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

**Date:** Tuesday, 1 February to Thursday, 3 February 2022  
(with Friday, 4 February 2022 if required)

**Time:** 9.30am

**Meeting room:** Manukau Room

**Venue:** Ground Floor, Manukau Civic Annex  
31-33 Manukau Station Road, Manukau

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**PRIVATE PLAN CHANGE 67**

**HEARING REPORT**

**HINGAIA 1 PRECINCT**

**HUGH GREEN LIMITED**

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**COMMISSIONERS**

**Chairperson** William Smith  
**Commissioners** Rebecca Skidmore  
Mark Farnsworth

**Nick Somerville**  
**KAITOHUTOHU WHAKAWĀTANGA**  
**HEARINGS ADVISOR**

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**Note:** The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

## **WHAT HAPPENS AT A HEARING**

### **Te Reo Māori and Sign Language Interpretation**

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

### **Hearing Schedule**

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

### **Cross Examination**

No cross examination by the applicant or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the applicant or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

### **The Hearing Procedure**

The usual hearing procedure is:

- **The chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- **The applicant** will be called upon to present their 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 their 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' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
  - Late submissions: The council officer's report will identify 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 evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The applicant or their 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 applicants reply may be provided in writing after the hearing has adjourned.
- **The chair** will outline the next steps in the process and adjourn or close the hearing.
- If adjourned the hearing panel will decide when they have enough information to make a decision and close the hearing. The hearings advisor will contact you once the hearing is closed.

### **Please note**

- that the hearing will be audio recorded and this will be publicly available after the hearing
- catering is not provided at the hearing.

**A NOTIFIED PRIVATE PLAN CHANGE TO THE AUCKLAND UNITARY PLAN BY HUGH GREEN LIMITED**

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**Reporting officer, David Wren, Planner**

Reporting on proposed Private Plan Change 67 - Hingaia 1 Precinct to rezone properties at 144, 152, 158, 180 and 252 Park Estate Road, Hingaia and make changes to the Hingaia 1 Precinct provisions. The rezoning relates to changing the zone of land from Residential Mixed Housing Suburban zone to Residential Mixed Housing.

**APPLICANT:** HUGH GREEN LIMITED

<b>SUBMITTERS:</b>	
Page 141	Nicholas Paul Kroef
Page 143	Dean Bruce Cunningham
Page 145	Leo
Page 147	Blue Kiwi Property Consulting Trust c/- Paul Brian Magill
Page 149	Lovejit Kaur
Page 151	Akbar Sheikh
Page 153	Sunjay Malik
Page 155	Danny Maera

Page 157	Andre Gil
Page 159	Wenting Cao
Page 161	Cassie Ju
Page 163	Jason Deng
Page 165	Ryan Wang
Page 167	James Han
Page 169	Kelly Guo
Page 171	Yusuf Jariwala
Page 173	Maria Taka
Page 175	Wenjing Qin
Page 176	Moncur Family c/- Kevin Moncur
Page 178	Waka Kotahi NZ Transport Agency c/- Evan Keating
Page 185	Jahanzeb Aslam Khan
Page 187	Mackenzie Schultze
Page 189	Paul Dawkins
Page 191	Benjamin Hussey
Page 193	Yi Lun Lin
Page 195	Lei Wu
Page 197	Amishkumar Patel
Page 199	Shahrokh Mansoursafaeian
Page 201	Jarrood Raill
Page 203	Dennis Greenman
Page 206	Transpower New Zealand Limited c/- Trudi Burney
Page 228	Hugh Green Limited C/- CivilPlan Consultants Limited
Page 264	Lee woo Lim and Baek Seungkyu
Page 266	Roseanne Heather Hosken
Page 268	Ke Li
Page 270	Logan Billing
Page 272	Sue Billing
Page 274	Auckland Council c/- Alina Wimmer
Page 283	Parklands Properties Limited c/- Euan Williams
Page 286	Auckland Transport c/- Teresa George
Page 299	Firstgas Limited c/- Beca Limited, John McCall
Page 307	Rae and Terry Davies
Page 309	Veolia Water Services (ANZ) Pty Ltd c/- Sanjeev Morar
Page 312	Karine and Jason Fox
Page 319	Steph Cutfield



<b>FURTHER SUBMITTERS:</b>	
Page 320	Ben Hussey
Page 322	Vel Murugan
Page 324	Auckland Transport c/- Teresa George
Page 329	Waka Kotahi NZ Transport Agency c/- Evan Keating
Page 333	Transpower New Zealand Limited c/- Trudi Burney





Hearing Report for Proposed Plan Change 67: Hugh Green Limited at Hingaia 1 Precinct,  
Private plan change 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:** 1-4 February 2022

**File No:**

**File Reference**

**Report Author** David Wren

**Report  
Approvers** Craig Cairncross

**Report produced** TBC

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## Summary of Proposed Plan Change 67 Hingaia 1 Precinct

<b>Plan subject to change</b>	Auckland Unitary Plan (Operative in part), 2016
<b>Number and name of change</b>	Proposed Plan Change 67 (Private) – (Hingaia 1 Precinct) to the Auckland Unitary Plan
<b>Status of Plan</b>	Operative in part
<b>Type of change</b>	Private (requested) plan change.
<b>Committee date of approval (or adoption) for notification</b>	Pursuant to clause 25(2)(b) of part 2 of Schedule 1 of the Resource Management Act 1991, Proposed Plan Change 43 was accepted under delegation by the Manager Central South on 2 July 2021.
<b>Parts of the Auckland Unitary Plan affected by the proposed plan change</b>	<p><i>Residential Zoning and Activities.</i></p> <p>Rezoning those parts of the properties at 144, 152, 158, 180 and 252 Park Estate Road currently zoned MHS to MHU.</p> <p>Changing the Hingaia 1 Precinct provisions that promote higher densities by enabling increased development opportunities, including removal of the Precinct-specific definition of 'integrated residential development'.</p> <p>Inserting Hingaia 1 Precinct provisions that would enable limited use of the MHU alternative height in relation to boundary standard as a permitted activity within the applicant's land holding.</p> <p>Removal of the Precinct development control for fencing (with the zone standard still being applicable).</p>

	<p><i>Commercial Zoning and Activities</i></p> <p>Rezoning parts of the properties at 180, 200 and 202 Park Estate Road in order to relocate the Neighbourhood Centre zone to be wholly within 180 Park Estate Road (with the remainder of the sites being zoned MHU).</p> <p>Removing Precinct provisions that limit the area of the Neighbourhood Centre Zone and limit the gross floor area of commercial uses within this zone.</p> <p>Inserting Precinct provisions that provide for show homes within the applicant's land holding as a permitted activity.</p>
	<p><i>Coastal and Reserve Interface Provisions</i></p> <p>Removing the Precinct provisions that require larger site sizes to be provided along the coast.</p> <p>Removing the Precinct development control for landscaping for coastal retaining walls and instead inserting Precinct provisions that restricts buildings, fences and retaining walls within a site's interface with the coast and reserves.</p> <p>Providing within the Precinct provisions an exemption to height in relation to boundary controls for boundaries with reserves or sites subject to protective covenants for streams and wetlands.</p>
	<p><i>Other Provisions</i></p> <p>Removal of rules for limited notification to NZTA, Transpower and Counties Power in certain circumstances.</p> <p>Inserting Precinct provisions that provide for structures not defined as buildings.</p> <p>Inserting Precinct provisions that do not require compliance with the Precinct provisions for proposed balance allotments.</p>

	<p><i>Consistency with the Auckland Unitary Plan (Operative in Part) (AUP:OP)</i></p> <p>Replacing all references to the AUP (notified version) in the Precinct provisions with references to the equivalent provisions in the AUP:OP.</p> <p>Reformatting and reorganising the Precinct provisions to be consistent with the layout applied in AUP:OP including the consolidation of activity tables.</p> <p>Ensuring that all Precinct objectives specify the outcome sought and all Precinct policies specify the approach to be taken (and relevant weighting) to achieve Precinct objectives.</p> <p>Removal of Precinct provisions that duplicate AUP:OP overlay provisions or designation responsibilities.</p> <p>Removal of Precinct provisions that require affordable dwellings to be provided for a specifically identified.</p> <p>Removal of the Precinct development controls for dwellings fronting the street, maximum building length and garages, as these were equivalent to or less strict than zone development controls in the PAUP NV and decisions on the PAUP were to delete the zone controls.</p> <p>Replacing subdivision provisions restricting vehicle access over cycle facilities with land use provisions consistent with those in section E27 of the AUP:OP.</p> <p>Removing the Precinct subdivision control for roading standards and instead relying on the AUP:OP subdivision standards.</p> <p>Removing elements from the Precinct plan that are not referenced in the Precinct provisions.</p>
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	<p><i>Consistency with Hugh Green Limited's Resource Consent Master Planning Exercise</i></p> <p>Replacing the Precinct stormwater management provisions with an alternative requirement for stormwater management to be consistent with an approved discharge consent.</p> <p>Amending the Precinct plan to relocate indicative parks to positions most recently agreed with Council.</p> <p>Amending the Precinct plan to relocate the bus route to the position most recently agreed to with Auckland Transport.</p> <p>Amending the Precinct plan to relocate the collector roads to the positions granted by resource consent BUN60343386.</p> <p>Amending the Precinct plan to relocate the indicative local roads to align with the key road location shown on Hugh Green Limited's master plan.</p> <p>Amending the Precinct plan to ensure that the positions of streams and wetlands do not contradict the ecological features confirmed at High Green Limited's sites during the processing of resource consents BUN60325204 and BUN60339982.</p>
<p><b>Date draft proposed plan change was sent to iwi for feedback</b></p>	<p>The applicant has advised that it has engaged 7 iwi groups. On 17 August 2020, an overview of the private plan change request, including plans were sent to the Ngāti Tamaoho, Ngāti Te Ata and Te Ākitai Waiohua providing an opportunity for queries and feedback prior to the lodgement of the request with council. Requests for comment were also sent to Ngāti Tai ki Tāmaki, Ngāti Maru, Te Ahiwaru-Waiohua and Waikato - Tainui on 21 February 2021.</p>
<p><b>Date of notification of the proposed plan change and whether it was publicly notified or limited notified</b></p>	<p>Full public notification. 26 August 2021</p>
<p><b>Plan development process used – collaborative, streamlined or normal</b></p>	<p>Normal</p>
<p><b>Submissions received (excluding withdrawals)</b></p>	<p>45</p>

<b>Date summary of submissions notified</b>	18 November 2021
<b>Number of further submissions received (numbers)</b>	5
<b>Legal Effect at Notification</b>	N/a
<b>Main issues or topics emerging from all submissions</b>	<p>Concern about change in character of area.</p> <p>Concern about impact on traffic and the road network</p> <p>Concern about impact on other infrastructure</p> <p>Concern about effects on the natural environment</p>



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## Abbreviations

Abbreviations in this report include:

Abbreviation	Meaning
PC67	Proposed Plan Change 67
RMA	Resource Management Act 1991
AUP	Auckland Unitary Plan

Attachments	
Appendix 1	Plan Change 67
Appendix 2	Section 32 Report
Appendix 3	Council Decision to Accept PC67
Appendix 4	Submissions and Further Submissions
Appendix 5	Recommended Changes
Appendix 6	Specialist Technical Memos

## EXECUTIVE SUMMARY

1. The applicant seeks to rezone land forming within the Hingaia 1 Precinct from Mixed Housing Suburban Zone and Mixed Housing Urban Zone, change the location of the Business Neighbourhood Centre Zone and make a number of changes to the provisions applying to the Hingaia 1 Precinct.

2. The normal plan change process set out in Schedule 1 of the Resource Management Act 1991 ('RMA') was adhered to in developing PC67

3. PC67 was notified on 26 August 2021 and 45 submissions were received. The requests for changes were notified on 18 November 2021 and with submissions closing on 12 December 2021.
4. Five further submissions received;
5. In preparing for hearings on PC67, this hearing report has been prepared in accordance with section 42A of the RMA.
6. This report considers the issues raised by submissions and further submissions on PC67. The discussion and draft recommendations in this report are intended to assist the Hearing Commissions, and those persons or organisations that lodged submissions on PC67. The recommendations contained within this report are not the decisions of the Hearing Commissioners.
7. This report also forms part of council's ongoing obligations, which is, to consider the appropriateness of the proposed provisions, as well as the benefits and costs of any policies, rules or other methods, as well as the consideration of issues raised submissions on PC67.
8. A report in accordance with section 32 of the RMA has also been prepared by the applicant for this purpose and attached in Appendix 2. This 'Section 32 report' and associated documentation related to PC67, on the council's website should be considered in making decisions on PC67.
9. It is recommended that PC67 be rejected unless additional information to show that the effects of additional traffic on the surrounding road network can be suitably managed and fresh water matters addressed. If PC67 is approved it is recommended that it be approved only subject to the changes set out in Appendix 5.

## 1. BACKGROUND

10. This is a private plan change request from Hugh Green Limited (i.e. the “applicant”).
11. The applicant seeks a number of changes to the zoning and provisions applying within the Hingaia 1 Precinct which can be summarised as follows;

### *Residential Zoning and Activities.*

- (a) Rezoning those parts of the properties at 144, 152, 158, 180 and 252 Park Estate Road currently zoned MHS to MHU.
- (b) Changing the Hingaia 1 Precinct provisions that promote higher densities by enabling increased development opportunities, including removal of the Precinct-specific definition of ‘integrated residential development’.
- (c) Inserting Hingaia 1 Precinct provisions that would enable limited use of the MHU alternative height in relation to boundary standard as a permitted activity within the applicant’s land holding.
- (d) Removal of the Precinct development control for fencing (with the zone standard still being applicable).

### *Commercial Zoning and Activities*

- (e) Rezoning parts of the properties at 180, 200 and 202 Park Estate Road in order to relocate the Neighbourhood Centre zone to be wholly within 180 Park Estate Road (with the remainder of the sites being zoned MHU).
- (f) Removing Precinct provisions that limit the area of the Neighbourhood Centre Zone and limit the gross floor area of commercial uses within this zone.
- (g) Inserting Precinct provisions that provide for show homes within the applicant’s land holding as a permitted activity.

### *Coastal and Reserve Interface Provisions*

- (h) Removing the Precinct provisions that require larger site sizes to be provided along the coast.
- (i) Removing the Precinct development control for landscaping for coastal retaining walls and instead inserting Precinct provisions that restricts buildings, fences and retaining walls within a site’s interface with the coast and reserves.
- (j) Providing within the Precinct provisions an exemption to height in relation to boundary controls for boundaries with reserves or sites subject to protective covenants for streams and wetlands.

### *Other Provisions*

- (k) Removal of rules for limited notification to NZTA, Transpower and Counties Power in certain circumstances.
- (l) Inserting Precinct provisions that provide for structures not defined as buildings.

(m) Inserting Precinct provisions that do not require compliance with the Precinct provisions for proposed balance allotments.

*Consistency with the Auckland Unitary Plan (Operative in Part) (AUP:OP)*

(n) Replacing all references to the AUP (notified version) in the Precinct provisions with references to the equivalent provisions in the AUP:OP.

(o) Reformatting and reorganising the Precinct provisions to be consistent with the layout applied in AUP:OP including the consolidation of activity tables.

(p) Ensuring that all Precinct objectives specify the outcome sought and all Precinct policies specify the approach to be taken (and relevant weighting) to achieve Precinct objectives.

(q) Removal of Precinct provisions that duplicate AUP:OP overlay provisions or designation responsibilities.

(r) Removal of Precinct provisions that require affordable dwellings to be provided for a specifically identified.

(s) Removal of the Precinct development controls for dwellings fronting the street, maximum building length and garages, as these were equivalent to or less strict than zone development controls in the PAUP NV and decisions on the PAUP were to delete the zone controls.

(t) Replacing subdivision provisions restricting vehicle access over cycle facilities with land use provisions consistent with those in section E27 of the AUP:OP.

(u) Removing the Precinct subdivision control for roading standards and instead relying on the AUP:OP subdivision standards.

(v) Removing elements from the Precinct plan that are not references in the Precinct provisions.

*Consistency with Hugh Green Limited's Resource Consent Master Planning Exercise*

(w) Replacing the Precinct stormwater management provisions with an alternative requirement for stormwater management to be consistent with an approved discharge consent.

(x) Amending the Precinct plan to relocate indicative parks to positions most recently agreed with Council.

(y) Amending the Precinct plan to relocate the bus route to the position most recently agreed to with Auckland Transport.

(z) Amending the Precinct plan to relocate the collector roads to the positions granted by resource consent BUN60343386.

(aa) Amending the Precinct plan to relocate the indicative local roads to align with the key road location shown on Hugh Green Limited's master plan.

(bb) Amending the Precinct plan to ensure that the positions of streams and wetlands do not contradict the ecological features confirmed at High Green Limited's sites during the processing of resource consents BUN60325204 and BUN60339982.

