding adverse effects on adjoining land and on properties outside the precinct.
- (2B) Require the establishment of a central pedestrian plaza at the heart of the ~~Smales 4~~ precinct ~~that~~ to provides a vibrant people-focused space to support the evolving mixed-use community ~~where growing numbers of people work, live and play~~ while ensuring that the implications for all movement within the precinct and for the transport network are positive and sustainable.
- (2C) Require primary pedestrian / active mode linkages to be provided connecting the central pedestrian plaza with the bus station and the Northcote Road, Taharoto Road, and Shakespeare Road frontages ~~which are~~ to be high quality walking connections ~~and that~~ are also supportive of people using other active travel modes – bicycles, scooters

and other micro-mobility choices - including through suitable weather protection, illumination and consistency with CPTED principles.

- (2D) Recognise the role of secondary linkages ~~that provide a network of~~ to provide quality walkable / active mode connections to integrate all buildings and spaces within the ~~Smales 4~~ precinct with the primary pedestrian / active mode linkages.
- (2E) At each stage of development, require consideration of how primary and secondary linkages and landscaped open spaces, provided or maintained with each new building, are integrated with adjacent linkages, ~~and landscaped open space~~ and the bus station to ensure an appropriate level of amenity for residents, workers and visitors to the ~~Smales 4~~ precinct, whilst preserving flexibility of options for future stages.
- (2F) Encourage buildings and uses on or near primary pedestrian / active mode linkages to contribute positively to the vitality, interest and amenity afforded pedestrian and active users of those linkages, particularly in the vicinity of the rapid transit bus station and the central plaza.
- (2G) Require all signs within the precinct to contribute to a high standard of visual amenity and avoid any significant off-site effects.
- (2H) Discourage high car trip generating uses - such as service stations, large supermarkets or drive through restaurants – and comparison retail and only allow the activity where it:
- a) Is necessary to support a near capacity level of office and residential development that already exists in the precinct
 - b) Can be well integrated with other retail and commercial uses
 - c) Will not detract in any way from a high quality transit-oriented urban environment
 - d) Will not generate undesirable traffic effects within or adjacent to the precinct.
- (3) Require development over ~~462~~ 125,000m² gross floor area of business activity in the ~~Smales 4~~ precinct to demonstrate that the activity will not significantly adversely affect the safe and efficient operation of the transport network, or that such effects will be mitigated.
- (3A) Require progress towards the achievement of reduced private car trips and a shift to other travel modes to be monitored and reported at key stages in the development of the precinct.
- (4) Limit the supply of on-site parking serving non-residential activities over time to recognise the accessibility of the ~~Smales 4~~ precinct to public transport services and active mode facilities, ~~while supporting the planned growth of non-residential activities and acknowledging the need for an appropriate supply of parking on the site in the short term to encourage that growth.~~
- (4A) Limit the rate of parking for residential activities in recognition of the proximity to public transport services and to ensure the appropriate management of on-site parking

[demands in an intensive mixed use environment within a congested transport network.](#)

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

I538.4. Activity table

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I538.4.1 specifies the activity status of land use activities in the Smales 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I538.4.1 Activity table Smales 1 Precinct

| Activity | | Activity status |
|----------------|--|-----------------|
| General | | |
| (A1) | Non-residential activities exceeding the gross floor area maximums in Standard I538.6.1. | D |
| (A3) | Activities exceeding the limits in Standard I538.6.2(1) or (1A) | RD |
| (A4) | Activities exceeding the limits in Standard I538.6.4 | RD |
| (A4A) | The first development which results in the cumulative floor area in the precinct exceeding 92,000 m² GFA of non-residential development. | <u>C</u> |
| (A4B) | The first development which results in the cumulative floor area in the precinct exceeding 117,000 m² GFA of non-residential development. | <u>C</u> |
| (A4B) | The first development which results in the cumulative floor area in the precinct exceeding 125,000 m² GFA of non-residential development. | <u>RD</u> |
| Use | | |
| Accommodation | | |
| (A5) | Dwellings | P |
| (A6) | Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses | RD |
| (A7) | Integrated residential development | P |
| (A8) | Supported residential care | P |
| (A9) | Visitor accommodation and boarding houses | P |

| | |
|--|--------------------|
| Commerce | |
| (A10) Conference facilities | P |
| (A11) Entertainment facilities | D |
| (A12) Retail | P |
| (A12A) Department store, trade supplier, motor vehicle sales | D |
| (A13) Service stations | NC |
| (A14) Supermarkets up to 2,000m ² gross floor area per tenancy with no more than one parking space for 60 m² GFA | P |
| (A15) Supermarkets greater than 2,000m ² gross floor area per tenancy | D |
| (A16) Drive-through restaurants | D |
| Community | |
| (A17) Community facilities | P |
| (A18) Education facilities | P |
| (A19) Tertiary education facilities | P |
| Development | |
| (A19A) New buildings (this is required here because precinct-specific standards are in place) | RD |
| (A23) Temporary structures that are established in place for less than 21 days. | P |
| (A24) The central plaza | € |
| (A24A) New and Redeveloped existing primary pedestrian / active mode linkages (as depicted in Precinct Plan 2 Structuring Elements) not including any undergrounding or vehicle ramps. | C |
| (A24B) The formation of a new primary pedestrian / active mode linkage and or the central pedestrian plaza and or the undergrounding of any part of a primary pedestrian / active mode linkage at any time or stage in the development of the precinct (as depicted in Precinct Plan 2 Structuring Elements) | RD |
| (A24C) Any new or redesigned vehicle access off Shakespeare Road in terms of Precinct Plan 2 Structuring Elements | D |
| Signs | |
| Comprehensive development signage | |
| (A25) Comprehensive development signage that is further than 30m from the Shakespeare Road, Taharoto Road and Northcote Road frontages. | P |

| | |
|---|--------------|
| (A25) Signs that are not visible from roads and public or private land outside the precinct (these are assumed to be subject to the Signs Bylaw 2015) | <u>P</u> |
| (A25A) Signs that are visible from roads and public or private land outside the precinct (assessment to be as per E23.8.2 AUP) | <u>RD</u> |
| Temporary activities | |
| Temporary Activities – General | |
| (A26) Temporary activities for up to 21 consecutive days. | P |
| Specific Temporary Activities | |
| (A27) Noise events | P |

I538.5. Notification

(A1) An application for resource consent for a controlled activity listed in Table I538.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

(1) Any application for resource consent for a restricted discretionary, discretionary or non-complying activity listed in Table I538.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I538.6. Standards

The standards applicable to the underlying zone and Auckland-wide apply in this precinct, except the following:

- Standard E27.6.1 Trip generation for non-residential development up to ~~162~~125,000m² gross floor area or for residential development (see Standard I538.6.3);
- Standard E27.6.2(5) [\(Parking\)](#);
- Standard H15.6.1 Building height;
- Standard H15.6.3 Yards; and
- Standard H15.6.7 Outlook space.