12. The location of the Plan Change area is shown on Map 1 below.

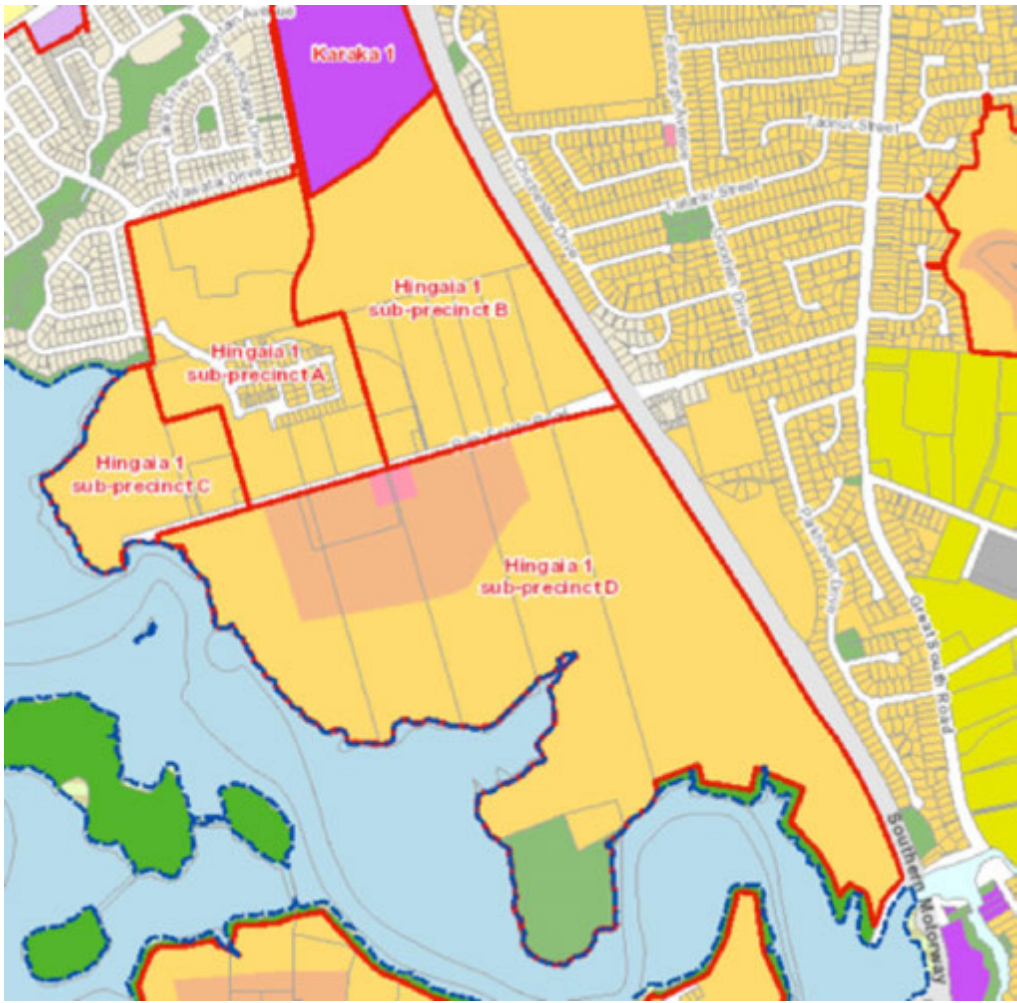
Map 1



13. With the exception of an 8000m<sup>2</sup> area of Business – Neighbourhood Centre zone half way along Park Estate Road, all of the Precinct is subject to an urban residential zone, the majority of which is Residential – Mixed Housing Suburban zone (MHS) with a smaller area of Residential – Mixed Housing Urban zone (MHU) located around the neighbourhood centre land. Land to the north of Park Estate Road contains two churches, some new residential development and lifestyle blocks. The land to the south of Park Estate Road is in the ownership of the applicant except for a Council owned reserve (158A Park Estate Road) and land being developed as a school. The land contains a variety of streams and wetlands which generally drain to the Drury Creek. A Watercare wastewater pump station is located at 158 Park Estate Road.

14. Currently the main part of the Precinct is accessed via Park Estate Road which passes over the State Highway 1 motorway via a bridge. This leads directly to Great South Road through an established residential area. There is currently no through road link between Hingaia Road to the north and the majority of the Precinct. However there is development in the northern part of the Precinct that is accessed via the Karaka Lakes neighbourhood. Eventually as development proceeds it is anticipated that access from all the Precinct land will be made variable to Hingaia Road. This will be via the newly developed Karaka Lakes neighbourhood.

15. The southern and western boundaries of the land are defined by the tidal parts of the Drury Creek. The land is largely a vacant greenfield area with various pockets of newly developed residential land and land under development for urban purposes.



16. Map 2 below illustrates the current zoning of the land.

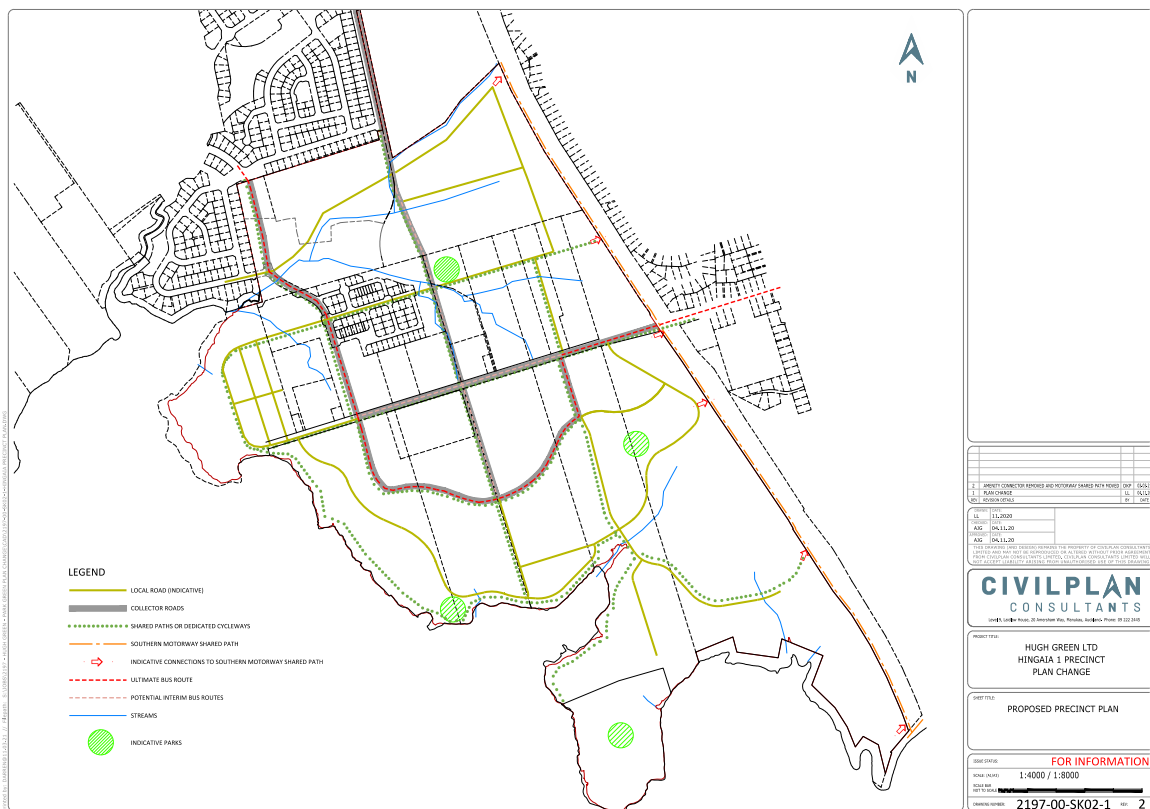


## 2. PROPOSED PLAN CHANGE PROVISIONS

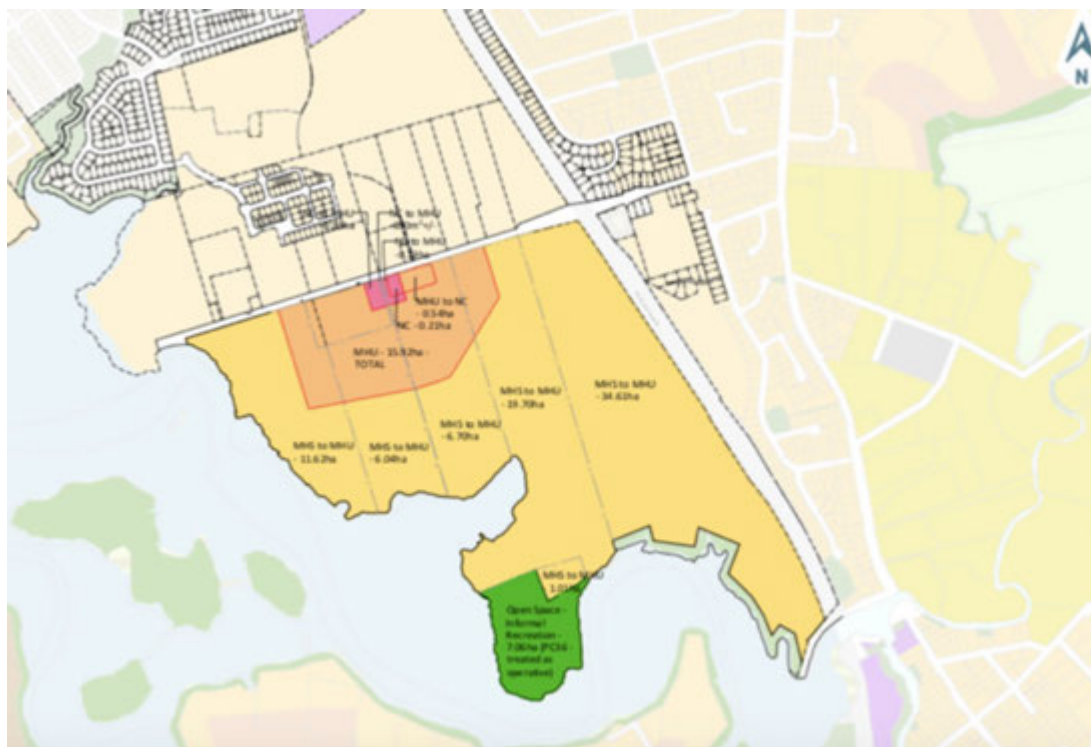
17. As set out above in paragraph 11 of this report PPC67 proposes a number of changes to the AUP. The proposed changes to the mapping within the AUP are set out below in Maps 3 and 4.

### Map 3

#### Requested Precinct Plan



Map 4 Requested Zoning Map.



18. Full details of PC67 are shown in Appendix 1 to this report.
19. The reasons given by the applicant for the plan change request include the following;
  - (a) There have been a number of resource consents granted.
  - (b) There are some difficulties with the Hingaia 1 Precinct provisions partly due to the fact that the provisions reference the Proposed Auckland Unitary Plan Notified Version (**PAUP:NV**) rather than the AUP:OP.
  - (c) A number of deviations from the Hingaia 1 Precinct provisions have been agreed by council. These relate to how stormwater should be managed, the roading layout, bus routes, road cross-sections and the location of parks.
  - (d) The designation of part of the land for a school by the Minister of Education;
  - (e) The developable area has been reduced through park acquisition, the school designation, the road widening of SH1, and wetland restoration.
20. The plan change request makes a number of changes to the Hingaia Precinct 1 objectives. The overall purpose of the request is listed as being;

*Providing for increases in residential building intensity on sites south of Park Estate Road (in recognition of the substantial area of undevelopable wetlands that are being retained), while amending the Hingaia 1 Precinct text to match the current formatting of the Auckland Unitary Plan and reduce inconsistencies with the Auckland-wide and underlying zone provisions.*

### **3. HEARINGS AND DECISION-MAKING CONSIDERATIONS**

21. Clause 8B of Schedule 1 of RMA requires that a local authority shall hold hearings into submissions on its proposed plan.
22. Section 34 of the RMA provides for a local authority to delegate its functions, powers or duties under the RMA.
23. The council's Regulatory Committee has delegated its authority to three independent hearing commissions to hear and make decisions on PC67.
24. These hearing commissioners will not be recommending a decision to the council but will be issuing the decision directly.
25. This report summarises and discusses submissions received on PC67. It makes recommendations on whether to accept, in full or in part; or reject, in full or in part; each submission. This report also recommends what amendments can be made to address matters raised in submissions if considered appropriate. Any conclusions or recommendations in this report are not binding to the hearing commissioners.
26. This report also includes views of the Papakura Local Board on the content of PC67.
27. The Hearing Commissioners will consider all the information in submissions together with evidence presented at the hearing.
28. This report draws on technical advice provided by the following technical experts:

<b>Author(s)</b>	<b>Name/s</b>
Technical expert – Transportation	Andrew Temperley TPC Traffic Consultants
Technical expert- – Ecology	Fiona Davies AECOM
Technical expert – Urban Design	Matt Riley - Boffa Miskel
Technical expert – Healthy Waters	Trent Sunich - 4Sight Consulting
Technical expert – Parks	Lea van Heerden, Senior Parks Planner, Auckland Council

#### 4. STATUTORY AND POLICY FRAMEWORK

29. The RMA requires territorial authorities to consider a number of statutory and policy matters when developing proposed plan changes. There are slightly different statutory considerations if the plan change affects a regional plan or district plan matter.

30. PC67 matters are largely district plan related as the plan change involves some rezoning, with new provisions through a Precinct which is a district plan method.

31. The following sections summarise the statutory and policy framework, relevant to PC67.

##### Resource Management Act 1991

##### 4.1.1. Plan change matters – regional and district plans

32. In the development of a proposed plan change to a regional and/ or district plan, the RMA sets out mandatory requirements in the preparation and process of the proposed plan change. Table 1 below summarises matters for plan changes to regional and district plan matters.

Relevant Policy/ Plan	Act/ Section	Matters
Resource Management Act 1991	Part 2	Purpose and intent of the Act
Resource Management Act 1991	Section 32	Requirements preparing and publishing evaluation reports. This section requires councils to consider the alternatives, costs and benefits of the proposal
Resource Management Act 1991	Section 80	Enables a 'combined' regional and district document. The Auckland Unitary Plan is in part a regional plan and district plan to assist Council to carry out its functions as a regional council and as a territorial authority
Resource Management Act 1991	Schedule 1	Sets out the process for preparation and change of policy statements and plans by local authorities

**Table 1 Plan change matters relevant to regional and district plans**

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

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

## Box 1

### **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 (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement.*
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:

- (a) the benefits and costs of the proposed policies and methods (including rules); and
- (b) 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.

**4.1.2. Resource Management Act 1991 – Regional Plan matters**

34. There are mandatory considerations in the development of a proposed plan change to regional plans and rules. Table 2 below summarises regional plan matters under the RMA relevant to PC67.

**Table 2 Plan change- regional plan matters under the RMA**

<b>Relevant Policy/ Plan</b>	<b>Act/ Section</b>	<b>Matters</b>
Resource Management Act 1991	Part 2	Purpose and intent of the Act
Resource Management Act 1991	Section 30	Functions of regional authorities in giving effect to the Resource Management Act 1991
Resource Management Act 1991	Section 65	Sets out Schedule 1 of the RMA as the process to prepare or change a district plan

<b>Relevant Policy/ Plan</b>	<b>Act/</b>	<b>Section</b>	<b>Matters</b>
Resource Management Act 1991		Section 66	Matters to be considered by a regional authority when preparing a change to its regional plan. This includes its functions under section 30, Part 2 of the RMA, national policy statement, other regulations and other matter
Resource Management Act 1991		Section 67	Outlines the requirements in the contents of a regional plan
Resource Management Act 1991		Section 68	Outlines the purpose of regional rules, which is to carry out the functions of the RMA and achieve the objective and policies set out in the plan. A regional rule also requires the regional authority to have regard to the actual or potential effect (including adverse effects), of activities in the proposal, on the environment

#### **4.1.3. Resource Management Act 1991- District matters**

35. There are mandatory considerations in the development of a proposed plan change to district plans and rules. Table 3 below summarises district plan matters under the RMA, relevant to PC67.

**Table 3 Plan change- district plan matters under the RMA**

<b>Relevant Policy/ Plan</b>	<b>Act/</b>	<b>Section</b>	<b>Matters</b>
Resource Management Act 1991		Part 2	Purpose and intent of the Act
Resource Management Act 1991		Section 31	Functions of territorial authorities in giving effect to the Resource Management Act 1991
Resource Management Act 1991		Section 73	Sets out Schedule 1 of the RMA as the process to prepare or change a district plan
Resource Management Act 1991		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 statement, other regulations and other matter

Relevant Policy/ Plan	Act/ Section	Matters
Resource Management Act 1991	Section 75	Outlines the requirements in the contents of a district plan
Resource Management Act 1991	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 effect (including adverse effects), of activities in the proposal, on the environment

## 4.2. National policy statements

36. Pursuant to Sections 74(1)(ea) and 75 of the RMA the relevant national policy statements (NPS) must be considered in the preparation, and in considering submissions on PC67. There are 3 NPS of relevance to PC67 being the National Policy Statement on Urban Development, the National Coastal Policy Statement, the National Policy Statement on Freshwater Management the National Policy Statement on Electricity Transmission 2008. I do not consider that the National Policy Statement for Renewable Energy Generation 2011 is relevant to PC67.

### 4.2.1. National Policy Statement on Urban Development (NPSUD)

37. The NPSUD 2020 came into effect on 20 August 2020. It sets out the objectives and policies concerning urban environments. The objectives are:

**Objective 1:** *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

**Objective 2:** *Planning decisions improve housing affordability by supporting competitive land and development markets.*

**Objective 3:** *Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

a) *the area is in or near a centre zone or other area with many employment opportunities*

b) *the area is well-served by existing or planned public transport*

c) *there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

**Objective 4:** *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*

**Objective 5:** *Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

**Objective 6:** *Local authority decisions on urban development that affect urban environments are:*

a) *long term; and*



b) responsive, particularly in relation to proposals that would supply significant development capacity.

**Objective 7:** Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.

**Objective 8:** New Zealand's urban environments: support reductions in greenhouse gas emissions; and are resilient to the current and future effects of climate change.

38. The applicant's request addressed this NPS in section 6.1.1.3 of the request document. The applicant's assessment is that PC67 gives general effect to the NPS as it provides for additional housing. The assessment notes that the location the PC67 is not such that building heights of 6 levels is required to be provided for.

### Comment

39. The type of assessment that private plan changes must be given in respect of the NPS:UD has been discussed in the decision of the Environment Court in *Eden-Epsom Residential Protection Society Inc v Auckland Council 2021 NZEnvC 082*. This decision states that "The Court holds that it is not required to and will not be giving effect in this case to Objectives and Policies in the NPS-UD that are not requiring 'planning decisions' at this time".

40. The decision notes that reference to planning decisions in the NPS"UD is limited to Objectives 2, 5 and 7, and Policies 1 and 6.

41. Therefore at this time, and until the Council implements the other provisions of the NPS:UD it will have little impact on decision making in respect of private plan changes.

42. In respect of the objectives and policies of the NPS:UD that are able to be given effect to, it is considered that Objective 5 is given effect to through this plan change process. Objective 7 is not relevant. PC67 removes specific affordable housing provisions from the AUP to make the Precinct consistent with the current AUP which does not generally include such provisions. To this extent PC67 does not explicitly give effect to the NPS. However this is consistent with the approach taken elsewhere in the AUP to affordable housing. There is also probably little value in retaining the affordable housing provisions for a limited area such as this Precinct given these provisions do not apply throughout Auckland. If there are to be affordable housing provisions they should be applied on a consistent basis throughout Auckland.

43. Policy 1 States:

*Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

*(a) have or enable a variety of homes that:*

*(i) meet the needs, in terms of type, price, and location, of different households; and*

*(ii) enable Māori to express their cultural traditions and norms; and*

*(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*

*(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*

*(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*

*(e) support reductions in greenhouse gas emissions; and*

*(f) are resilient to the likely current and future effects of climate change.*

44. In assessing whether PC67 gives effect to this policy, it must in my view be put within the context of the urban area in general (i.e. not all neighbourhoods will be able to give effect

to all of these matters). I consider that PC67 will tend to reduce the variety of housing types in the Precinct by providing a more uniform zone pattern across the Precinct. In addition accessibility is not well considered. This is largely due to the proposed extension of the MHU Zone to the south instead of focusing the zone more evenly around the neighbourhood centre and the main routes which will likely carry public transport.

45. While I consider that there are some issues with the zone layout I consider that PC67 sufficiently gives effect to the NPS UD 2020.

#### **4.2.2. New Zealand Coastal Policy Statement (NZCPS)**

46. The applicant has considered the NZCPS in paragraphs 6.1.1.2 of the request document. The applicant's assessment is that as esplanade reserve will continue to be required, the removal of the minimum allotment size of 600m<sup>2</sup> adjacent to the coast is necessary to provide for the reasonably foreseeable needs of population growth and accordingly is consistent with Policy 9. I consider that the reference is actually a reference to Policy 6. The relevant parts of this policy appear to be:

*(1) In relation to the coastal environment:*

*(a) .....*

*(b) consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;*

*(c) encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;*

*(d) ....*

*(e) consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;*

*(f) consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;*

*(g) .....*

*(h) consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;*

*(i) set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and*

*(j) where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.*

Comment

47. In commenting on these aspects I rely on the technical reports from Matt Riley in respect of urban design matters and on Fiona Davies in respect of coastal ecology.

48. Mr Riley is of the view that from a urban design perspective the removal of the 600m<sup>2</sup> site area is acceptable and that there are no characteristics of the coastal area of the Precinct that would require a built form that is different from other coastal areas in Auckland.

49. Ms Davies has concerns about the impact of development adjoining the coast and its effects on wading bird habitats on the CMA adjoining parts of the Precinct.

50. The request documentation for PC67 has not considered point (j) above in respect of the suitable setback from these areas. There will be a 20m esplanade required by the RMA. It would be helpful if further ecological information was provided to enable a greater understanding of the effects of intensification of housing adjacent to coast will result in harm to the wading bird habitat.

#### **4.2.3.National Policy Statement for Freshwater Management 2020 (NPSFW).**

51. The applicant considers that the Auckland Wide provisions of the AUP are the most relevant to the implementation of the NPSFW and notes that PC67 does not change the AUP provisions in this respect.

##### Comment

52. I agree with this to a degree. However Ms Davies in her assessment notes that”

*The applicability of the NPS-FM and NES-FM have not been assessed regarding stormwater effects within 100m of a wetland<sup>2</sup>. I consider the effects of this urban intensification to include a change (increase) to stormwater flows, resulting in potential effects to receiving environments such as the coastal and marine habitats and associated wetlands. It is acknowledged that resource consents have been obtained for stream and wetland loss (and subsequent compensation) prior to these documents being gazetted.*

53. While the relevant AUP provisions will apply, the structural elements of much of the Precinct (such as streams and the reclamation of wetlands) have already been determined by existing consenting. This has created a kind of hybrid between the what has been consented and what is now allowable under the NES-FM. I consider that PC67 would give better effect to the NPS-FW if the remaining fresh water structural elements within the Precinct were properly defined in the Precinct Plan using the methodology provided under the NES-FW.

#### **4.2.4.National Policy Statement on Electricity Transmission 2008**

54. The application states that this was considered as part of the AUP development and that the final provisions are set out in section D26 of the AUP. No changes are proposed to these are proposed. The applicant considers that the removal of the requirement to notify Transpower of applications within 37m of the national grid transmission line is consistent with D26 and thus gives effect to the NPS.

##### Comment

55. The relevant policies within the NPS are as follows;

*POLICY 10*

*In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.*

**POLICY 11**

*Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).*

56. Chapter D26 provides for various standards and resource consents for activities that may affect the national grid. In terms of notification D26 provides that the normal test for notification apply. It also notes that 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). Rule C1.13(4) includes, in relation to infrastructure, the network utility operator which operates that infrastructure.

57. Accordingly I consider that PC67 continues to give effect to this NPS.

**4.3. National environmental standards or regulations**

58. Under section 44A of the RMA, local authorities must observe national environmental standards in its district/ region. No rule or provision may duplicate or be in conflict with a national environmental standard or regulation.

59. The applicant has considered which national environmental standards may be relevant and concluded that the National Environmental Standards for Freshwater is the only NES that is relevant to PC67. I agree with this assessment.

60. The applicants assessment of PC67 in respect of this assessment concludes;

*The provisions in section E3 of the AUP continue to apply to activities in, on, under, or over the bed of lakes, rivers, streams and wetlands, alongside the regulations in this National Environment Standard – no changes are requested to these provisions;*

*The provisions in sections E11, E12 and E15 of the AUP continue to apply to earthworks and vegetation removal or alteration adjacent to lakes, rivers, streams and wetlands, alongside the regulations in this National Environment Standard – no changes are requested to these provisions;*

*Resource consents have already been obtained (expiring in 2023 and 2026) for all wetland and stream reclamation that is inferred to be necessary by the requested changes to the Hingaia 1 Precinct plan and it is noted that the existing Precinct plan infers further wetland and stream reclamation that resource consent may not or could not be obtainable to authorise (noting additional wetland reclamation is a prohibited activity under this NES); and*

*Auckland Council holds resource consents for the diversion and discharge of water adjacent to the streams and wetlands at the site, with Stormwater Management Plans recognising the hydrology of wetlands and streams in the Precinct area already authorised under those resource consents.*

It also states that PC67 does not impose any greater or lesser prohibition or restriction on an activity than the NES.

### Comment

61. I have commended above in Section 4.2.3 on the NES-FW and will not duplicated that discussion here.

62. In the AUP the activity status of the reclamation of the intermittent stream a discretionary activity. I understand that this activity status is compatible with the activity status under the NESFWM however my comments on the identification of the various streams and wetlands remain.

#### **4.4. Auckland Unitary Plan Regional Policy Statement**

63. Section 75(3)(c) of the RMA requires that a district plan must give effect to any regional policy statement (RPS). The applicant has assessed PC67 in respect of the RPS in section 6.2.1 of the request document.

64. The chapters of the RPS that are most relevant to PC67 include;

- B2. Urban Growth and Form
- B3. Infrastructure, transport and energy
- B4. Natural heritage
- B5. Historic Heritage and special character
- B6. Mana Whenua
- B7. Natural Resources
- B8. Coastal Environment

##### **4.4.1.B2 Urban Growth and Form**

65. Chapter B2 of the AUP sets out the strategic framework to guide Auckland's urban growth and form.

66. The applicant's statutory assessment is set out in section 6.2.1.1 of the request document. This assessment is that PC67 generally gives effect to this part of the NPS.

### Comment

67. In respect of B2 I consider that the policies under B2.2.2 headed "*development capacity and supply of land for urban development*" are not directly relevant in that the land is already located within the RUB and previously rural land is not being rezoned for urban purposes.

68. In respect of the policies under the heading "*Quality compact urban form*" I consider that there PC67 does not fully give effect to these policies. This is because the MHU zone as proposed does not fully address intensification around the proposed neighbourhood centre, but extends the higher density zoned land away to the south of the centre rather than forming a more ben ring around the centre which would enable more residents to live closer to the centre in the future. There appears to be no planning reason for the zoning pattern proposed.

69. In respect of B2.3 - It is Mr Riley's opinion that PC67 will continue to provide a quality urban environment with a character that is not significantly different from the existing situation.

70. In respect of B2.4 providing for residential growth while PC67 will provide for greater residential capacity the assessment to follows raises concerns about how the surrounding infrastructure will be able to manage the increase in residential development.

71. In respect of B2.5 the neighbourhood centre remains and at this level gives effect to the RPS.

72. PC67 does not affect the amount of open space provided or the social facilities provided within the Precinct area. [confirm once feedback]

#### **4.4.2.B3. Infrastructure, transport and energy**

73. The applicant has considered this Chapter of the RPS in its statutory assessment and concluded that there is sufficient infrastructure capacity (including transport) to provide for the changes proposed. It also concludes that no precinct specific provisions are needed to manage adverse effects on significant infrastructure as these are managed through Auckland Wide provisions within the AUP.

##### Comment

74. The assessment of the Council's traffic consultant and Veolia is such that it is not certain without additional modelling whether there is sufficient infrastructure capacity to cater for the additional houses to be provided through PC67. I have therefore concluded that it is not possible at this point conclude that PC67 will give effect to this part of the RPS.

#### **4.4.3.B4. Natural heritage**

75. Chapter B4 of the AUP sets out the strategic framework for natural heritage resources. Section B4.2 sets out the strategic framework for outstanding natural features and landscapes.

76. The applicant notes that :

*The existing provisions of the AUP related to indigenous biodiversity and freshwater (including sections E3, E8, E9, E11 and E15 of the AUP) will continue to apply to all of the Hingaia 1 Precinct area, with no exceptions provided for by the Hingaia 1 Precinct provisions. This includes provisions related to vegetation, earthworks and stormwater. Therefore, these provisions will continue to give effect to the relevant objectives and policies in sections B4 and B7 of the AUP RPS.*

##### Comment

77. These aspects are discussed in Section 4.2.3 above. While the standard provisions of the AUP will apply there is a potential mismatch between the structural elements in the Precinct plan which appear to have been identified prior to the methodologies set out in current national guidance.

#### **4.4.4.B5. Historic Heritage and special character**

78. The applicant notes that:

*The existing provisions of the AUP related to historic heritage (including section D17) will continue to apply in the Hingaia 1 Precinct area, with no exceptions provided for by the Hingaia 1 Precinct provisions. Protection of scheduled heritage places will not be affected. Therefore, these provisions will continue to give effect to the relevant objectives and policies in section B5 of the AUP RPS.*

#### Comment

79. I consider that the proposal makes no change in respect of historic heritage and special character.

#### **4.4.5.B6. Mana Whenua**

80. Chapter B6 of the AUP sets out the strategic framework for the recognition of the Treaty of Waitangi partnerships and participation, recognition of Mana Whenua values; Maori economic, social and cultural development; and the protection of Mana Whenua cultural heritage.

81. The applicant's assessment notes that

*The principles of the Treaty of Waitangi/Te Tiriti o Waitangi have been recognised through Mana Whenua participation in resource management processes, including the during Plan Variation 1, previous resource consents and development of this private plan change. Therefore, Objective B6.2.1(2) is being achieved. In addition, it is noted that no changes are being made to provisions of the AUP that require consideration of mana whenua values (with mana whenua values not mentioned in the current Hingaia 1 Precinct provisions).*

*No changes are proposed to the scheduling of sites and places of significant to Mana Whenua as determined through the AUP process, with no exceptions to the relevant provisions provided for by the Hingaia 1 Precinct.*

#### Comment

82. It would appear that there are no matters of concern to Mana Whenua. No Mana Whenua groups have made submission and no major concerns were raised through the pre-notification consultation processes.

#### **4.4.6.B7 Natural Resources**

83. Chapter B7 – Natural Resources is concerned with a number of matters including land and water resources including habitats and biodiversity.

84. In respect of bio-diversity the objectives are concerned with the protection of significant areas of indigenous biodiversity and the maintenance and enhancement of indigenous biodiversity in other areas.

85. In respect of freshwater systems the objectives are that degraded freshwater systems are enhanced, loss of freshwater systems is minimised and the adverse effects of changes in land use on freshwater area avoided, remedied or mitigated.

86. The applicant does not address this section of the RPS in the statutory assessment.

#### Comment

87. These matters have been discussed in Section 4.2.3 above.

#### **4.4.7.B8. Coastal Environment**

88. The area of PC67 land is partially located within the coastal environment. In Chapter B8 – Coastal Environment of most relevance are Objectives B8.2.1(2) and B8.2.1(3). These state;

*B8.2.1(2) Subdivision, use and development in the coastal environment in the coastal environment are designed, located and managed to preserve the characteristics and qualities that contribute to the natural character of the coastal environment*

89. The applicant addresses this section of the RPS in the statutory assessment as follows:

*With respect to Policies B8.2.2(4) and B8.2.3(4), the proposed changes are not considered to result in any significant additional adverse effects on natural character of the coastal environment as the amendments to the zoning and density restrictions are an appropriate form for this environment and would not result in inappropriate subdivision, use or development. In this regard:*

*▪ As allotments against esplanade reserves are not subject to any reduced building coverage requirements, the building bulk enabled on 600 m<sup>2</sup> allotments adjacent to the reserves would not be any less than building bulk enabled on smaller allotments adjacent to the reserves (resulting in the removal of this density infringement) – in fact, a reduced building bulk should be expected, as additional property boundaries arising from small allotments (where created through vacant sites subdivision) introduces additional side and rear yard setback and height in relation to boundary standards, breaking up the bulky appearance of buildings (i.e. larger sites will result in larger buildings);*

*▪ The Residential – Mixed Housing Urban zone has been demonstrated elsewhere in the AUP to be an appropriate built form adjacent to the coast, with this applying to various other locations, including parts of Hobsonville Point, Belmont, Te Atatu Peninsula (where the Residential – Terrace Housing and Apartment Buildings zone also applies), Avondale, Waterview, Point Chevalier, Mission Bay, Kohimarama, St Heliers, Panmure, Pakuranga, Conifer Grove and (most relevantly, since they are also greenfield lands) Waiata Shores and Hingaia (adjacent to Hingaia Road) – in almost all of these cases, including for Waiata Shores, there are no Precinct provisions restricting development along the coastal boundary;*

*▪ The proposed standards for the coastal interface of allotments along boundaries with esplanade reserves promotes the softening of building form as viewed from the coast by planting.; and*

*▪ For allotments separated by the coast by a park edge road, the front yard standards between the Residential – Mixed Housing Suburban and Residential – Mixed Housing Urban are considered to be relatively similar (3.0 m and 2.5 m building setbacks, respectively) and the difference is unlikely to be discernible when viewing the coastal environment as a whole.*

#### Comment

90. As noted above in commenting on these aspects I rely on the technical reports from Matt Riley in respect of urban design matters and on Fiona Davies in respect of coastal ecology.

91. Mr Riley is of the view that from a urban design perspective the removal of the 600m<sup>2</sup> site area is acceptable and that there are no characteristics of the coastal area of the Precinct that would require a built form that is different from other coastal areas in Auckland.

92. Ms Davies has concerns about the impact of development adjoining the coast and it effects on wading bird habitats on the CMA adjoining parts of the Precinct.