All activities in the Smales 1 Precinct must comply with the following standards.

I538.6.1. Gross floor area (GFA)

Purpose:

To create thresholds beyond which new evaluations of the scale, uses and effects of development must occur addressing potential negative impacts on the transport network and or on the function and amenity of centres.

- (1) The maximum gross floor area in the precinct for non-residential activities regardless of activity status is 162,000m² subject to (2) below:
- (2) The total Gross Floor Area within the ~~Smales 1~~ precinct that is occupied by ~~retail and commercial services~~ the activities listed below, regardless of activity status, must not exceed 2,000m² plus a cumulative gross floor area of ~~250~~ 500m² for every 10,000m² of gross floor area of development:
 - (a) Retail
 - (b) Commercial services
 - (c) Entertainment.

I538.6.2. Parking for non-residential activities

Purpose:

- To manage the effects of parking for non-residential development on trip generation
- To encourage a reduction in the ratio of parking spaces to floor area as the precinct develops
- To ensure that land and resources are used efficiently within the precinct.

- (1) The number of parking spaces accessory to non-residential activities must not exceed one per 60 m² GFA for development in excess of 58,000 m² GFA.
- (1A) The maximum total number of car parking spaces within the precinct is 3,777.
 - ~~(a) 1936 car parking spaces for the first 44,770 m² gross floor area;~~
 - ~~(b) an additional one car parking space per 31.8 m² gross floor area for development between 44,770m² and 105,000m² gross floor area; and~~
 - ~~(c) an additional one car parking space per 45.1 m² gross floor area for development in excess of 105,000 m² gross floor area to a maximum of 5094 spaces~~
- (2) ~~No minimum or maximum parking requirements apply to residential activity~~

I538.6.2A. Parking for residential activities

Purpose:

- [Manage potential parking oversupply and in turn reduce traffic congestion and provide opportunities to improve pedestrian /active mode amenity through more efficient use of floorspace and roadspace](#)
- [Ensure parking rates are set at a level which appropriately provides for the management of on-site parking demands in an intensive mixed use environment within a congested transport network](#)

(1) [The maximum number of parking spaces per residential unit is one.](#)

I538.6.3. Trip generation

Purpose:

[To clarify that up to the stated threshold the trip generation effects of development within the precinct are deemed to be acceptable but that beyond the threshold an integrated transportation assessment \(ITA\) will be required as set out in Chapter E27.](#)

- (1) Non-residential development up to ~~462~~ [125,000m²](#) gross floor area, and residential development, will not be subject to the following:
- (1) Policy E27.3(2) Integrated transport assessment; and
 - (2) Standard E27.6.1 Trip generation.

I538.6.4. Building height

Purpose:

- [Enable efficient use of land by enabling tall buildings in appropriate locations within the precinct; and](#)
- [Ensure the terminations of tall buildings are designed to provide a varied and interesting skyline appearance when viewed from distant viewpoints.](#)

(1) Buildings must not exceed the heights in the following table (expressed as an RL - Reduced Level above Mean Sea Level):

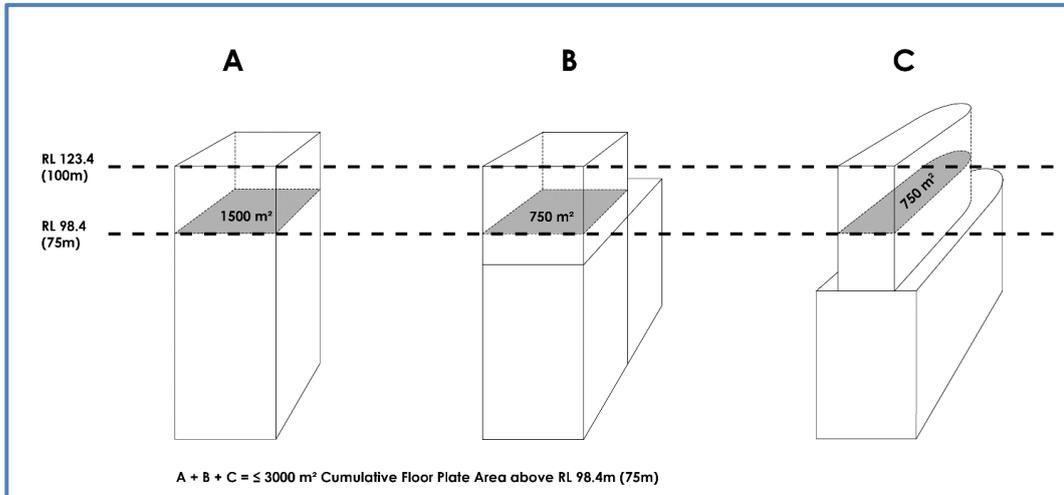
Table I538.6.4.1 Building height

| Height Area as identified on Precinct Plan 1 | RL | Equivalent height above average GL at Taharoto Road frontage |
|--|-------|--|
| 1 | 50.4 | 27m |
| 2 | 123.4 | 100m |

(2) Notwithstanding I538.6.4(1) the cumulative [floor](#) area of the largest floor plate in each building in Height Area 2 above a height of RL98.4 (75m above average GL at the Taharoto Road frontage) must not exceed 3,000m². For clarity, this standard does not constrain the total gross floor area of buildings above RL98.4. Refer to Figure I538.6.4.1 [Calculation of the cumulative area of floorplates](#) for an

example of the calculation of the cumulative area of floorplates.