93. The request documentation for PC67 has not considered point (j) above in respect of the suitable setback from these areas. There will be a 20m esplanade required by the RMA.



It would be helpful to understand if the intensification of housing adjacent to coast will result in harm to the wading bird habitat.

#### **4.4.8. Conclusion**

94. Overall it is my conclusion that PC67 as notified does not sufficiently give effect to the RPS for the following reasons set out above. These matters relate infrastructure capacity and the effects on the natural environment

#### **4.5. Auckland Unitary District Plan (AUPDP)**

95. The applicant has provided a comprehensive assessment of the proposal against the provisions of the AUPDP in section 5.2 of the request documentation. The applicant's overall view appears to be that PC67 makes the Precinct provisions more in line with the District Plan and seeks to better integrate the Precinct with operative AUP provisions.

##### Comment

96. I do not propose to provide a comprehensive assessment of how PC67 fits in with the AUPDP in this part of this report. I will do this within the planning evaluation at the end of the report. I note however that while Precinct provisions are presented in a manner more in keeping with the AUP zone provisions and greater links are made to other provisions including the Auckland wide rules, the applicant has not taken the opportunity to fully apply the operative versions of the MHU and MHS zones to the Precinct. This in my view would have been the simplest means of providing alignment to the operative version of the AUP.

#### **4.6. The Auckland Plan**

97. Section 74(2)(b)(i) of the RMA requires that a territorial authority must have regard to plans and strategies prepared under other Acts when considering a plan change.

98. The Auckland Plan 2050 prepared under section 79 of the Local Government (Auckland Council) Act 2009, is a relevant strategy document that council should have regard to when considering PC67.

99. The applicant's assessment of the Auckland Plan notes that ;

*Of the various outcomes anticipated by the Auckland Plan 2050, those most relevant to the requested changes to the AUP are considered to be "Homes and Places". In relation to this, it is noted that the requested changes:*

- *provide for the increased intensity of the anticipated living environment within the Hingia 1 Precinct;*
- *leverage off infrastructure investments in order to improve their efficiency (for example, the extensions and upgrades to the water supply network);*
- *limit further urban sprawl; ▪ promote a wider variety of housing types; and*
- *are in response to the significant open spaces anticipated south of Park Estate Road.*

##### Comment

100. I agree that at a relatively coarse level PC67 is consistent with the Auckland Plan.

#### **4.7. Any relevant management plans and strategies prepared under any other Act**

101. The applicant has not identified any other relevant plans and strategies prepared under any other act.

102. It is considered that the Papakura Local Board Plan is a relevant consideration. There are 5 outcomes of this plan as follows;

1. A vibrant and prosperous local economy
2. A community enriched by its diversity, where people feel connected and lead active, healthy lives
3. A well- connected area where it's easy to move around
4. A treasured environment and heritage
5. A partnership with Māori that creates a Papakura where Māori identity, culture and aspirations are embraced

103. I consider that PC67 is largely consistent with these outcomes.

## **5. ANALYSIS OF THE SECTION 32 REPORT AND ANY OTHER INFORMATION PROVIDED BY THE APPLICANT**

104. Section 74 of the RMA requires that a plan change must have particular regard to an evaluation prepared in accordance with Section 32 of the RMA.

105. Section 32 of the RMA requires an evaluation report examining the extent to which the objectives of the plan change are the most appropriate way to achieve the purpose of the Act. Section 32 also requires the report to examine whether the provisions are the most appropriate way of achieving the objectives.

106. The applicant has prepared an assessment against Section 32 in the statutory assessment. This is set out in Appendix 2 of this report. A separate assessment is made in respect of the various themes that the applicant has identified. These include the following

- Theme 1 Residential Rezoning
- Theme 2 Development Opportunities for Higher Residential Densities
- Theme 3 Alternative Height in Relation to Boundary
- Theme 4 Fencing
- Themes 5 and 6 Business Zoning and Commercial Activities.
- Theme 7 - deleted
- Theme 8 Show Homes
- Theme 9 Coastal Density
- Theme 10 Coastal and Reserve Interface
- Theme 11 Height in relation to boundary against reserves
- Theme 12 Limited notification rules
- Theme 13 Structures not defined as buildings
- Theme 14 Balance allotments
- Theme 15 PAUP as notified references
- Theme 16 Formatting and layout
- Theme 17 Policies
- Theme 18 Overlay provisions
- Theme 19 Affordable dwellings
- Theme 20 Residential development standards from the PAUPNV
- Theme 21 - Deleted.
- Theme 22 Vehicle access over cycle facilities
- Theme 23 Rooding standards

Theme 24 Hingaia Precinct Plan Elements  
Theme 25 Stormwater management.  
Themes 26-30 Agreed changes to the Hingaia 1 Precinct Plan.

107. The statutory report considers a number of options for these matters.

108. The section 32 report does not reach an overall conclusion that the plan change is the most appropriate means of achieving the objectives but does so on a theme by theme basis.

### **5.1. Assessment of Effects on the Environment (for private plan change requests)**

109. Clause 22 of Schedule 1 to the RMA requires private plan changes to include an assessment of environmental effects that are anticipated by the Plan Change, taking into account the Fourth Schedule of the RMA.

110. An assessment of actual and potential effects on the environment (“AEE”) is included in the Section 32 Evaluation Report. The submitted Plan Change request identifies and evaluates the following actual and potential effects:

- *Social effects*
- *Economic effects*
- *Cultural effects*
- *Development scale*
- *Infrastructure*
- *Noise*
- *Stormwater discharge*
- *Wastewater Discharge*
- *Contaminated soils*
- *Coastal erosion hazard*
- *Coastal inundation areas*

111. These are discussed below in turn.

#### *Social effects*

##### *Applicant’s Assessment*

112. The applicant’s request includes a brief assessment of the potential social effects. It notes that any increase in density is supported by social infrastructure including schools, churches public transport and open space. It also notes that these facilities will benefit from increased population. It also notes that the amended neighbourhood centre supports residential and community development.

113. The report claims that the removal of the affordable housing provisions is not considered to have a notable adverse effect as the market will deliver houses at a lower price than the price point in the existing rules.

#### Comment

114. With the exception of the assessment of affordable housing I agree that there is likely to be adequate social infrastructure for the changes proposed. I do have concerns that the change in zoning proposed is not centred upon the neighbourhood centre. This would allow better access to the centre than the proposed zone pattern.

115. In respect of affordable housing the assessment is incomplete I consider that the approach proposed is consistent with that now taken in the AUP.

#### *Economic Effects*

#### *Applicants Assessment*

116. The applicant has provided a number of economic reports in Appendix 11 of the request documents. The main findings of the reports are as follows;

- *The change in residential zoning would provide for a wider variety of housing types, size and price and more effectively enable house prices currently sought by the market;*
- *The removal of the affordable housing requirements will have no material effect on the price of dwellings provided to the market, with housing at or below the 'affordable' price point specified by the current rules consisting of approximately 12-16% of housing stock under a normal market scenario (much higher than the 5-10% minimum required by the current rules);*
- *Changes enabling an increased residential yield results in potential infrastructure efficiency savings of approximately \$25 million;*
- *The changes to the Business – Neighbourhood Centre zone, including removal of the 1,000 m2 gross floor area limit will enable the centre to achieve (without triggering the requirement for resource consent and relates costs) the anticipated minimum floor area demand of approximately 3,000 m2, which is a scale commensurate with a neighbourhood centre and is not anticipated to have any measurable economic effect on adjacent centres; and*
- *Enabling esplanade cafés would support the overall quality and commercial success of the adjacent residential development while being of a size that would have no observable or measurable effect on other centres.*

#### Comment

117. In respect of these matters I consider that the changes to the Business - Neighbourhood Centre zone are likely to lead to much more space than assumed by the statements above simply because the area of land at 7495m2 can accommodate a much larger centre. While providing for local services is appropriate I consider that there may be effects if this leads to additional inbound traffic or takes larger scale business away from other centres.

118. In respect of the enabling of cafes I note that this has been removed from PC67.

#### *Cultural*

#### *Applicant's Assessment*

119. The applicant notes that:

*As was considered in section 8.4.1, below, the requested changes are not considered to prevent or upset continued achievement of the recommendations of the Cultural Values Assessment provided by Ngāti Tamaoho, Ngāti Te Ata and Te Ākitai Waiohua as part of Plan Variation 1.*

*In terms of the cultural preference for new dwellings to be provided with tanks for on-site reuse of stormwater raised during the consultation on the proposed plan change, it is considered that this is an Auckland-wide matter more suitably considered through a Council-led plan change (which Council is currently considering whether to proceed*

*with) rather than being addressed through a Precinct provision and only applying to a specific location.*

#### Comment

120. There has been little Mana Whenua input into PC67 largely it would appear because the changes proposed do not raise concerns for Maori. I agree with the applicant that provision for water retention tanks is an Auckland -wide issue that cannot be resolved by this plan change and that there are no particular aspects of the this plan change that would require such provision.

#### *Urban Design*

#### *Applicant's assessment*

121. The applicant has provided an urban design assessment and discussed the overall affect internally to the site. The applicant's urban design assessment concludes that;

*This difference and outcome do not necessarily result in a negative outcome or effect. It is just different. The effects of such a change typically are more likely to occur when there are existing residents in an area that have an expectation of how the area could develop and they might have designed their property in response to the standards at the time. In this case there are no buildings constructed or under construction*

122. The applicant also notes that

*Adjustments that streamline the Hingaia 1 Precinct provisions could see a higher uptake of provisions that enable increased development potential, such as the increased coverages for higher residential densities and not requiring resource consent or a deemed permitted boundary activity notice for using the alternative height in relation to boundary standard. This could result in some perceived adverse effects related to development scale, but these are considered to be outweighed by the positive effects resulting from the variety of urban residential outcomes being delivered. Furthermore, since those provisions are already provided for by the existing provisions and there are no limitations on their use throughout the Precinct, the requested changes do not result in any different effects than that already enabled.*

#### Comment

123. PC67 has been assessed by Matt Riley , a consultant Urban Designer for the Council. Mr Riley's report is set out in Appendix 6

124. In general Mr Riley supports PC67 from an Urban Design perspective. In respect of the additional MHU zoning Mr Riley considers that there may be reduced transition from suburban to urban around the neighbourhood centre, but he does not consider that this to be marked and would not have a significant effects on urban character.

125. In respect of the proposed changes to the development standards proposed Mr Riley notes that these would enable buildings of greater bulk and scale than the underlying MHU zones and the general character effects would be a more urban character. However Mr Riley does not consider that this is necessary an adverse effect.

126. Mr Riley considers that while the changes, and particularly the use of the Alternative Height in Relation to boundary rule as a permitted activity in some circumstances potentially have some adverse effects, there are sufficient new standards to address privacy and dominate effects and that neighbouring sites will be adequately protected.

## *Effects on Ecosystems, Natural Resources and Physical Resources*

127. The applicant's assessment notes that;

*All streams, wetlands and associated vegetation remain subject to the rules in sections E3 and E15 of the AUP and the National Environmental Standards for Freshwater, ensuring that adverse effects on these natural resources and their ecosystems are appropriately managed. These provisions continue to apply regardless of the proposed rezoning and adjusted Precinct provisions.*

*The proposed reserve interface provisions are anticipated to enhance the amenity of these natural resources and potentially avoid adverse effects that may arise as a result of development 'turning its back' on streams and wetlands.*

*Physical resources of a special value continue to be subject to overlay rules in section D17 of the AUP (where historic heritage is scheduled) and other Auckland-wide provisions of the AUP (such as the accidental discovery protocol for earthworks). For the sites subject to rezoning, sites of value to mana whenua are located within the proposed esplanade reserves and so would not be affected by increases in building scale for private sites.*

### Comment

128. The plan change request has been assessed for the Council by Fiona Davies of AECOM NZ. Ms Davies notes the following:

*5.1 The applicability of the NPS-FM and NES-FM have not been assessed regarding stormwater effects within 100m of a wetland. I consider the effects of this urban intensification to include a change (increase) to stormwater flows, resulting in potential effects to receiving environments such as the coastal and marine habitats and associated wetlands. It is acknowledged that resource consents have been obtained for stream and wetland loss (and subsequent compensation) prior to these documents being gazetted.*

*5.2 Stormwater Management Plan – should be reviewed and updated to account for change in design and increased impervious surfaces (related to zone change and increased houses) and in relation to the adequacy of protection of NPS Natural Wetlands (as per NES-FM) and also the high value of coastal habitat. The Stormwater Management Plan and Network Discharge Consent should be updated to take account of this, and additional NES-FM consents obtained as necessary.*

*5.3 Objectives and policies within the Precinct Plan should be updated to ensure restoration planting adjacent to coastal corridors, streams and wetland areas are mandatory, not just 'encouraged'. Subdivision standard - I444.6.2.3. 5.4 Riparian Margins should be updated to address planting of coastal corridors and wetlands.*

*5.4 Clarification is required as to what streams and wetlands are applicable under the Objectives and Policies and Subdivision standard I444.6.2.3. 5.4 Riparian Margins, that are not already part of the Ecological Management Plan to be restored (5m buffer planting for wetlands and 10m riparian planting either side of stream) as part of compensation for stream or wetland loss.*

*5.5 The Precinct Plan should include all remaining streams, wetlands and coastal corridors. It is not clear if the streams that are shown on the Precinct plan align with the remaining or restored streams that are shown on the Wildlands ecological report (phase 2). Wetlands are not shown at all on the Precinct Plan. The Precinct Plan will need to be updated.*

5.6 The high value of adjacent habitat (including breeding) for wading birds has not been assessed by the applicant nor provided for in the Precinct provisions. The Precinct is adjacent to a number of marine (and one terrestrial) SEA's:

- SEA-M2-29w1 - Wading bird habitat including important area for pied stilt (see 29a below)
- SEA-M2-29a - Intertidal habitat; ranging from sandy mud flats, to current-exposed rocky reefs and a variety of saline vegetation. Wading bird roosting area, including important area for pied stilt.
- SEA-M2-29b - A wetland system within the upper tidal reaches of Drury Creek; which grades from freshwater vegetation, through rush-dominated saltmarshes to mangrove habitat; forming an important migration pathway for many native freshwater fish species.
- SEA-T-530 - Terrestrial coastal and riparian edge vegetation along the inner Drury Creek and Ngakoroa Stream mouth. The remnant coastal scrub includes records for threatened plant species, including mingimingi and native oxtongue, and declining fish species īnanga.

5.7 Precinct provisions to mitigate effects on wading birds might include provisions relating to the use of the esplanade reserve to mitigate effects. Provisions should consider buffer planting excluding public access from coastal (breeding) habitat for wading birds, dog control (leashed), a cat ban and ecologically sensitive lighting design. These measures will aim to mitigate urban intensification effects (noise, light etc).

129. The overall issues with the identification of particularly wetlands relates to the timing of works. The applicant has resource consents for stream and wetland reclamations and these were obtained prior to the NES-FM being gazetted. These consents allow certain works to occur. I understand that the Precinct plan is based on these consents and the identification of streams and wetlands undertaken at that time using an approach which is now no longer current. While the applicant is correct that the AUP provisions will continue to apply there is a potential mismatch between the Precinct Plan and NES:FW. It would be helpful if the applicant could update the streams shown on the Precinct plan to include all streams and wetlands as defined by the NES:FW. This would provide clarity for the application of rules addressing the requirement for planted margins along these streams.

130. In respect of the coastal concerns I consider that it would be appropriate in add a policy in respect of how any esplanade reserve would be configured to have regard to the SEAs adjoining the coast.

131. I will address stormwater matter in paragraphs 134-135 below.

#### *Noise*

#### *Applicant's Assessment*

132. The applicant's assessment states that:

*An increase in commercial activities, including show homes and esplanade cafés, has the potential for an increase in noise. However, the provisions in section E25 of the AUP continue to be applicable, ensuring that noise levels from commercial activities as observed on residential sites ensure that a suitable level of residential amenity is achieved. In addition, the standards for show homes and matters of discretion for esplanade cafés provide for reduced hours of operation to manage such effects.*

#### Comment

133. I consider that the changes proposed are unlikely to lead to increased level in noise over and above development enabled by the existing provisions. I agree with the applicant that the Chapter E25 provisions will remain applicable and that the changes are no so great

that these need to be reassessed or that the acoustic environment will change in any significant way.

### *Stormwater Discharge*

#### *Applicant's assessment*

134. The applicant assessment states;

*Any new stormwater discharges resulting from development within Hingaia 1 Precinct will be required to be in accordance with an authorised Stormwater Management Plan (as per Council's Hingaia NDC or Auckland-wide NDC) or otherwise in accordance with the provisions in section E8 of the AUP. The provisions in section E9 of the AUP (related to stormwater treatment) also apply.*

*The removal of land use standards requiring the retention of stormwater in coastal catchments is not considered to have any notable effect on contaminants, given that Council has already approved (through an SMP and land use consents) the removal of retention requirements on the basis that the best practicable option for stormwater management is achieved*

#### Comment

135. The stormwater effects aspects of PC67 have been reviewed by Trent Sunich of Insight Consulting for the Council. Mr Sunich has concluded:

*In order to support the proposed development and enable future construction and operation of the associated stormwater network, a SMP accompanies the plan change application with associated stormwater related objectives and policies amendments in the proposed Precinct chapter. Broadly the two documents are consistent with the stormwater related objectives and policies in the regional policy statement and the regional plan requirements stipulated in E1.*

*At the time of writing this memorandum, the SMP was approved by Healthy Waters in 2019 and its findings and assumptions are based on the current operative land use zone types. In submissions by the Auckland Council, relief has been sought for this document to be updated to reflect the proposed land use in the plan change. In my assessment I agree with this relief sought and note revision to the SMP and associated review by the Healthy Waters as holder of the Stormwater NDC sits outside consideration of the proposed plan change process. Notwithstanding this, I consider the current SMP which has been approved by Healthy Waters is sufficient to understand the quantum of stormwater runoff effects and associated mitigation types as development of the subject sites progresses.*

*Various submissions have raised additions and deletions to the Precinct objectives and policies and my recommendations to adopt or reject the relief sought are discussed in the section above. It is noted the edits and new additions are aimed at strengthening the existing objective and policy framework and associated implementation of the SMP and it is unlikely significant adverse effects would result if the matters were not addressed. The recommended changes are summarised as follows:*

#### *SMAF Overlay*

*In considering the Auckland Council submission, I recommend a SMAF overlay be applied over the subject sites. This will provide a clear pathway to implement the hydrology mitigation requirements by applying Chapter E10 of the AUP. It also provides a permitted activity pathway for sites discharging directly to the coast (and/or below RL1.7), thereby serving to avoid land use consent under the current Precinct framework which serve limited stormwater management outcomes. The current SMP document stipulates SMAF 2 hydrology mitigation be applied to the Precinct. Typically for greenfield development throughout the region the more conservative SMAF 1 hydrology mitigation is applied. I recommend this more conservative approach be adopted in this case.*



*New Policy*

*Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan.*

*Taking these matters into account, my recommendation is to support the proposed plan change and stormwater related provisions.*

*Mana Whenua Values*

136. The applicant's assessment of Mana Whenua are set out in the section on Mana Whenua matters in the RPS (see paragraphs 89-98) as is my assessment. I will not repeat those here.

*Wastewater Discharge*

*Applicant's assessment*

137. The applicant's assessment is there is the expectation that all wastewater arising from urban activities will be discharged via the public reticulated network, including treatment at Watercare's Mangere facility. Watercare and Veolia have not advised of any capacity issues arising from a potential increase in yield.

Comment

138. This matter is discussed in section 10.1.7 below and I will not discuss further in this section.

*Contaminated Soils*

139. The applicant's assessment states that In terms of soil contamination, all development (including land disturbance, subdivision and changes of land use) will remain subject to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, ensuring potential adverse effects on human health are appropriately managed. .

Comment

140. The plan change does not make any significant change that would warrant a different approach being taken to contaminated soils. The land will remain in similar zones and the eventual land uses on the land will not change to any great extent. It is therefore my view that there will no change in effects in respect to contaminated soils as a result of PC67.

*Risks of Hazards*

141. The applicant's assessment of the risk of hazards essentially involves reliance on the AUP provisions for the management of hazards in respect of the use and development of land within the Precinct including hazard resulting from flooding. overland flow paths, coastal erosion, coastal inundation and land instability.

Comment

142. I generally agree that reliance on the standard provisions of the AUP is appropriate as these provisions apply Auckland wide. It is in my view more efficient to use these provisions rather than stand alone provisions.

## *Open Space*

143. The applicant does not specifically address open space as an effects issue. PC67 has been assessed by Lea van Heerden Parks Specialist. Ms van Heerden considers that additional reserves should be shown on the Precinct Plan including the esplanade reserves and riparian margins including any along qualifying streams together with the open space land already vested in the Council. Ms van Heerden does however acknowledge that the applicant can address esplanades and riparian margins through the regulatory process when applying for land use or subdivision respectively.

144. In her technical memorandum, Ms van Heerden recommends a number of changes to the Precinct provisions. I consider that many of these go beyond what can be put in place through PC67 and the submissions and accordingly I will not be recommending these changes.

## **6. CONSULTATION**

145. Section 8.4 of the Applicant's request document sets out the consultation undertaken by the applicant. The extent of consultation is wide ranging and includes most of the people and organisations that subsequently made submissions on PC67.

146. The applicant has advised that it has engaged 7 iwi groups. On 17 August 2020, an overview of the private plan change request, including plans were sent to the Ngāti Tamaoho, Ngāti Te Ata and Te Ākitai Waiohua providing an opportunity for queries and feedback prior to the lodgement of the request with council. Requests for comment were also sent to Ngāti Tai ki Tāmaki, Ngāti Maru, Te Ahiwaru-Waiohua and Waikato - Tainui on 21 February 2021.

147. Ngāti Tamaoho provided the following feedback;

- A request for stormwater management standards to require all new dwellings to include an on-site tank for the outdoor reuse of roof water; and
- A preference for dwellings along the coastal edge to be limited to a single storey in order to maximise coastal views for residents.

148. Ngāti Te Ata provided the following comments;

There are no 'major' concerns from Ngati Te Ata regarding the proposed changes to the AUP provisions as a result of this plan change request, however we will want to provide further comment (CVA Addendum) at the notification process which Ngaati Te Ata intends to be part of.

149. Ngāto Te Ata did not make a submission on PC67.

150. The other iwi consultates have not provided feedback.

151. A summary of consultation undertaken in preparation of PC67 is provided in the 'Section 32' evaluation report, attached as **Appendix 2** to this report.

## **7. COMMENTS FROM LOCAL BOARDS**

152. Comments on PC67 have been received from the Papakura Local Board.

153. At its meeting of 1 December 2021 the Papakura Local Board resolved as follows;

**Plan for good community outcomes**

1) The board is an advocate for planning for good community outcomes as intensification occurs that includes, but not limited to, the following points:

- Ensure the provision of greenspace within or nearby to intensive developments
  - Reduce walking distances to local parks or reserves
  - Public transport options must be made available as development occurs
- Innovative thinking about alternatives to public transport – plan for secure bike sheds, motor scooter storage etc.
- Road widths that allow access for public transport, utility and emergency vehicles
  - Provision of shared pedestrian / cycleways that connect to existing networks.

2) The board would like to see the plan change align with the government's climate change priorities, freshwater quality requirements and waste reduction legislation.

3) The board is supportive of initiatives such as green roofs or other methods that mitigate carbon dioxide levels.

4) The board believes the relevant infrastructure must be in place as intensification occurs.

**Parks and Reserves**

5) The board believes any area offered for greenspace should be retained in this plan change variation to the Hingaia 1 Precinct plan.

6) The board believes that nearby greenspace is crucial with intensification. There must be space where children can kick a ball around and utilise play equipment. Esplanade reserves with banks to a stream or wetlands are not suitable places to kick a ball around, and raise questions of the safety of children around water.

7) The local board has an expectation that the developer will provide reserve areas that include multi-generational opportunities such as adult fitness equipment or exercise stations as well as children's play equipment.

8) The board believes that green space must be provided for community gardens, with associated tool sheds for storage of community tools. The intensive nature of developments does not allow any space for people to be able to grow their own fruit and vegetables.

9) Papakura's tree canopy cover is 13 per cent, which is below the Auckland regional average. The board would like to see significant planting of trees to support the board's Urban Ngahere programme aimed at increasing the tree coverage and creating vegetation corridors for native bird flight paths.

**Road widths, parking, cycleways and connectivity**

10) The board believes the proposed plan change must also plan for accessibility and connectedness into the existing networks, such as:

- The State Highway One cycleway – southern pathway
- Greenways / local paths plans

11) The board believes shared cycleways should be provided for on both sides of collector and amenity collector roads. The board has a concern for cyclists' safety with the proposal to only provide a 3m shared cycleway on one side of the collector roads.

12) The board is happy to see rules proposed to mitigate the impact of vehicles parking across footpaths and cycleways.

13) The board believes the Precinct plan's road widths are too narrow and requests that before determining road widths, input is sought from emergency services and utility operators. The board has fielded complaints from emergency services about the narrow widths of roads in new subdivisions which hampers their ability to function effectively.

14) The board believes that, with the government's national policy statement urban design requiring the removal of the minimum parking standards from the Unitary Plan, innovative solutions to encourage alternative transport modes should also be signalled in the plan change, such as:

- City hop cars
- Hire scooters or e-bikes
- Secure parking for motor scooters
- Secure parking for bicycles
- On-demand services connecting to transport hubs

15) The board would ideally like to see the provision for indented on-street visitor parking and a minimum of two onsite parking spaces within the development.

#### **Public transport**

16) Public transport is demand driven and options need to be available early to reduce reliance on vehicles

17) Public transport needs to be reliable, frequent, affordable and convenient, and adequately cater to the population including the elderly, e.g.: a kneeling bus.

18) It should be noted that public transport does not work for everyone as it does not necessarily run near where the people need it to go or within the timeframes people need it.

19) People still need to have vehicles for the weekly shopping, accessing medical services, taking children to sports practices/commitments and visiting friends or relatives.

#### **Traffic congestion in the area**

20) The board believes the proposed intensification, in conjunction with the other recently approved plan changes along Great South Road (PC58 and PC52), will compound the accumulative effects of congestion on Great South Road, Chichester Road, Goodwin Drive, Beach Road, Hinau Road, Kuhanui Drive and Hingaia Road.

21) The board believes the link to Hinau Road will be crucial.

22) The board requests that the signalisation of key intersections be taken into consideration, such as:

- Great South Road / Park Estate Road intersection
- Goodwin Drive / Park Estate Road
- Hingaia Road / Kuhanui Drive

#### **Neighbourhood Centre**

23) The board supports the proposal to move the location of the planned neighbourhood centre.

24) The board believes that the neighbourhood centre should complement any nearby centres.

#### **Affordable housing**

25) The board is concerned about the cost of housing, and expresses concern about the proposal to remove the requirement for a percentage of affordable homes to be made available within the plan change area.

26) The board acknowledges that the provision of a range of housing types might provide alternative cheaper options, however, the cost of a three- bedroom home is out of reach of many first-time home buyers. Alternative options will not necessarily cater to families.

#### **Stormwater**

27) The board would like to see best practice modelled in this proposal and innovative future thinking to manage the effects of stormwater.

28) The board expresses a concern about the potential for flooding in major events in relation to Otūwairoa Stream/Slippery Creek flooding and inundation with sea level rises.

154. While noting that some matters raised by the Board (such as the types of buses used) are beyond the scope of the AUP These matters have generally been considered in the preparation of this report.

## **8. NOTIFICATION AND SUBMISSIONS**

### **8.1. Notification details**

155. Details of the notification timeframes and number of submissions received is outlined below:

Date of public notification for submissions

26 August 2021

Closing date for submissions	23 September 2021
Number of submissions received	45
Date of public notification for further submissions	18 November 2021
Closing date for further submissions	2 December 2021
Number of further submissions received	5

156. All initial submissions were received on time. Copies of the submissions are attached as **Appendix 4** to this report.

157. It is noted that Further Submission FS2 from Vel Murugan does not appear to relate to an original submission. The Commissioners will have to determine whether or not to accept this submission. As an original submission is not identified I have not been able to include this in the tables of submissions below.

## **9. LEGAL AND STATUTORY CONTEXT RELEVANT TO SUBMISSIONS**

158. There are no legal matters resulting from the submissions.

## **10. ANALYSIS OF SUBMISSIONS AND FURTHER SUBMISSIONS**

159. The following sections address the submissions received on PC67. It discusses the relief sought in the submissions, and makes recommendations to the Hearing Commissioners.

160. Submissions that address the same issues and seek the same relief have been generally been grouped together in this report under the following topic headings:

- Submissions supporting PC67 in its entirety
- Submission on traffic matters
- Submissions opposing PC67 in its entirety
- Submissions seeking approval of different zone
- Submissions seeking PC67 be rejected on security grounds
- Submissions seeking PC67 be rejected because of increased density
- Submissions concerning services and infrastructure
- Submissions concerning effects on the natural environment
- Submissions concerning affordable housing
- Submissions concerning effects on existing transmission infrastructure
- Submissions requesting new or different provisions
- Submissions concerning commercial provisions.

### **10.1.1.Submissions opposing PC67 in its entirety**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
1.1	Nicholas Paul Kroef	Opposes the plan change in its entirety		Accept in part
7.3	Sunjay Malik	Decline the plan change because of negative impacts on property values		Accept in part
17.4	Maria Taka	Decline the plan change as wishes the neighbourhood to remain unchanged		Accept in part
22.1	Mackenzie Schultze	Decline the plan change due to decrease in property value		Accept in part
36.1	Logan Billing	Decline the plan change because of negative impacts on property values		Accept in part
37.1	Sue Billing	Decline the plan change because of negative impacts on property values		Accept in part
44.1	Karine and Jason Fox	Decline the plan change because of negative impacts on property values		Accept in part

### Discussion

161. These submissions all oppose the plan change in its entirety and seek all elements of the plan change as proposed to be rejected.

162. Most of these submissions are based on property values or a desire for things to remain the same.

163. At a high level these submissions are dependent to an extent on other specific submissions. These are discussed in the following paragraphs below

164. The overall conclusion of this report following the consideration of the submissions below is that the plan change should be rejected unless additional assessment of some adverse effects can be provided and the issues resolved. Accordingly it is appropriate that these submissions should be accepted in part to the extent that these submissions seek the same outcomes, but for perhaps different reasons.

### Recommendations on submissions

165. That submission **1.1, 7.3, 17.4, 22.1, 36.1, 37.1 and 44.1** be accepted in part to the extent that it is recommended below that PC67 be rejected at this stage.

166. There are no amendments associated with this recommendation.

### 10.1.2.Traffic/ Transportation

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
2.1	Dean Bruce Cunningham	Decline the Plan Change on traffic grounds		Accept
5.1	Lovejit Kaur	Decline the Plan Change on traffic grounds		Accept
7.1	Sunjay Malik	Decline the Plan Change on traffic grounds		Accept
9.2	Andre Gil	Decline the Plan Change on traffic grounds		Accept
11.1	Cassie Ju	Decline the Plan Change as increased density will cause traffic problems		Accept
12.1	Jason Deng	Decline the Plan Change on traffic and lack of public transport grounds		Accept
12.3	Jason Deng	Decline the Plan Change due to additional traffic		Accept
13.1	Ryan Wang	Decline the Plan Change on traffic grounds		Accept
14.1	James Han	Decline the Plan Change as do not want additional traffic on Kahanui Drive		Accept
15.1	Kelly Guo	Decline the Plan Change due to additional traffic		Accept
16.2	Yusuf Jariwala	Decline the Plan due to increased traffic and lack of public transport		Accept
17.1	Maria Taka	Decline the Plan Change due to traffic concerns especially at intersection of Great South Road and Park Estate Road		Accept
18.2	Wenjing Qin	Decline the Plan Change due to concerns over increased traffic and limited access		Accept

20.1	Waka Kotahi NZ Transport Agency c/- Evan Keating	Provide a revised Transport Assessment Reports which clearly identifies the effects of the increased vehicle movements enabled by this plan change and suitable provisions if required to resolve any adverse effects		Accept
20.3	Waka Kotahi NZ Transport Agency c/- Evan Keating	Decline the deletion of objective 10 or in the alternative draft new objectives which protect the safe and efficient operation of the state-highway network and minimise the adverse effects from land transport on the residents of the sub-Precinct		Reject
20.4	Waka Kotahi NZ Transport Agency c/- Evan Keating	Reword policy 17 to read; Require subdivision to be consistent with the Electricity Transmission and <u>to minimise the effects of High Land Transport Noise Overlay land transport noise residents of the sub-Precinct</u>		Reject
20.5	Waka Kotahi NZ Transport Agency c/- Evan Keating	Decline proposed change to Rule 444.5.2 Notification		Reject
20.6	Waka Kotahi NZ Transport Agency c/- Evan Keating	Insert a new standard to give effect to objective 10 and policy 17 as set out in submission or similar as may be proposed or agreed with Waka Kotahi		Reject
22.2	Mackenzie Schultze	Decline the plan change due to increased traffic congestion		Accept
23.1	Paul Dawkins	Decline the Plan Change on traffic grounds		Accept
28.1	Shahrokh Mansoursafa eian	Decline the Plan Change as does not wish the area to get too busy		Accept in part
30.1	Dennis Greenman	Objects to plan change due to traffic concerns		Accept



32.1	Hugh Green Limited C/- CivilPlan Consultants Limited	Add the following to proposed standard I444.6.1.7 Vehicle access restrictions; Standards I444.6.1.7(1) and I444.6.1.7(2) above do not apply to: (a) the use of a vehicle crossing that exists on [legal effect date] that serve no more than one dwelling per site; and (b) the construction or use of vehicle crossing that has been shown on the plans of an approved subdivision consent that will serve no more than one dwelling per existing or approved site.		Accept
34.1	Roseanne Heather Hosken	Decline the Plan Change on traffic grounds		Accept
36.2	Logan Billing	Decline the Plan Change on traffic grounds		Accept
37.2	Sue Billing	Decline the Plan Change on traffic grounds		Accept
38.1	Auckland Council c/- Alina Wimmer	That the plan change be declined. - In the alternative, any other such relief that would mitigate the effects on the wider transport network from the urbanization proposed by plan change request.		
38.2	Auckland Council c/- Alina Wimmer	That the plan change be declined. - In the alternative, any other such relief that would mitigate the effects on the wider transport network from the urbanization proposed by plan change request.		Accept
40.1	Auckland Transport c/- Teresa George	Declined PPC 67. If PPC 67 is to be approved, Auckland Transport seeks that its concerns as outlined in this submission are resolved.		Accept