Figure I538.6.4.1 Calculation of the cumulative area of floorplates



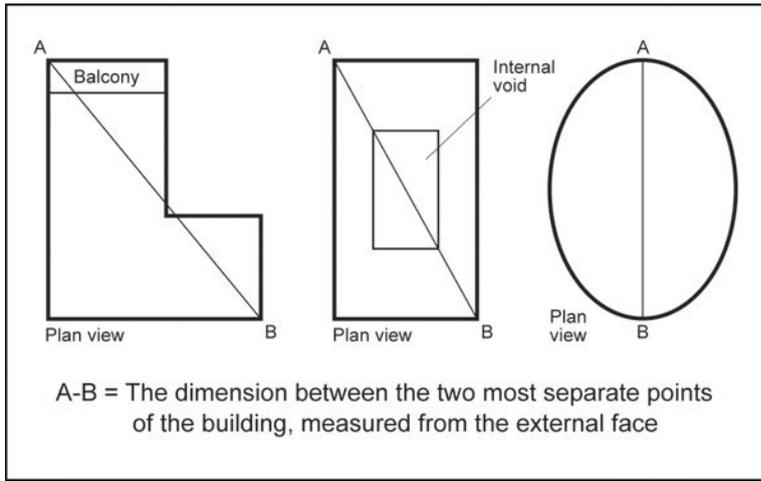
I538.6.5. Maximum tower dimension and tower building separation

Purpose: To ensure that tall buildings

- are not overly bulky in appearance and manage significant visual dominance effects
- allow adequate sunlight and daylight access to adjoining buildings and land
- provide adequate sunlight and outlook around and between buildings; and
- mitigate adverse wind effects.

- (1) The maximum plan view dimension of that part of a building above 27m must not exceed 55m.
- (2) The maximum plan view dimension of that part of a building above 75m must not exceed 35m.
- (3) The maximum plan view dimension is the horizontal dimension between the exterior faces of the two most separate points of the building, depicted as A to B in Figure I538.6.5.1 Maximum tower dimension plan view below.
- (4) Above a height of 27m, a minimum distance of 20m must be provided between buildings.

Figure I538.6.5.1 Maximum tower dimension plan view



I538.6.6. Outlook space

Purpose:

- Ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent building sites
- Encourage the placement of habitable room windows to maximise both passive surveillance of any open space and privacy, and to avoid overlooking of neighbouring building sites.

(1) Refer to H9 Business – Metropolitan Centre Zone, Standard H9.6.10.

I538.6.7. Minimum dwelling size

Purpose: To ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

(1) Refer to H9 Business – Metropolitan Centre Zone, Standard H9.6.11.

I538.6.7A Residential at ground floor

Purpose:

- Protect the ground floor of buildings on or near primary pedestrian / active mode linkages for commercial use; and
- Avoid locating activities that require privacy and which do not contribute to activation on the ground floor of buildings on or near primary pedestrian / active mode linkages.

(1) Dwellings, including units within an integrated residential development, must not locate on the ground floor of a building where the dwelling or unit has frontage to or is within 10 metres of the edge of a primary pedestrian / active mode linkage.

~~I538.6.8. Noise events~~

~~(1) Refer to E40 Temporary activities, Standards E40.6.1 and E40.6.4.~~

I538.6.9. Central Pedestrian Plaza

Purpose:

Ensure that a high amenity meeting and recreational space is developed at a timely stage to function as the heart of the precinct.

- (1) No later than the completion of 125,000m² GFA of development in the ~~Smales 1~~ precinct, a pedestrian plaza shall be provided approximately at the intersection of the primary pedestrian pedestrian / active mode linkages shown on Precinct Plan 2.
- (2) The central pedestrian plaza shall have a minimum area of 1,000m².
- (3) Notwithstanding the definition of landscaped area in Chapter J Definitions, any part of the central pedestrian plaza that is not part of the internal vehicular network shall be included in the calculation of landscaped area for the ~~Smales 1~~ precinct.

I538.6.10 Primary pedestrian / active mode linkages

Purpose:

Ensure that direct, legible, high quality linkages are in place at a timely stage in development of the precinct.

- (1) No later than the completion of 125,000m² GFA of development in the ~~Smales 1~~ Precinct, the primary pedestrian / active mode linkages shown on Precinct Plan 2 shall be provided.

I538.6.11 Noise levels between residential units and for noise sensitive spaces

Purpose:

Ensure within the precinct an acceptable level of acoustic amenity for activities sensitive to noise.

- (1) Noise levels between units in the precinct shall comply with E25.6.9 (adopting the limits prescribed for the Business – Mixed Use Zone).
- (2) Noise sensitive spaces within the precinct shall be designed and / or insulated to comply with E25.6.10, adopting the internal noise levels for the Business – Mixed Use Zone. For the purpose of applying E25.6.10(2), the external noise level shall be the maximum noise levels permitted in the Business Park Zone.
- (3) The relevant assessment criteria in E25.8 shall apply to any activity that does not comply with I538.6.11. The assessment criteria shall be applied as if the precinct was located in the Business – Mixed Use Zone.

Note: The relevant provisions of E25 for the Business Park zone apply in the precinct unless otherwise specified above.

I538.7. Assessment – controlled activities

I538.7.1. Matters of control

For activities and development that are controlled activities in the ~~Smales 1~~ Precinct, the Council will reserve its control to the following matters in addition to the matters specified for the relevant controlled activities in the Business – Business Park zone and the Auckland-wide provisions:

~~(1) The central pedestrian plaza~~

~~(a) Design~~

~~(2) New or redeveloped primary linkages~~

~~(a) Design~~

(1) Redeveloped existing primary pedestrian / active mode linkages

(a) Design

(2) The first development which results in the cumulative floor area in the precinct exceeding 92,000 m² GFA of non-residential development.

(a) The management of parking

(b) Internal vehicle circulation patterns

(c) The nature and location of facilities throughout the precinct that support active modes of travel

(d) Precinct-wide travel demand management initiatives

(3) The first development which results in the cumulative floor area in the precinct exceeding 117,000 m² GFA of non-residential development:

(a) The matters set out at I538.7.1(2)

(b) Mode share and traffic generation assumptions

I538.7.2. Assessment criteria

For activities and development that are controlled activities in the ~~Smales 1~~ Precinct, the Council will consider the relevant assessment criteria below in addition to the criteria specified for the relevant controlled activities in the Business – Business Park zone and the Auckland-wide rules:

(The following provisions are to be relocated to I538.8)

(1) The central pedestrian plaza

(a) Design

The extent to which the central pedestrian plaza:

- Provides a central gathering place and public space heart to the precinct;
- Achieves a strong sense of edge definition to the public space through building and other elements (e.g. walls, screens, changes in level, vegetation) acknowledging that temporary design solutions may be used as interim measures where adjacent development has not occurred;
- Creates a positive interface and closely integrates with the adjoining primary pedestrian / active mode linkages;
- Receives adequate sun during the winter between the hours of 11am

and 2pm;

- Is appropriately sheltered from the prevailing south-westerly wind;
- Provides comfortable places to sit and spend time in;
- Is primarily hard-surfaced to provide for pedestrian movement, people gathering and events; and
- Provides lighting to support a safe night-time environment.

~~(2) New and redeveloped primary linkages~~

(1) Redeveloped existing primary pedestrian / active mode linkages not including any undergrounding or vehicle ramps

The extent to which primary linkages:

- (a) Are consistent with Precinct Plan 2
- (b) Achieve legible, accessible and good quality walking and cycling routes between the street entrances, bus station and central pedestrian plaza;
- (c) Achieve edge definition through building and other elements (e.g. walls, screens, changes in level, vegetation) acknowledging that temporary design solutions may be used as interim measures where adjacent development has not occurred;
- (d) Achieve a high-quality interface with adjoining activity, including through weather protection, recognising the importance of this interface to the overall quality of the pedestrian / active mode environment ;
- (e) Provide lighting to support a safe night-time environment; and
- (f) Create a positive interface and closely integrate with the central pedestrian plaza.

(2) The first development which results in the cumulative floor area in the precinct exceeding 92,000 m² GFA of non-residential development.

- (a) The management of parking – the extent to which all parking within the precinct is being effectively managed to reduce the demand for private car trips.
- (b) Internal vehicle circulation patterns – the extent to any altered internal layout within the precinct assists in promoting reduced travel by cars and greater use by active modes.
- (c) The nature and location of facilities throughout the precinct that support active modes of travel – the extent of provision in all existing and proposed buildings for active modes of travel and end of trip

facilities.

(d) Precinct-wide travel demand management initiatives – the extent to which travel surveys of all precinct workers have occurred, travel demand management initiatives have been established and administered, and new facilities for active mode travelers are being established.

(3) The first development which results in the cumulative floor area in the precinct exceeding 117,000 m² GFA of non-residential development:

(a) The matters set out at I538.7.2(2), and

(b) Mode share and traffic generation assumptions – the extent to which consistency is achieved with the rates assumed for the analysis and assessment of mode share and traffic generation as set out in I538.9(3).

I538.8. Assessment – restricted discretionary activities

I538.8.1. Matters of discretion

For activities and development that are restricted discretionary activities in the ~~Smales 1~~ precinct, the Council will restrict its discretion to the following matters in addition to the matters specified for the relevant restricted discretionary activities in the Business – Business Park zone and the Auckland-wide provisions:

(1) Activities exceeding the limits in Standard I538.6.2 (Parking for non-residential activities)

(a) Refer to E27 Transport, Rule E27.8.1(5) (a), (b) and (c)

(1A) Activities exceeding the limits in Standard I538.6.2A (Parking for residential activities)

(a) Refer to E27 Transport, Rule E27.8.1(5) (a), (b) and (c)

Note: these are (a) adequacy for the site and the proposal; (b) effects on intensification; and (c) effects on the transport network

(2) Activities exceeding the limits in Standard I538.6.4 (Height)

(a) The effects of the infringement on the amenity of neighbouring sites.

(b) The effects of the infringement on ~~on-site~~ amenity within the precinct.

(c) The location of the building site in relation to its suitability for high buildings.

(d) The contextual relationship of the building with adjacent buildings and the wider landscape.

(3) Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses

(a) Refer to H9 Business – Metropolitan Centre zone, Rule H9.8.1(5).

~~(4) Drive-through restaurants~~

~~(a) Refer to H9 Business – Metropolitan Centre zone, Rule H9.8.1(4).~~

(5) New buildings, and additions and alterations not otherwise provided for

- (a) Consistency with Precinct Plan 2.
- (b) Building design
- (c) The design of ground floor residential activity.
- (d) The provision and design of landscaped open space.
- (e) Pedestrian amenity, safety and access.
- (f) The design of tall buildings.

(6) The formation of a new primary pedestrian /active mode linkage and or the central pedestrian plaza and or the undergrounding of any part of a primary pedestrian / active mode linkage at any time or stage in the development of the precinct (as depicted in Precinct Plan 2 Structuring Elements)

- (a) Consistency with Precinct Plan 2
- (b) Linkage design
- (c) Traffic circulation and road design
- (d) The design of the central pedestrian plaza

(7) Signs that are visible from roads and public or private land outside the precinct

(a) Refer to E23.8.1 (E23, Signs)

Note: These are: (1) visual amenity; (2) scale and location; (3) lighting and traffic safety; (4) duration of consent; and (5) cumulative effects

(8) The first development which results in the cumulative floor area in the precinct exceeding 125,000 m² GFA of non-residential development:

- (a) Effects on the transport network
- (b) Travel management
- (c) On-site parking provision.

I538.8.2. Assessment criteria

For activities and development that are restricted discretionary activities in the ~~Smales 4~~ precinct, the Council will consider the relevant assessment criteria below in addition to the criteria specified for the relevant restricted discretionary activities in the Business – Business Park zone and the Auckland-wide rules:

- (1) Activities exceeding the limits in Standard I538.6.2 (Parking for non-residential activities)

- (a) Refer to E27 Transport, Rule E27.8.2(4)(b) to (h).

(1A) Activities exceeding the limits in Standard I538.6.2A (Parking for residential activities)

- (a) Refer to E27 Transport, Rule E27.8.1(5) (b) to (f)

Note: these are:

(b) the trip characteristics of the proposed activities on the site requiring additional parking spaces;

(c) the effects of the vehicle movements associated with the additional parking spaces on the safe and efficient operation of the adjacent transport network, including public transport and the movements of pedestrians, cyclists and general traffic. This includes considering the effect of additional parking on trip generation from the site during peak commuter times;

(d) the availability of alternative parking in the surrounding area, including on street and public parking, to provide the additional parking sought for the proposal;

(e) the availability of parking provision in the immediate vicinity to accommodate parking demands from surrounding activities;

(f) the adequacy and accessibility of public transport and its ability to serve the proposed activity.