40.2	Auckland Transport c/- Teresa George	Decline PPC 67 on the basis that the proposed rezoning does not give effect to the regional Policy Statement (RPS) under the AUP (OP).		Accept
40.3	Auckland Transport c/- Teresa George	PPC 67 be declined. If PPC 67 is not declined, then given that there is no certainty around funding and delivery for required infrastructure improvements, there is a need to consider a range of mitigation methods including the potential deferral of development or a review and implementation of land development staging to ensure co-ordination and alignment with the required transport network mitigation.		Accept
40.4	Auckland Transport c/- Teresa George	If PPC 67 is not declined, amend PPC 67 to include appropriate activity rules, standards, matters of discretion and assessment criteria in relation to staging requirements.		Accept

40.5	Auckland Transport c/- Teresa George	<p>Further assessment of the transport effects of the enabled land use activities proposed in the PPC 67 Precinct plan provisions is sought from the applicant. Auckland Transport requests that the traffic modelling be based on yields commensurate with the zoning envelope sought.</p> <p>The modelling should include the intersection on Hingaia Road / Beach Road corridor (including SH1 interchange) as a network.</p> <p>Auckland transport requests that the modelled signalized intersection at the Great South Road / Park Estate Road in the Flow modelling report be demonstrated to be feasible within the existing road reserve.</p> <p>Depending on the outcome of the required further assessment, identify the transport mitigations required and the Precinct mechanisms to give effects to the delivery of the mitigation measures, including locations, timing, and organization responsible for delivery and funding.</p>	FS4.4	Accept
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40.6	Auckland Transport c/- Teresa George	Amend PPC 67 to include provisions relating to the minimum road reserve widths and key design elements and functional requirements of new roads and existing roads which need to be upgraded to the applicable urban standards, including but not limited to: <ul style="list-style-type: none"> <li>• Carriageway</li> <li>• Role and function road</li> <li>• Pedestrian provision</li> <li>• Cycle facilities</li> <li>• Public Transport (agreed interim and long-term routes, dedicated lanes, geometry, bus stops etc)</li> <li>• Ancillary Zone (Parking, Public Transport stops, street trees)</li> <li>• Berm</li> <li>• Frontage</li> <li>• Building Setback</li> <li>• Design Speed (e.g. to support safe active mode movements)</li> <li>• Confirming that the proposed width of the collector roads is adequate to accommodate required design elements and increase if necessary.</li> </ul>		Reject
40.7	Auckland Transport c/- Teresa George	Amend Activity Table 4 Minimum Road Construction Standards with required detail as listed above, for Collector, Amenity Collector, Local Road, Minor Street, Reserve Edge Link and Park Edge Road. This should still be standard guiding the creation of new roads through subdivision, rather than restricted discretionary assessment.		Reject
40.8	Auckland Transport c/- Teresa George	To guide developers and Council the Precinct Plan should be updated to identify the location of the various road types outlined above.		Reject

40.9	Auckland Transport c/- Teresa George	Amend the Matters of Discretion for Integrated Residential Development to include Standard I444.6.1.7.	FS4.5	Reject
40.10	Auckland Transport c/- Teresa George	Expand the Matters of Discretion for I444.8.1(8) to include alignment with Policy 13.	FS4.6	Accept
40.11	Auckland Transport c/- Teresa George	Auckland Transport seeks that the indicative bus routes be removed from the proposed Precinct Plan and replaces by a column in a Road Construction Standards table) as per above submission point) providing for the provision of buses on all collector roads within the Hingaia 1 Precinct.		Reject
42.1	Ray and Terry Davies	Decline the Plan Change on traffic grounds both in respect of local and motorway access.		Accept
44.3	Karine and Jason Fox	Decline the Plan Change because of the increase in traffic congestion and the risk for the community		Accept

### Discussion

167. The submissions that touch on traffic and transportation matters centre around a number of distinct issues as follows:

- (a) Traffic effects and congestion internal to the neighbourhood including the Karaka lakes area to the north.
- (b) The ability or otherwise of the surrounding road network to accommodate the additional traffic generated.
- (c) Specific aspects of the traffic provisions within the zone and or Precinct provisions.

### Local Traffic Effects

168. A number of submitters are concerned about increased traffic levels and additional demand for car parking and the associated safety issues. The applicant's and the Councils consultants reports consider that the level of traffic within the Precinct boundaries and the immediately surrounding residential areas will not have adverse effects on the existing and proposed streets. For example in the Council consultants assessment of the submission #15 from Kelly Guo notes that;

*New Roading for the Hingaia Precinct will be designed to appropriately cater for residential parking demands as well as for future public transport provisions, which will become more viable as growth of the Precinct takes place.*

169. Overall I consider based on the evidence from the Council consultant PC67 will provide adequately for the traffic expected within the immediate Precinct area.

### **Effects on the Wider Transport Network**

170. A number of submissions, including some local residents, Auckland Transport, Auckland Council and Waka Kotahi are all concerned about the assessment of the effects of the proposed increase in houses and associated traffic generation on the wider road network including major intersections.

171. These submissions have been assessed by the Council's consultants who note the following:

*Following review of the applicant's TA, TPC recommended requesting the following further information in December 2020, to enable key transportation effects and acceptability of the PPC to be fully assessed:*

*Transport Assessment Strategic Context – Further Information was requested in relation to key regional initiatives such as 'Supporting Growth' and the Auckland Transport Alignment Project, to confirm that the PPC remained consistent with sub-regional strategies and associated future transport proposals.*

*While further such information was provided by the applicant, this confirmed that the PPC area lies outside identified new growth areas and structure plan areas and is not immediately on or adjacent to strategic road or public transport routes.*

*Zoning / Staging – Clarification was requested in relation to previously identified transport improvements to support the phased development within the Precinct, and in particular, key trigger points for improvements, based on previous work undertaken.*

*Further information and clarity was provided by the applicant accordingly, relating to previous work undertaken, including triggers for transport improvements based on dwelling numbers. However, this response did not consider wider aspects relating to deliverability of improvements, such as funding commitments and timing.*

*Capacity Issues on Adjoining Road Network – Further information was requested in relation to mitigating traffic effects resulting from capacity issues identified at key intersections through traffic modelling evidence available.*

*Further information and clarity was provided by the applicant accordingly, which highlighted some poor future levels of service at key intersections on the adjoining road network, raising concerns which were relayed back to the applicant.*

*Safety Assessment – Further information was requested in relation to the impact of the proposed plan change upon safety across the wider road network, as a result of increased traffic volumes. Further information and clarity was provided by the applicant accordingly to the satisfaction of TPC.*

*Traffic volumes on local roads – Further information was requested in relation to expected traffic flows on local roads serving the Hingaia Precinct area.*

*Further information and clarity was provided by the applicant accordingly to the satisfaction of TPC.*

172. It is noted by the consultants TPC that further information was requested from the applicant in relation to assessing traffic effects on the wider network, with particular concerns highlighted in relation to the traffic impact upon the network to the north of the Precinct area, along the Hingaia Road / Beach Road corridor. However, no such further analysis was presented by the applicant.

173. Based on this assessment I cannot be certain as to the extent of the effects of PC67 on the wider transport network as identified in the submissions and in TPC assessment. I suggest that the applicant provide evidence at the hearing to assess these effects.

## **Particular Submissions**

### **Waka Kotahi**

174. The submissions from Waka Kotahi contains a number of specific requests relating to removal of specific parts of the Precinct including objective 10 and policy 17 and the notification provisions in Rule444.5.2. Specifically the submission that objective 10 be reinstates, that policy 17 be reworded and that the change proposed to the notification provisions be declined. Waka Kotahi also requests that a new standard be interested to give effects to objective 10 and policy 17.

175. The current Objective 10 states ;

*10.Subdivision and development in the Precinct will not adversely impact on the safe and efficient operation of the adjoining State Highway network and/or the National Grid.*

176. The current policy 17 states;

*17.Require subdivision to be consistent with the Electricity Transmission and High Noise Land Transport overlay provisions.*

177. The changes to the notification provisions remove a requirement to automatically notify Waka Kotahi on a limited notification basis.

178. The reasons given for these changes is that these provisions are largely duplicated by other overlay provisions or designation provisions.

179. It is my view that given the scope of the AUP it is not necessary to retain these objectives and polices within the Precinct. For example in respect of notification the normal tests for notification are sufficient to ascertain whether Waka Kotahi are affected by a proposal in the vicinity of the Sate Highway and rule C1.13 specifically provides for consideration of network utility operators when considering whether a person may be considered to be an affected person under s95E.

180. If the commissioners are of the view to retain Policy 17 it is appropriate to remove the reference within Policy 17 to the High Land Transport Noise Overlay as this overlay is not included in the AUP.

### **Hugh Green Limited**

181. The submission from Hugh Green Ltd (i.e. the applicant) requests that rule l444.6.1.7(1) and (2) which relate to vehicle access restrictions be amended so that it does not apply to existing or approved crossings that serve no more than one dwelling. If the plan change is approved I consider that this is an appropriate change as it will enable development underway to be continue. It would be unreasonable to apply these rules to existing or proposed situations where there is no increase in vehicles.

### **Auckland Transport (AT)**

182. In addition to submission points relating to the overall network effects discussed above, AT has requested a number of specific changes. Specifically AT requests that PC67 be amended to include provisions relating to minimum road widths and design elements and to make such widths a standard through the Precinct. AT also requests that the Precinct plan should be updated to show all proposed road types. AT requests that a the matters of discretion in for integrated residential development be expanded. AT also requests that the

bus routes be removed from the Precinct Plan with provision made for busses on all collector roads.

183. I consider that there is no need to include minimum road widths and other matters within PC67 as requested by AT. There is development occurring throughout the city without the need to have these matters specified within the AUP. It is my understanding that road construction details are included within the AT Code of Practice which guides the design of all new roads. Duplicating these standards within the AUP seems inefficient. I also note that AT is able to update the code of practice over time whereas any changes required to standards included within the AUP will require a plan change.

184. I also consider that it is not necessary to include the entire suite of roads within the precinct. In my understanding this is not standards practice and in any case much of the roading layout to the south of Park Estate Road has been already conformed through resource consents. The land to the north of Park Estate Road is as I understand it not owned by the applicant and it is difficult to see how the applicant can be expected to design the full roading layout for land that they have no control over.

185. The matter discretion of concern to AT relates to restrictions on vehicle access over those parts of roads where there are existing or proposed shared paths or dedicated cycleways. I consider that it is not necessary to have a link to this standard as it will apply regardless as a standard due to I444.4.1(A1).

186. Policy 13 is the policy that rules concerning vehicle access discussed above restrictions rely on. The matters for discretion in I444.8.1 are for proposals that do not comply with the rule that restricts vehicular access over cycleways and shared paths I444.6.1.7. The current matters for discretion reference Rule E27.8.1(12). This rule is located in the Auckland Wide rules chapter E27 Transport. The matters for discretion within this rule are general in nature and for example do not include any direct reference to cycles or cyclist. In my view this set of matters is overly general. However generally the AUP does not include policies in matters for discretion. A suitable distillation of the matters referred to in the policy would be appropriate to include as a matter for discretion.

187. AT also request the removal of the bus routes from the Precinct Plan. I agree that bus routes should not be shown on the Precinct plan. Bus routes are likely to change over time and cannot be prescribed through the AUP. It is sufficient in my view that the layout of streets allows bus routes to be provided and it is appropriate that this be done at subdivision stage being guided by the high level road status set out in the Precinct Plan. I do not consider that bus routes need to be specified in a construction table as suggested by AT.

#### Recommendations on submissions

188. That submissions **2.1, 5.1, 7.1, 9.2, 11.1, 12.1, 12.3, 13.1, 14.1, 15.1, 16.2, 17.1, 18.2, 20.1, 22.2, 23.1, 28.1, 30.1, 34.1, 36.2, 37.2, 38.2, 40.1, 40.2, 40.3, 40.4, 40.5, 40.10, 42.1 and 44.3 be accepted** to the extent that PC67 should be rejected unless sufficient information and changes are provided to ensure that adverse effects on the wider transport network can be suitably managed.

189. That submissions **20.3, 20.4, 20.5, 20.6, 40.6, 40.7, 40.8, 40.9, 40.11 be rejected** (should PC67 be approved) in that the changes proposed are not necessary or appropriate given other provisions within the AUP and in the AT Code of Practice.

190. That submissions **32.1 and 40.10 be accepted** (should PC67 be approved) as the changes will assist with the implementation of the AUP.



191. That submission **28.1 be accepted in part.**

192. The recommended amendments are set out in **Appendix 5** to this report.

### 10.1.3.Submissions supporting PC67 in its entirety

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
6.1	Akbar Sheikh	Supports the plan change in its entirety		Reject
19.1	Moncur Family c/- Kevin Moncur	Supports the plan change in its entirety		Reject
21.1	Jahanzeb Aslam Khan	Supports the plan change in its entirety		Reject
25.1	Yu Lun Lin	Supports the plan change in its entirety		Reject
27.1	Amishkumar Patel	Supports the plan change in its entirety		Reject
33.1	Lee Woo Lim and Baek Seungkyu	Supports the plan change in its entirety		Reject
39.4	Parklands Properties Limited c/- Euan Williams	Supports the plan change in its entirety		Reject

### **Discussion**

193. These submissions support PC67 for a variety of reasons.

194. It is apparent from the discussion above that there are a number of issues with the transport related effects of the plan change and that it is not appropriate to approve PC76 on the information that is currently available. For this reason it is not appropriate to accept these submissions unless the traffic related matters are resolved.

### **Recommendations on submissions**

195. That submissions **16.1, 19.1, 21.1, 25.1, 27.1, 33.1 and 39.4 be rejected** as there are traffic related effects that have not been resolved and accordingly it is not appropriate to approve PC67.

### 10.1.4.Approve- Different Zoning

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
4.1	Blue Kiwi Property Consulting Trust c/- Paul Brian Magill	Approve the plan change but zone the area in Rosehill including Sunnypark Drive MHU		Reject
38.5	Auckland Council c/- Alina Wimmer	That the plan change be amended to generally reflect the underlying Auckland-wide and Residential zone objectives, policies, land use and development controls.		Reject
38.6	Auckland Council c/- Alina Wimmer	Delete the rule enabling cafes to establish as a restricted discretionary activity.		Reject
38.7	Auckland Council c/- Alina Wimmer	In the alternative, any other such relief that would respect the Mixed Housing Suburban and Urban Zone integrity.		Reject
38.1 5	Auckland Council c/- Alina Wimmer	If the proposed Plan Change is accepted, amend PC67 to re-zone land purchased by Council for Open Space.		Accept
38.1 7	Auckland Council c/- Alina Wimmer	Retain existing Height in Relation to Boundary control between residential and Open Space Land.		Accept
38.1 8	Auckland Council c/- Alina Wimmer	Support the fencing provision rule 1444.6.1.4 allowing a planted interface between privately owned sites and open space.		Accept
39.1	Parklands Properties Limited c/- Euan Williams	Theme 8 (provision for show homes) be amended to apply to all residential zones in the Precinct.		Accept
39.2	Parklands Properties Limited c/- Euan Williams	Amendments are made across Hingaia 1 Precinct to remove duplicate and/or contradictory provisions and include references to the relevant Auckland-Wide or Zone provisions of the AUP.		Reject

39.3	Parklands Properties Limited c/- Euan Williams	That no other changes are made to the Hingaia 1 Precinct Plan as it relates to the northern side of Park Estate Road.		Reject
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Discussion

196. These submissions have been grouped together as submissions that have generally requested changes to specific aspects for rules within PC67. In this section I will comment on each submitter’s requests individually.

**Blue Kiwi property Consulting Trust**

197. This submission seeks rezoning of an area of land to the east of the site on the over the SH1/ Motorway. This land is located outside of the plan change area. In my opinion this submission is outside of the scope of PC67. Accordingly it is not able to be accepted.

**Auckland Council**

198. The submission from Auckland Council request that the plan change be amended to reflect the underlying Auckland Wide and Residential Zone.

199. PC67 has been proposed to bring the provisions of the current Precinct (which was established before the AUP was made operative) and thus reflects a state of the AUP at that time. That is different to the current state of the AUP. It is unclear why the applicant has chosen to provide a further hybrid set of provisions rather than fully utilising the now operative zone and Auckland Wide provisions.

200. While the Council’s consultant urban designer has assessed the proposed provisions as generally acceptable from an urban design viewpoint, this discussion does not focus on plan consistency matters. Ideally if the Precinct provisions are being rationalised, the standard zone provisions would be applied, which would bring the area’s zoning fully into line with the rest of the AUP. I understand that the development currently underway relies on the Precinct provisions.

201. The s32 analysis undertaken by the applicant in respect of PC67 examines a number of options for various aspects of the Precinct rules but does not look at overall options including the use of the standard zone rules. I consider that use of the standard zone rules would make for ease of use and consistency of plan provisions across the AUP. However the implications of this have not been explored in any detail within the applicant’s request and the submission. Given that the Council’s urban design consultant does not have concerns with the outcomes likely to be generated by the proposed rule set, I will not recommend the change sought in the absence of an assessment of the development potential of such a change.

202. PC67 proposed to make the establishment of cafes a restricted discretionary activity. This part of the plan change has been withdrawn.

203. Auckland Council also requests that if PC67 is accepted that it be amended to re-zone land purchased by Council for Open Space. This is a reasonable request and will be more efficient than waiting for the a later omnibus plan change for such a rezoning. It would be helpful if the submitter could provide an up to date plan showing the full extent of this with

their evidence so that an accurate decision can be made. This approach is supported by the Council Parks Department.

204. The existing Precinct provisions reference the 2013 PAUP zone provisions. These allow an exemption to the height in relation to boundary rules for boundaries adjoining sites in the public open space zones exceeding 2000m<sup>2</sup>. PC67 aims to extend this to sites that are shown in subdivision plans as open space or to various covenanted area. The Auckland Council submission request this exemption be removed and the underlying zone provisions apply.

205. I agree that the underlying provisions should apply. This is similar to all other zones in the AUP. I also consider that there is scope for boundaries other than zone boundaries to change through subsequent resource consent applications and that a boundary of this nature is best defined through the zoning maps rather than through any other mechanism. If the commissioners disagree with this, I consider that the 2000m<sup>2</sup> area minimum should remain no matter what type of land the exemption is applied to.

206. PC67 sets out a regime for fences located within 1.5m of the boundaries of sites adjoining public open space. Essentially this allows for fences to be set back from the boundary and for fences to be low and open so as to allow good levels of surveillance over reserves. The Council submission supports this provision.

### **Parkland Properties**

207. PC67 provides for showrooms in the MHU Zone within the Precinct as a permitted activity. The development standards restrict this use to 5 years after approval of code compliance certificate for that show home. From that date, the show home shall be deemed to be a dwelling. The submission from parklands Properties request that this provision be extended to the MHS Zone as well.

208. The applicant's assessment of options did not assess expanding this provision to the MHS zone within the Precinct. Given that both areas provide for new homes and that show homes are an expected feature of newly developing areas I consider that if they are to be permitted activities in the MHU zone, they should also be permitted activities in the MHS zone.

209. Parklands Properties also request the reformatting of the Precinct provisions to more closely align with the format of the AUP (Theme 16) be amended to remove duplication of provisions. It is difficult to make a recommendation on this submission without further information concerning the exact duplication that are of concern.

210. Part from the matters Parklands Property requests that no further changes be made.

### Recommendations on submissions

211. That submissions **4.1, 38.5, 38.6, and 38.7** be rejected for the reasons set out above.

212. That submissions **38.15, 38.17, 38.18, 39.1 and 39.3** be accepted to the extent set out in **Appendix 5**.

213. No recommendations are made in respect of submission **38.5 and 39.2** pending additional information being made available by the submitters.

214. The recommended amendments are set out in **Appendix 5** to this report.

### 10.1.5 Security

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
7.2	Sunjay Malik	Decline the plan change on security grounds		Reject
36.3	Logan Billing	Decline the plan change because of the negative impact on security, graffiti and rubbish.		Reject
37.3	Sue Billing	Decline the plan change because of negative impact on security, pollution and safety.		Reject
42.2	Rae and Terry Davies	Decline the plan change because of adverse effects on pedestrian access and safety.		Reject
44.2	Karine and Jason Fox	Decline the plan change because of negative impact on security, crime and safety.		Reject

### Discussion

215. This group of submissions are concerned that the additional development provided for by PC67 will result in adverse security and safety effects being experienced in this and nearby neighbourhoods.

216. In my opinion the difference in the scale of development as experienced by people will not be significantly different to what is allowed through the existing Precinct provisions. The Councils urban design consultant Mr Riley considers that the character of the area will not appreciably change as a result of PC67.

217. Based on this assessment I consider that there is likely to be little change in these matters as a result of PC67.

### Recommendations on submissions

218. That submissions **7.2, 36.3, 37.3, 42.2 and 44.2** be rejected.

219. There are no changes resulting from this recommendation.

### 10.1.6.Density

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
3.1	Leo	Decline the plan change as the area is already crowded.		Reject
5.2	Lovejit Kaur	Decline the plan change as poor quality houses will crown the area.		Reject
8.1	Danny Maera	Decline the plan change as the change to MHU zone additional density not desired or necessary.		Reject
9.1	Andre Gil	Decline the plan change as do not want high social and high density housing in the area.		Reject
9.3	Andre Gil	Decline the plan change because high density on small sections is not visually pleasant		Reject
18.3	Wenjing Qin	Decline the plan change because of effect on the community's amenity and well-being		Reject
22.4	Mackenzie Schultze	Decline the plan change due to increased noise		Reject
44.6	Karine and Jason Fox	Decline the plan change as additional MHU zoning is inappropriate for this area.		Reject

### Discussion

220. This group of submissions are concerned that the additional development provided for by PC67 will result in density of development that is not needed or desired in this neighbourhood.

221. In assessing this change I have considered that a proportion of the land to the south of Park Estate Road is already zoned MHU and that a certain proportion of the land will be developed in three storey development regardless of this plan change.

(a) The change in character has been assessed by Mr Riley who comments as follows:

*5.10 The proposed standards would enable buildings of greater bulk and scale than in the underlying MHU zone. While a single dwelling can use the standards as part of a permitted activity status, two or more dwellings may only use the standards by way of restricted discretionary activity status, with discretion being restricted to matters including effects on residential character, residential amenity, safety and the surrounding residential area.<sup>2</sup>*

5.11 *The general residential character effect of the proposed changes would be a more urban residential character. I understand Mr Rae's view to be that this change in potential character is not necessarily a negative effect, it is simply a different character.*<sup>3</sup>

5.12 *I agree with Mr Rae. The proposed changes would result in a denser urban form. A denser urban form does not necessarily equate to an adverse effect – it is rather a matter of how any potential adverse effects resulting from that denser urban form are managed.*

And

6.15 *I consider there are reasonable controls in place in the proposed provisions to manage the quality of proposed houses. Two or more houses in the MHU zone where the site area per dwelling is less than 400m<sup>2</sup> will go through a restricted discretionary assessment process, allowing consideration of a range of matters including residential character and amenity. While a single house in the MHU zone on a front site less than 400m<sup>2</sup> is a permitted activity and may make use of the more generous 'higher density' development standards, proposed controls for use of the more enabling HIRB, including minimum glazing and a front door to the street, would adequately manage streetscape interfaces.*

222. Based on this assessment I consider that the additional density provided, so far as character and visual effects go is appropriate and will not be significantly different from the current potential under the existing zone pattern

Recommendations on submissions

223. That submissions **3.1, 5.2, 8.1, 9.1, 9.3, 18.3, 22.4 and 44.6** be rejected.

224. There are no changes resulting from this recommendation.

**10.1.7.Services and infrastructure**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
9.4	Andre Gil	Decline the plan change as there is insufficient provision for services		Accept in part
16.1	Yusuf Jariwala	Decline the plan change due to effects on urban amenity		Accept in part
22.3	Mackenzie Schultze	Decline the plan change due to increased load on infrastructure		Accept in part

38.1 0	Auckland Council c/- Alina Wimmer	If the Plan Change is approved, amend the Precinct to add objectives, policies and rules to develop in accordance with an updated Stormwater Management Plan that addresses the greater site coverage proposed. - In the alternative, any other such relief that would manage stormwater effects.		Accept in part
38.1 1	Auckland Council c/- Alina Wimmer	If the Plan Change is approved, amend to include Precinct provisions to support implementation of stormwater management rules - Amend the Precinct to include specific provisions to manage flood risk and climate change impacts, water quality and hydrology mitigation. - In the alternative, any other such relief that would give effect to the updated stormwater management plan.		Reject
38.1 3	Auckland Council c/- Alina Wimmer	If the Plan Change is accepted, apply the SMAF1 control to the Precinct, or - Retain bespoke hydrology mitigation requirement. - In alternative, any such other relief that would achieve hydrology mitigation.		Accept
38.1 2	Auckland Council c/- Alina Wimmer	If the Plan Change is accepted, amend to retain policy 11 and introduce rules to give effect to it. - In the alternative, any such other relief that would address climate change effects.		Reject
38.1 4	Auckland Council c/- Alina Wimmer	If the Plan Change is accepted, retain the reference to E38 rules. - In the alternative, any such other relief that would avoid subdivision of residential land within a floodplain or avoid coastal erosion hazards and inundation.		Accept in part



43.1	Veolia Water Services (ANZ) Pty Ltd c/- Sanjev Morar	Existing water infrastructure is modelled to ensure sufficient capacity. Should there be insufficient capacity, it is the responsibility of the Applicant to, at its cost, design and construct the required network infrastructure upgrades.		Accept
43.2	Veolia Water Services (ANZ) Pty Ltd c/- Sanjev Morar	Wastewater disposal from the Plan Change Area is required to be connected to the public wastewater network, discharging to the Hingaia Wastewater Pump Station.		Accept
43.3	Veolia Water Services (ANZ) Pty Ltd c/- Sanjev Morar	The Applicant will, at its cost, design and construct: i. any wastewater infrastructure required to enable the connection of the Plan Change Area to the public wastewater disposal and collection system ii. any water infrastructure required to enable the connection to the Plan Change Area to the public retail water network		Accept
43.4	Veolia Water Services (ANZ) Pty Ltd c/- Sanjev Morar	The Applicant obtains approval from Veolia for the connection points to the local network to service the Plan Change Area.		Accept
44.4	Karine and Jason Fox	Decline the plan change because of adverse effects of wastewater		Accept in part

### Discussion

225. This group of submissions relate to the appropriate provision of infrastructure other than roading which is discussed in section 10.1.2.

### General Concerns

226. A number of the submissions request that PC67 be rejected on the basis that there is inadequate infrastructure provided. These concerns should be set out in more detail at the hearing.

### **Veolia Water**

227. Veolia Water is responsible for water and wastewater in this part of Auckland. Its submissions concern the water and wastewater infrastructure. Specifically the submission is concerned that adequate network modelling has been undertaken to determine the suitability of the existing water supply infrastructure. In respect of waste water Veolia request that the following information is provided.

- (a) suitable gravity network discharge location.
- (b) network modelling of the existing network with the additional demand proposed
- (c) an assessment of the wastewater infrastructure upgrades that might be required to service the development (if any)

228. The applicant's engineering assessment in Appendix 8 notes that in respect of water it understands that the existing water supply will allow for the 1660 dwellings across the High Green land. In respect of wastewater a similar conclusion is reached and it notes that no upgrades to the existing bulk wastewater supply gravity lines or WWPS are deemed to be necessary.

229. Given that Veolia do have concerns about the lack of information about the impact of PC67 on its networks I consider that the applicant should provide the information requested by Veolia at the hearing. If this information is not available the Commissioners will not be in a position to fully understand the impact of PC67 on these networks.

### **Auckland Council**

230. Auckland Council is concerned about the additional stormwater likely to be generated from additional site coverage enabled by PC67. Essentially the submission seeks additional objectives, policies and rules to guide an updated Stormwater Management Plan. In addition the submission seeks that the SMAF1 control is applied to the Precinct.

231. This submission has been assessed by Trent Sunich Council's consultant stormwater technical specialist. Mr Sunich assessment can be summarised as follows.

*In respect of the SNP The applicant's Stormwater Management Plan (SMP) lodged in support of this Plan Change was approved by Healthy Waters as Network Utility Operator in August 2019. The region wide Network Discharge Consent (NDC) has since become operative. Given that this plan change seeks to increase impervious area, it is appropriate to update the SMP to reflect intended development prior to adopting the SMP into the NDC.*

*In principal the proposed type of stormwater management proposed in the SMP document can respond to the greater site coverage proposed. This will be subject to updating that document in due course by the applicant. Therefore the submission to update the SMP is supported. Mr Sunich considers that there should be a link between the Precinct and the SMP and suggest the flooding policy;*

*Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan.*

232. In respect of the submission that states that the existence of an SMP does not relate to the need for Precinct provisions that manage stormwater effects Mr Sunich considers that the stormwater management rule framework elsewhere in the AUP such as the E9 and E10 chapters together with the SMP document and the regional stormwater network discharge consent are adequate to manage stormwater from the Precinct.

233. Mr Sunich also supports the deletion of Policy 11 as in his opinion the design to accommodate climate change sits better in the Auckland Council's Stormwater Code of Practice and GD01 documents where the expectations are covered in more detail. The E36 Chapter of the AUP also addresses development response to climate change in some detail through that objective, policy and rule framework.

234. In respect of the submission to impose the SMAF 1 control to the site Mr Sunich notes that the Precinct would benefit from the application of a Stormwater Management Area Flow (SMAF) control over the entire Precinct and this approach would align with other Precinct plan changes currently being considered by the Council (e.g. Plan Changes 48-51). The applicant's concern around triggering unnecessary land use consents for coastal discharges directly to the coast would be addressed as these activities are permitted under Table E10.4.1(A1). I do not agree bespoke hydrology mitigation provisions be retained as the existing E10 rule set is being implemented throughout the region consistently.

235. In respect of the removal of the E38 standards Mr Sunich notes that It is acknowledged that lot sizes greater than 4ha may be subject to further subdivision (and the application of E38), however it is sensible in my opinion to retain references to existing E38 standards regardless of the proposed lot size to enable consistency of application of the natural hazard related provisions throughout the region. I agree with this opinion.

#### Recommendations on submissions

236. That submissions **9.4, 16.1, 22.3, 38.10, 38.1 and 44.4** be accepted in part.

237. That submissions **43.1, 43.2, 43.3, 43.4, 38.13 and 38.14** be accepted.

238. That submissions **38.11 and 38.12** be rejected.

239. These amendments are set out in **Appendix 5** to this report.

#### **10.1.8.Natural environment**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
10.1	Wenting Cao	Decline the plan change to reserve nature		Accept in part
17.2	Maria Taka	Decline the plan change as the developer's loss of land for environmental benefits is not a sufficient reason for a change of zoning		Accept in part
24.1	Benjamin Hussey	Decline the plan change because of negative impact on wildlife and fauna	FS 1	Accept in part

29.1	Jarrod Raill	Decline the plan change as construction risks pollutants entering the water and adverse effects on wildlife.		Accept in part
29.2	Jarrod Raill	Decline the plan change as construction risks pollutants entering the water and adverse effects on wildlife.		Accept in part
35.1	Ke Li	Decline the plan change as the provisions may change the environment and value of the Karaka Lakes community		Accept in part
38.8	Auckland Council c/- Alina Wimmer	If the plan change is accepted, that the minimum vacant lot size adjoining the coast remains at 600m2. - Strengthen Precinct objectives, policies and rules to aligns with RPS objectives and policies on natural hazards. - In the alternative, any other such relief that would avoid, mitigate, or remedy geotechnical/coastal hazards.		Accept in part
38.9	Auckland Council c/- Alina Wimmer	If the plan change is accepted, retain the esplanade layer on the Precinct map, and amend to provide greater setback of development along the southern coastline. - Amend the Precinct provisions to strengthen the link to underlying natural hazard objectives and policies in E36 and E38 to avoid the creation of new risks to people, property and infrastructure and ensure adequate setback of development. - In the alternative, any such relief that would take into account the likely impact of climate change and reduce the risk of urban development conflicting with the coastal processes.		Accept in part

38.1 6	Auckland Council c/- Alina Wimmer	Amend PC67 to demonstrate through amended objective, policy and rules, Precinct diagrams, rules and assessment criteria how walking and cycling access along coastal areas will be achieved.		Accept in part
38.1 9	Auckland Council c/- Alina Wimmer	Amend provisions to refer to Open Space or public places rather than reserves to be consistent with the definitions section, Chapter J of the AUP.		Reject
38.2 0	Auckland Council c/- Alina Wimmer	In the alternative, such other relief as would be secure quality public Open Space outcomes in the Precinct.		Accept in part
42.3	Rae and Terry Davies	Decline the plan change because of the impact on NZ endemic and native fauna.		Accept in part
44.5	Karine and Jason Fox	Decline the plan change because of the impact of pollution on nature and wildlife.		Accept in part
45.1	Steph Cutfield	Decline the plan change due to effects on the neighbourhood and environment		Accept in part

### Discussion

240. This group of submissions are concerned generally with the natural environmental effects of PC67. As noted above these have been assessed for the Council by Fiona Davies of AECOM NZ. There is something of an overall between Ms Davies technical assessment and that of Mr Sunich above in respect of stormwater matters.

### General Submissions

241. The submissions from Wenting Can, Maria Taka, Benjamin Hussey, Jarrod Raill, Ke Li Rae and Terry Davies, Karine and Jason Fox and Steph Cutfield raise general concerns about the natural environmental effects of PC67 including on wildlife and fauna.