- (2) Activities exceeding the limits in Standard I538.6.4 (Height)

- (a) The extent to which the amenity of neighbouring sites including those outside the precinct is adversely affected.
- (b) The extent to which the ~~Smales 1~~ precinct can accommodate higher buildings without generating significant adverse effects on the wider environment.
- (c) The extent to which the height of a new building is appropriate in the context of the height of buildings on adjacent land and within the wider landscape.

- (3) Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses

- (a) Refer to H9 Business – Metropolitan Centre zone, Rule H9.8.2(5).

~~(4) Drive-through restaurants~~

- ~~(a) Refer to H9 Business – Metropolitan Centre zone, Rule H9.8.2(1).~~

- (5) New buildings, and additions and alterations not otherwise provided for

- (a) Consistency with Precinct Plan 2

The extent to which development is generally consistent with the structuring elements identified on Precinct Plan 2. Note: ~~Key~~ Primary pedestrian / active mode linkages need not be linear.

- (b) Building design

The extent to which:

- Building design is of high quality , expressing a clear and coherent design concept that responds to its surrounding context and utilises a robust palette of materials to express the building form.
- Features such as façade modulation and articulation, and/or the use of materials and finishes, are used to manage visual amenity effects of building bulk and scale, and to create visual interest.
- The roof profile is part of the overall building form and rooftop plant and equipment is integrated into the building design.
- The ground floor areas of buildings on or near primary pedestrian / active mode linkages are adaptable to a range of uses

(c) Ground floor residential activity

Where ground floor residential activity adjoins a publicly accessible area, the extent to which the design of the public/private interface:

- Addresses the privacy of occupiers of dwellings.
- Provides appropriate levels of passive surveillance of the adjoining area of public access.
- Maintains the visual and pedestrian amenity of the adjoining area of public access.

(d) Landscaped open space

The extent to which:

- Landscaped open space is provided or maintained with each stage of development.
- The design of hard and soft landscaping integrates with and appropriately enhances the design and configuration of buildings and the amenity of public places ~~within the site~~ for the various users of the ~~Smales 1~~ precinct.

(e) Pedestrian amenity, safety and access.

The extent to which:

- The design of and uses within a building contribute s to pedestrian vitality and interest where it fronts an area of significant pedestrian activity, in particular adjoining or near primary pedestrian / active mode linkages linkages and the central pedestrian plaza.
- Building entrances are easily identifiable and accessible, and provide pedestrian shelter.
- Separate pedestrian entrances are provided for residential activity that are clearly located and legible for public access and provide a sense of address for residents and visitors .
- The design of development has regard to pedestrian amenity and

personal safety, [including protection from the weather](#).

- Parking, loading and service areas are located and screened (as necessary) to maintain pedestrian amenity.

(f) Buildings [within Height Areas 1 and 2](#) extending above RL50.4m

The extent to which:

- the building maintains the visual amenity of the overall development on the site as viewed from residential zones and public places outside the ~~Smales 1~~ precinct.
- the building makes a positive contribution to the collective skyline of the ~~Smales 1~~ precinct, including architectural expression to the rooftops and upper levels of tall ~~towers~~ [buildings](#).
- the building responds and relates appropriately to the scale and form of neighbouring buildings within the ~~Smales 1~~ precinct.
- adverse off-site [and off-precinct](#) effects of tall buildings, in particular wind, shadowing, dominance and privacy effects, are [avoided or suitably](#) mitigated.

(8) [The formation of a new primary pedestrian / active mode linkage and or the central pedestrian plaza and or the undergrounding of any part of a primary pedestrian / active mode linkage \(as depicted in Precinct Plan 2 Structuring elements\)](#)

(a) [Consistency with Precinct Plan 2](#)

- [The extent to which the layout is consistent with that of Precinct Plan 2 or is superior in some way.](#)

(b) [Linkage design](#)

- [The matters set out under I538.7.2 \('controlled'\) for redeveloped existing primary pedestrian / active mode linkages.](#)

(c) [Traffic circulation and road design](#)

- [The extent to which the internal movement of motor vehicles is efficient and not in conflict with the function and amenity of primary or secondary pedestrian / active mode linkages](#)
- [The extent to which any undergrounding of roadway adversely affects the desired qualities of the precinct's urban environment](#)

(d) [The design of the central pedestrian plaza](#)

- [\(those matters highlighted under 'controlled'\)](#)

(9) [Signs that are visible from roads and public or private land outside the precinct](#)

(b) [Refer to E23.8.2 \(Signs\)](#)

The assessment criteria are extensive and also apply to billboards. The council will consider “the relevant criteria..from the list below” under the headings of (1) visual amenity; (2) scale and location; (3) lighting and traffic safety; (4) duration of consent; and (5) cumulative effects.

- (10) The first development which results in the cumulative floor area in the precinct exceeding 125,000 m² GFA of non-residential development:
- (a) The extent to which there would be adverse, or positive, effects on the function and the safe and efficient operation of the transport network including for pedestrians and cyclists, particularly at peak travel times;
 - (b) The extent to which there has been or will be successful implementation of measures to address adverse effects or generate positive effects, which may include precinct-wide travel management planning, providing alternatives to private vehicle trips including specific incentives to share vehicles or parking areas, or to use public transport or active modes of travel, or which contribute to improvements to the local transport network; and
 - (c) The extent to which all parking within the precinct is being or will be actively managed to minimize or reduce private vehicle travel to and from the precinct, in connection with all uses and activities.
 - (d) The extent to which any existing and or proposed residential development within the precinct generates any additional adverse effects or issues necessitating a response in terms of (a) (b) or (c) above.

I538.9. Special information requirements

~~There are no special information requirements in this precinct.~~

Special information is required in respect of the following applications, as set out below:

- (1) The first development which results in the cumulative floor area in the precinct exceeding 92,000 m² GFA of non-residential development
 - (a) All the information necessary for council to be able to gain a comprehensive understanding of the matters which are listed for assessment.
 - (b) An ‘integration’ plan indicating the positioning of all existing and intended buildings relative to ‘structuring elements’ and how the balance of the precinct is to be developed to achieve or promote the objectives and policies of the precinct and thereby how the proposal fits with the developed and consented urban structure and form. To avoid doubt, this plan is not to be the subject of any approval but is to inform any other travel-related conditions that might be appropriate and to understand such things as the developing movement pattern throughout the precinct and the location of noise-emitting and noise-sensitive activities.
- (2) The first development which results in the cumulative floor area in the precinct exceeding 117,000 m² GFA of non-residential development.
 - (a) As for I538.9(1).
 - (b) The floor areas and locations of the uses which are the subject of standard

I538.6.1(2) – ‘accessory activities’.

(3) The first development which results in the cumulative floor area in the precinct exceeding 125,000 m² GFA of non-residential development.

(a) As for I538.9(1)

(b) A report addressing the following: (note, the following was supplied by the applicant during ‘without prejudice’ discussions and is dated 4 October)

(a) Trip generation – peak hour

Assessment of the trip generation for non-residential and residential activity at the Smales 1 Precinct (at the time of the resource consent application) against the following rates:

- For commercial activity: 1.57 per 100sqm in the morning peak hour, and 1.24 per 100sqm in the afternoon peak hour.
- For residential activity: 0.24 per unit in the morning and afternoon peak hour.

(b) Mode share

Assessment of the actual mode share of travel associated with non-residential and residential activity at the Smales 1 Precinct in the morning and afternoon peak hour, against the following mode shares:

- Non-residential: Car travel 68%; non-car travel 32%.
- Residential: Car travel 45%; non-car travel 55%.

(4) The formation of a new primary pedestrian / active mode linkage and or the central pedestrian plaza and or the undergrounding of any part of a primary pedestrian / active mode linkage at any time or stage in the development of the precinct

(a) As for I538.9(1)

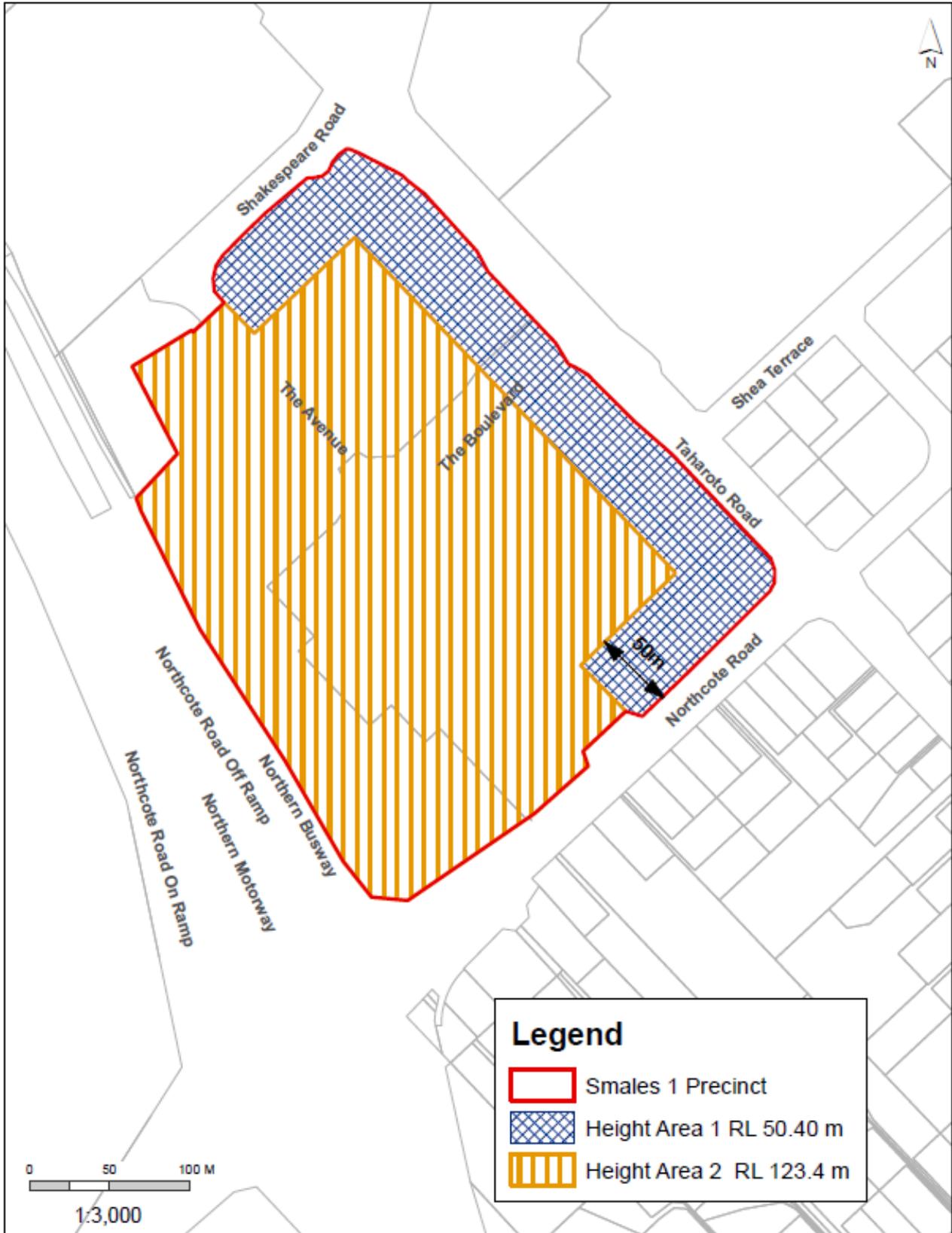
I538.10. Precinct plans

I538.10.1 Smales 1 Precinct: Precinct Plan 1 – Maximum Height

I538.10.2 Smales 1 Precinct: Precinct Plan 2 – Structuring Elements

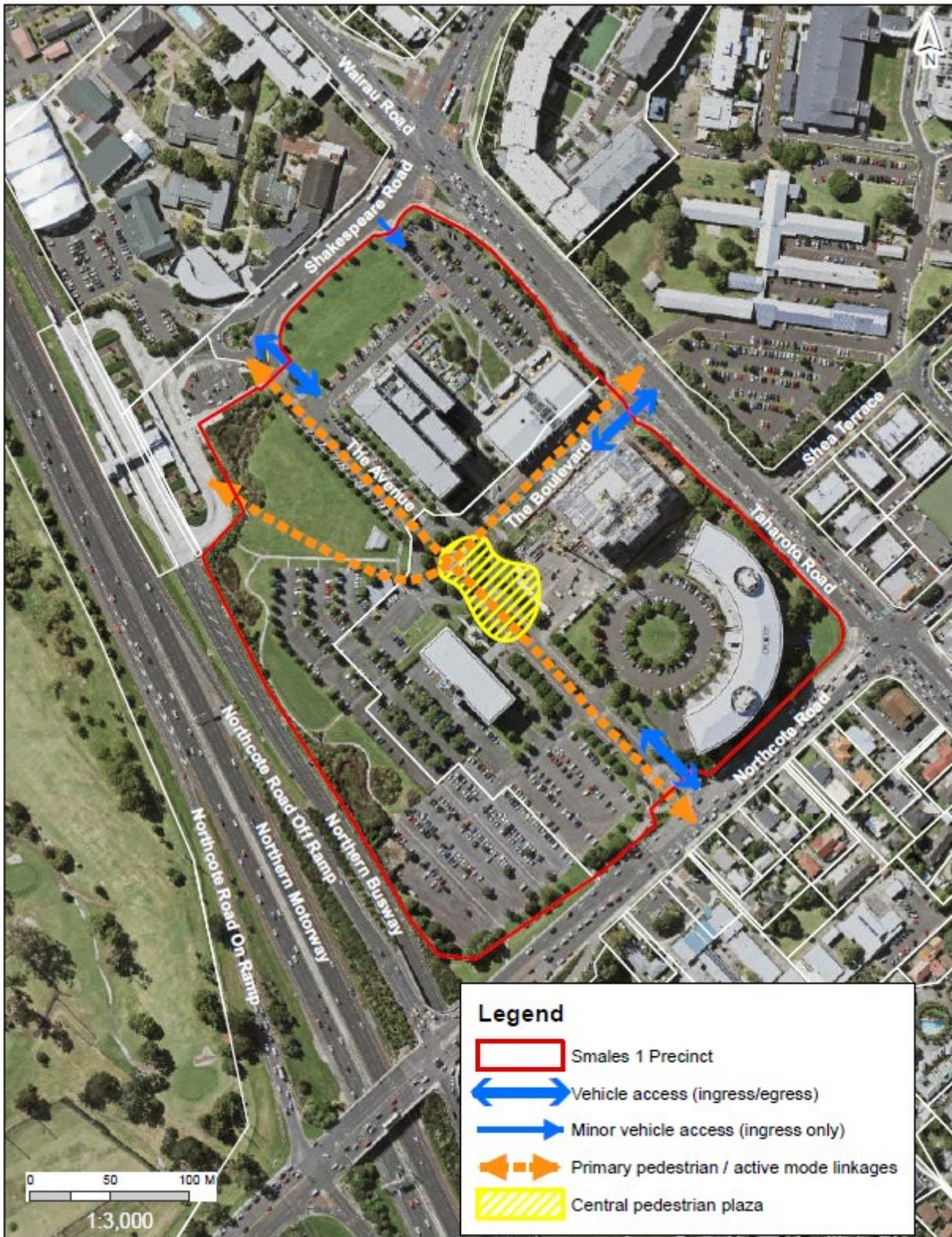
I538.10. Precinct plans

I538.10.1 Smales 1 Precinct: Precinct Plan 1 – Maximum Height

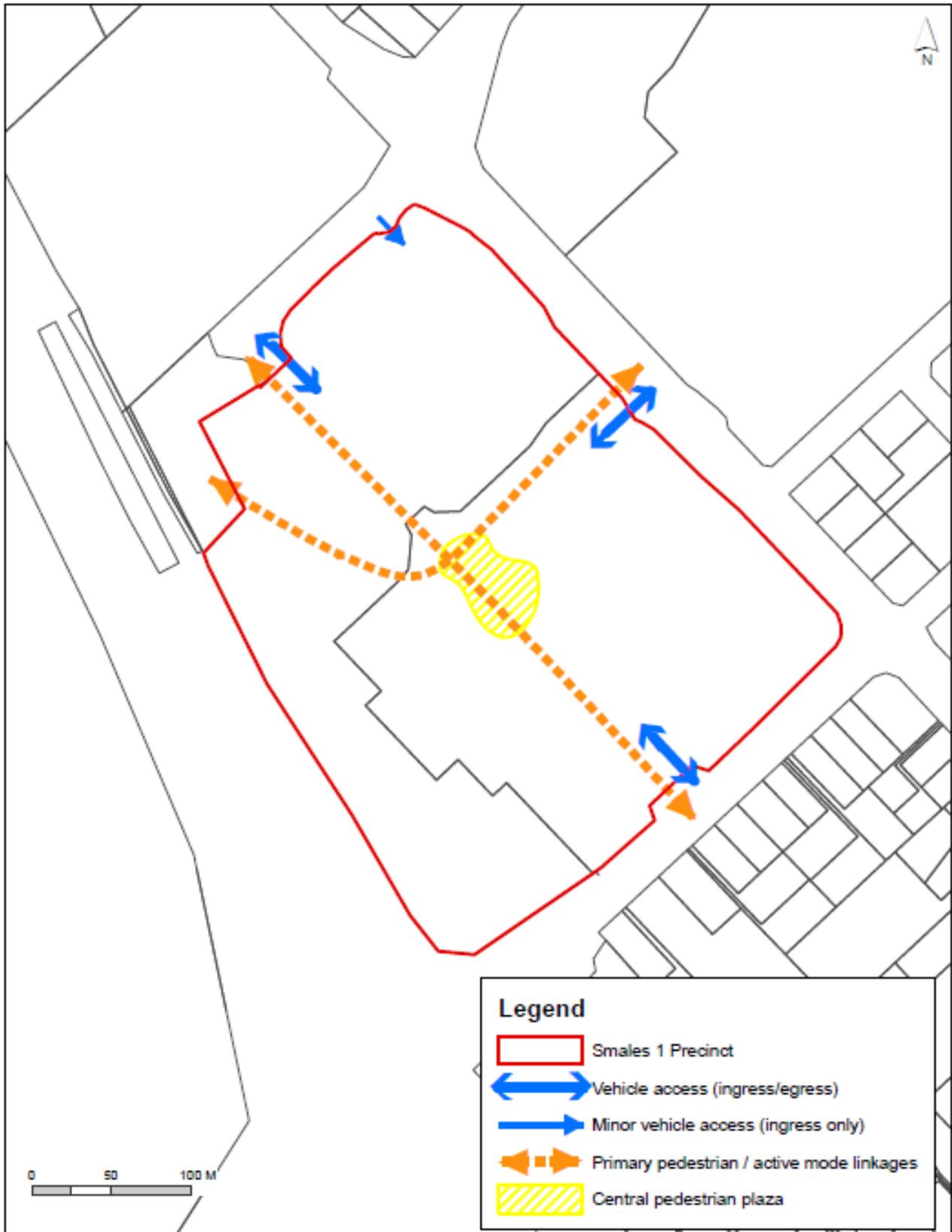


I538.10.2 Smales 1 Precinct: Precinct Plan 2 – Structuring Elements

(NB, the aerial underlay would not appear in any approved precinct provisions; it exists for illustrative reasons)



I538.10.2 Smales 1 Precinct: Precinct Plan 2 – Structuring Elements



APPENDIX 7

AUP CHAPTER J1 DEFINITIONS PERTAINING TO 'RETAIL' AND COMMERCIAL USE

Retail and commercial activities – Relevant definitions from Chapter J1 of the Auckland Unitary Plan (operative in part)

J1.1.1 Using Nesting Tables

There are five nesting tables which gather specific land use activities into general groups: Commerce, Community, Industry, Residential and Rural. Within each table, activities are listed with the more general on the left and the more specific on the right. For example, in the Commerce nesting table, retail is the more general activity which includes food and beverage, large format retail and trade suppliers as more specific activities. Those more specific components may also include more specific activities. Where an activity table for an overlay, zone, Auckland-wide or precinct lists a general activity in a nesting table, that general activity includes all of the nested specific activities unless otherwise specified in that activity table.

| | | | |
|-----------------------|---------|---------------------|--------------------------|
| Commercial activities | Offices | | |
| | Retail | Food and beverage | Bars and taverns |
| | | | Restaurants and cafes |
| | | | Drive-through restaurant |
| | | Dairies | |
| | | Show home | |
| | | Large format retail | Supermarket |
| | | | Department store |
| Trade supplier | | | |

| | | | |
|--|--------------------------|----------------------------|--|
| | | Service station | |
| | | Markets | |
| | | Marine retail | |
| | | Motor vehicle sales | |
| | | Garden centres | |
| | Commercial services | Veterinary clinic | |
| | | Funeral director premise | |
| | | Commercial sexual services | |
| | Entertainment facilities | | |

Bars and taverns (not defined)

Food and beverage (subject to PC 16, minor tweaks) Sites where the primary business is selling food or beverages for immediate consumption on or off site. Includes: • restaurants and cafes; • food halls; and • take-away food bars. Excludes: • retail shops; and • supermarkets. This definition is nested within the Commerce nesting table.

Restaurants and cafes (not defined)

Commercial services - Businesses that sell services rather than goods. For example: banks, real estate agents, travel agents, dry cleaners and hair dressers.

Drive-through restaurant Any land and/or building on or in which food and beverages are prepared, served and sold to the public inclusive of a facility designed to serve customers in their vehicles, for the consumption on or off the premises and may include an ancillary cafe and/or playground area.

Dairies (not defined)

Department store A shop that retails a wide variety of goods, other than food or groceries, but the variety is such that no predominant product line can be determined. These units have predominant retail sales in clothing and at least three of the following six product groups:

- furniture;
- kitchenware, china, glassware and other housewares;
- textile goods;
- electrical, electronic and gas appliances
- perfumes, cosmetics and toiletries; or
- sporting goods.

The products primary to these headings, as well as other products, are normally sold by or displayed in separate departments or sections. This definition is nested within the Commerce nesting table.

Entertainment facility Facility used for leisure or entertainment. Includes: • nightclubs; • theatres; and • concert venues. This definition is nested within the Commerce nesting table

Garden centre Shop for the sale of plants, trees or shrubs. Includes the sale of: • landscaping supplies; • bark and compost; and • statuary and ornamental garden features provided that their sale is accessory to the sale of plants, trees or shrubs. This definition is nested within the Commerce nesting table.

Large format retail Any individual shop tenancy with a floor area greater than 450m², where the tenancy is created by freehold, leasehold, licence or any other arrangement to occupy. Excludes: • food and beverage; • garden centres; • marine retail; • motor vehicle sales; and • trade suppliers. This definition is nested within the Commerce nesting table

Markets (not defined)

Marine retail The sale or hire of boats, wholesale and retail sale of fish, and accessory goods and services Includes: • accessory offices. This definition is nested within the Commerce nesting table.

Motor vehicle sales The sale or hire of motor vehicles and caravans. Includes: • accessory offices. This definition is nested within the Commerce nesting table

Show home Building erected to display the design, construction materials, building techniques, or fittings available to potential buyers. Includes: • office facilities accessory to the show home; and • outside living areas and gardens. This definition is nested within the Commerce nesting table

Trade supplier A supplier in one or more the categories listed below, engaged in sales to businesses and institutional customers but may also include sales to the general public: • automotive and marine suppliers; • building suppliers; • catering equipment suppliers; • farming and agricultural suppliers; • garden and patio suppliers; • hire premises (except hire or loan of books, video, DVD and other home entertainment items); • industrial clothing and safety equipment suppliers; • landscape suppliers; and • office furniture, equipment and systems suppliers. This definition is nested within the Commerce nesting table.

Service station A facility where the primary business is selling motor vehicle fuels. Includes the following accessory activities: • retail; • car wash facilities; • mechanical repair, servicing and testing of motor vehicles and domestic equipment; • sale of lubricating oils, kerosene, LPG, or spare parts and accessories for motor vehicles; and • trailer hire. This definition is nested within the Commerce nesting table.

Supermarket An individual retail outlet, which sells, primarily by way of self service, a comprehensive range of:

- (a) domestic supplies, fresh food and groceries, such as: • fresh meat and produce; • chilled, frozen, packaged, canned and bottled foodstuffs and beverages; • general housekeeping and personal goods, including (but not limited to) cooking, cleaning and washing products, kitchenwares, toilet paper, diapers and other paper tissue products, pharmaceutical, health and personal hygiene products and other toiletries, and cigarettes, magazine and newspapers, greeting cards and stationery, batteries, flashlights, light bulbs and related products; and
- (b) non domestic supplies and comparison goods comprising not more than 20 per cent of all products offered for sale as measured by retail floor space, including (but not limited to): • barbecue and heating fuels; • audio visual products; • electrical appliances; • clothing and footwear; • furniture; and • office supplies.

.....(continues as to types of floor areas within a supermarket).