242. Ms Davies in her assessment concludes that the applicant has not provided an additional ecological effects report or assessment and that the following effects have not been adequately addressed;

- Stormwater effects to wetlands
- Urban intensification effects to adjacent coastal habitats of high value wading birds.

243. Ms Davies is unable to support PC67 and notes that the following changes would be required for this position to change:

- Updated Stormwater Management Plan and Network Discharge Consent and assessment of development (and possible consents) against NES-FM regarding stormwater discharge.
- Mapping and assessment of coastal wading bird habitat and additional Precinct provisions in relation to managing effects.
- Updating of objectives and Precinct provisions to ensure buffer planting of coastal corridors along with any remaining wetlands (that aren't subject to restoration as a compensation site under Phase 2 Ecological Management Plan).
- Update to Precinct to accurately show streams, wetlands and coastal areas.

244. As discussed above the SMP will be required to be updated and the implementation of the SMAF 1 control will assist in mitigating some of these matters. There is an issue with the existing consents being issued before the gazetting of the NES-FM. While the existing consents are valid, they may lapse if not implemented (although this does not appear likely). The Precinct provisions relate to land not owned by the applicant and it is unclear whether there are remaining wetlands as now defined by the new NES. In my view decision making on this would be better informed if the remaining wetlands and streams were at least identified now and shown on the Precinct plan.

245. With respect to the effects identified on wading bird habitats, this has not been considered by the applicant. The changes to the coastal provisions including the reduction in site size for new lots adjoining the coast may have some small positive effect on this habitat.

246. I agree that up to date means of identifying streams and wetland on the Precinct plan would assist in defining where riparian planting should be located.

### **Auckland Council**

247. The submission from Auckland Council raises a number of issues. These include retaining the 600m<sup>2</sup> site size rule for sites adjoining the coast and strengthening Precinct provisions relating to natural coastal hazards in accordance with the RPS and E36. The submission also request grater esplanade reserve requirements on the southern coast to allow for potential natural hazard risk in the future. The submission also seeks additional provisions relating to walking and cycling. It also requests that the provisions be amended to refer to open space or public space to be consistent with the definitions section in Chapter J of the AUP.

248. In my view there is some benefit to retaining the 600m<sup>2</sup> site size adjoining the cost to provide a slightly less intense scale of development in this area. This may not apply elsewhere but will assist in providing a more open environment adjoining the coast.

249. In respect of the natural hazard provisions I consider that the provisions in Chapter E36 address these matters and that additional provisions are not required in the Precinct.

250. I see some additional benefit in showing the esplanade reserves on the Precinct map as long as any area additional to the standard 20m requirement in the RMA is clearly shown on the Precinct Plan and properly justified. The existing esplanade plan does not provide any significant benefit (there is no key and it is unable to determine esplanade width etc) over the RMA requirements.

251. I agree with the submission that the term reserve is not appropriate in most cases. However in this instance in a quickly growing area reserves will be vested prior to the zoning maps being updated and the benefits of the specific fencing rules will be lost if this wording

is changed as suggested by the Council. It may be appropriate to change this one the area is developed but I do not consider this should occur now.

252. The walking and cycling map is a matter that is raised under a number of headings. It does seem to me that the Precinct plan is the correct place to shown networks that link across sites and landownership. The proposed Precinct plan shows pedestrian/cycle shared path. This is partially within the site, often following roads but also making use of the coastal esplanade reserves. However in the West and south this is not shown. There would appear to be opportunities to provide additional coastal linkages not shown on the Precinct plan. I therefore consider that this submission should be accepted and that additional walking routes in the esplanade area should be shown.

Recommendations on submissions

253. That submissions **10.1, 17.2, 24.1, 29.1, 29.2, 35.1, 38.8, 38.16, 38.20, 42.3, 44.5 and 45.1** be accepted in part

254. That submission **38.9 and 38.19** be rejected.

255. These amendments are set out in **Appendix 5** to this report.

**10.1.9.Affordable housing**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
11.2	Cassie Ju	Decline the plan as increase density is not providing lower cost housing		Reject
12.2	Jason Deng	Decline the plan as increase density is not providing lower cost housing		Reject
17.3	Maria Taka	Decline the plan change because of the removal of affordable housing rules		Reject

Discussion

256. This group of submissions are concerned that the existing provisions relating to requiring affordable housing will be removed by PC67. I share these concerns. However this does leave a plan consistently issues in that these types of provisions have been removed from the AUP and on an Auckland wide basis there is likely to be little impact on house prices through the retention of these rules.

Recommendations on submissions

257. That submissions **11.2, 12.2, and 17.3** be rejected

258. There are no changes resulting from this recommendation.

### 10.1.10.Effects on existing transmission infrastructure

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
31.1	Transpower New Zealand Limited c/- Trudi Burnley	Supports the retention of the National Grid Corridor insofar as it relates to the Hingaia 1 Precinct		Accept
31.2	Transpower New Zealand Limited c/- Trudi Burnley	Decline the deletion of objective 10		Reject
31.3	Transpower New Zealand Limited c/- Trudi Burnley	Decline the deletion of policy 1444.3 17		Reject
31.4	Transpower New Zealand Limited c/- Trudi Burnley	If 1444.5 2 . Notification is retained it is requested that 'within 37m of the centreline of a National Grid transmission line" be amended to "within the National Grid Corridor".		Reject
31.5	Transpower New Zealand Limited c/- Trudi Burnley	Amends 1444.6.1 land use standard to remove the 'if listed' at the end of the sentence. Land use activities listed in table 1444.4.1 Activity Table – Land use activities must comply with the standards listed in the column in table 1444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, <b>if listed.</b>	FS3.1, FS4.1	Accept



31.6	Transpower New Zealand Limited c/- Trudi Burnley	Amend 1444.6.2 Subdivision standards to; Subdivision activities listed in Table I444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table I444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, <b>if listed</b> , except that the following standards to not apply to any proposed allotment 4 ha or greater in area:	FS3.1, FS4.2	Accept
41.1	Firstgas Limited c/- Beca Limited, John McCall	Firstgas seeks to include a 20m setback required for all new residential buildings from the centreline of the existing gas transmission line – recognising the duty of the care responsibilities under the HSW Act. The submission included the amendments to the Precinct provisions to achieve this including for resource consents where required setbacks cannot be achieved.		Reject
41.2	Firstgas Limited c/- Beca Limited, John McCall	Firstgas seeks to include restrictions on earthworks within proximity to the existing pipeline – ensuring the safe, efficient, and effective operation of the existing gas transmission line during future development of 144 Park Estate Road. The submission included amendments to the Precinct provisions to achieve this including for resource consent where required standards cannot be achieved.		Reject

41.3	Firstgas Limited c/- Beca Limited, John McCal	<p>Firstgas seeks to include the existing gas transmission pipeline and proposed setback and earthworks corridor on the Precinct maps. The following amendments to the Precinct provisions are therefore proposed:</p> <ul style="list-style-type: none"> <li>• Amend Figure I444.10.1. Hingaia 1 – Precinct Plan to include the extent of the existing gas transmission pipeline.</li> <li>• Insert a new Figure that illustrates the centreline of the gas transmission pipeline and the 20m corridor either side of the centreline (to aid Plan users in the application of the proposed ‘Gas transmission pipeline setback’ and ‘earthworks within proximity to a gas transmission pipeline’ standards sought through this submission)</li> </ul>		Reject
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Discussion

259. This group of submissions is concerned with the protection of existing transmission infrastructure on part of the land within the Precinct. There are Transpower transmission lines running only the eastern side of the Precinct and a gas transmission line follows a similar route.

260. PC67 removes Objective 10 which relates to protecting the safe and efficient operation of the National Grid (and state highway ). It also removes Policy 17 which requires subdivision to be consistent with the Electricity Transmission and High Noise Land Transport overlay provisions. It also removes an automatic limited notification of resource consent applications to Transpower for activities within 37m of the centreline of a National Grid transmission line.

261. In the request documents the applicant notes that Objective 10 is now not necessary as this generally replicates Objective D26.2(1) of the AUP (“The efficient development, operation, maintenance and upgrading of the National Grid is not compromised by subdivision, use and development”), which remains relevant to any subdivision or development occurring within the National Grid Corridor Overlay. The other changes stem from this change and a recognition that the now operative AUP gives protection to the National Grid through D26 National Grid Overlay.

262. I consider that as the D26 Overlay is now operative there is no need to have duplicate provisions within Precinct provisions, particularly as they have slightly different wording. It is more efficient and more consistent to rely on D26. I note that while D26 does not require notification of applications to Transpower, it is included within the list of persons that the Council will give special consideration to in Rule C1.13(4)(f) as the operator of the National Grid.

263. In referring to the land use and subdivision standards Rules I444.6.1 and I444.6.2. state

*Land use activities listed in table XXXActivity Table – Land use activities must comply with the standards listed in the column in table IXXXXcalled Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, if listed.*

264. The submission from Transpower requests that the last two words “if listed” be removed. I agree that this change is appropriate. Rule C1.6 states that the overall activity status of a proposal will be determined on the basis of all rules that apply unless an exception is made. The use of the term ‘if listed’ makes an exception but it is not clear where these may be listed. In addition as the Auckland wide rules apply to wide range of matters it would be necessary to provide a clear link to each of these within the Precinct provisions. In my view the simplest and most consistent approach is to adopt the approach taken in the residential zones which does not mention the Auckland Wide rules and accordingly allows all Auckland Wide Rules to apply where they are relevant.

265. The submission from First Gas essentially seeks to set up Precinct provisions that would provide building and works setbacks from the gas transmission line that runs through the site. The submission notes that the gas line is not protected by a designation but is only subject to an easement. The submission does not indicate the width of that easement or the matters that it controls.

266. While it may be appropriate to include a mechanism to protect the gas line in a similar manner to which the National Grid lines are protected I consider that this is better achieved through a mechanism that applies to the entire gas transmission network or through a designation. I note that much of the First Gas network is designated and not information is given in the submission as to why this part of the network is not designated. Only a small portion of the gas line is located within this Precinct and In my view its protection is better achieved through a city wide approach rather than more ad-hoc provisions.

Recommendations on submissions

267. That submissions 31.1, 31.5, and 31.6 be accepted.

268. That submissions 31.2, 31.3, 31.4, 41.1, 41.2 and 41.3 be rejected.

269. The changes resulting from this recommendation are set out in **Appendix 5**

**10.1.11.New Rules**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
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32.2	Hugh Green Limited C/- CivilPlan Consultants Limited	Make changes as specified in the submission to give effect to Resource Management (Enabling housing Supply and Other Matters) Amendment Bill introduced to the House of Parliament on 19 October 2021.	FS5, FS4.3	Reject
38.4	Auckland Council c/- Alina Wimmer	The NPS-UD implementation by Council would provide more consistent zoning approach and regionally consistent position on affordable housing than a privately initiated plan change that may not consider wider plan integrity. - In the alternative, any other such relief that would achieve plan integrity with NPS-UD implementation.		Accept in part

### Discussion

270. This group of submissions concerns the NPS-UD and the current Resource Management (Enabling housing Supply and Other Matters) Amendment Bill.

271. The submission from the applicant Hugh Green Limited seeks that the most of the provisions within the zones applying to the Precinct be replaced with the rules proposed in the Resource Management (Enabling housing Supply and Other Matters) Amendment Bill. At the time of writing these provisions which are anticipated to replace many of the residential provisions within Auckland and elsewhere, are set out in a schedule to the Bill. At the time of writing the Bill has been passed but the timing of Royal assent is unknown.

272. I consider that it is not appropriate to accept this submission at this time. A section 32 assessment has not been carried out and the effects of these rules is unknown. Further it is my understanding that the Council will be required to notify a variation to PC67 at the same time that it notifies its own changes to give effect to the change in the Act. That is the appropriate time to include these provisions within the AUP and not through a submission.

273. The submission from the Auckland Council appears to seek that instead of proceeding with PC67 the area be incorporated within any future plan change required by the Act so that a consistent approach is taken across the AUP. This appears to be consistent with the direction given in the Bill.

### Recommendations on submissions

274. That submission **38.4 be accepted**.

275. That submission **32.2 be rejected**.

276. The changes resulting from this recommendation.

### 10.1.12. Commercial

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
18.1	Wenjing Qin	Concerned about the lack of employment opportunities in the area		
38.3	Auckland Council c/- Alina Wimmer	Decline or amend the plan change or - That Neighbourhood Centre objectives, policies and rules should be consistent with the underlying zone. - The reduction in the extent of the Neighbourhood Centre zone is supported. - That the plan change retains the current amount of Mixed Housing Urban and Suburban zoned land around the re-located Neighbourhood Centre. - In the alternative, any other such relief that would be consistent with the centres hierarchy within the plan change boundary.		
26.1	Lei Wu	Approve the plan change without amendments including the relocation of the Business Neighbourhood Centre Zone		
20.2	Waka Kotahi NZ Transport Agency c/- Evan Keating	Retain the proposed neighbourhood centre zoning as notified.		

#### Discussion

277. This group of submissions concerns Neighbourhood Centre. The submission from Wenjing Qin is concerned that the intensification proposed is not appropriate given the lack of commercial opportunities in the area. The submission from Auckland Council seeks that the neighbourhood centre objectives a, policies and rules should be consistent with the underlying zone. The submission from Lei Wu supports PC67 including the relocation of the neighbourhood centre while the Waka Kotahi submission supports the neighbourhood zone as notified.

278. PC67 makes a relatively minor change to the location of the neighbourhood centre zone. It also removes two floor area restrictions being a maximum of 450m<sup>2</sup> for any one tenancy and 1000m<sup>2</sup> of all commercial and retail activities in total. The area of the land

zoned Neighbourhood Centre is proposed to be 7495m<sup>2</sup>. Mr Riley supports the location of the relocated centre from an urban design perspective.

279. The removal of the total area maximums will allow much more of the zone to be developed for commercial activity which will more closely match the land area provided.

280. In respect of the submission from Auckland Council it is unclear (so far as the submission relates to the centre) what changes are sought in respect of the centre. It would appear that a reduction in size is sought but that is not made explicit on the submission. The proposal does provide for a large increase in the size of shops allowed and opens up the potential for a supermarket to develop on the site which would attract people from outside the area. Given the transport constraints identified I consider that a large supermarket is not likely to be appropriate on this site.

281. I would expect the Council to provide more evidence on this at the hearing, but in my view the existing 450m<sup>2</sup> cap on individual tenancies should remain.

#### Recommendations on submissions

282. That submissions **18.1 38.3, and 26.1** be accepted in part to the extent that the individual tenancy cap on retail tenancies be retained.

283. The changes resulting from this recommendation are set out in **Appendix 5**.

### **11. PLANNING EVALUATION**

284. Having considered all the information provided by the applicant, carried out an assessment of effects, reviewed all relevant statutory and non-statutory documents and made recommendations on submissions I have concluded that as it currently stands PC67 should be rejected particularly because of the unknown effects on transportation infrastructure.

285. It is entirely feasible that the infrastructure matters can be resolved through the provision of additional information. Accordingly this overall planning evaluation will assist the commissioners in their decision making should they decide to approve PC67. This assessment is made on the basis of the themes provided in the request document.

#### *Theme 1 Residential Zoning*

286. It is my view that the change to a larger area of MHU land is appropriate from an urban design perspective. I rely on the assessment made by Mr Riley in this respect. I do consider however that there should be MHU land also provided to the north of the neighbourhood centre. However unless the infrastructural capacity issues are resolved I cannot recommend this.

#### *Theme 2 ; Development opportunities for Higher Residential Densities*

287. I support this aspect of the change (i.e. Integrated residential development) as it brings the Precinct area into line with the operative AUP.

#### *Theme 3 Alternative Height in Relation to Boundary.*

288. Based on the assessment undertaken by Mr Riley I support the proposed changes to the alternative height in relation to boundary standards.

#### *Theme 4 Fencing*

289. Deletion of the Hingaia 1 fencing control is considered necessary, with reliance instead on the relevant zone fencing standard, in order to provide clarity and consistency.

*Themes 5 and 6 Business Zoning and Commercial Activities*

290. Again, subject to the transportation infrastructure concerns being resolved I support the new neighbourhood centre zone, but consider that the 450m<sup>2</sup> individual tenancy restriction should remain.

*Theme 7 - Deleted*

*Theme 8 Show Homes*

291. I support the specific provision for show homes as requested but consider that this should be extended to the MHS zone as well as the MHU zone.

*Theme 9 Coastal Density*

292. I do not support the reduction of site size adjacent to the coast. I consider that having larger sites adjacent to the coast will provide some assistance in providing more open buffer space for habitats within the CMA.

*Themes 10 and 11 Coastal Reserve Interface.*

293. I consider that these changes are appropriate.

*Theme 12 Limited notification rules*

294. I support the proposed changes to the notification rules which apply the standard notification rules in the Resource Management Act.

*Theme 13: Structures not Defined as Buildings*

295. While I understand the applicants concerns about such matters I do not consider that making provisions for structures not defined as buildings is a matter that should be addressed in a small plan change. It is a matter that should be addressed if required on a plan wide basis. The specific way in which it is addressed in this plan change may result in issues if a plan wide solution takes a different approach. I consider that there is scope within the submissions that seek the use of the operative AUP MHS and MHU zones to change this aspect of PC67.

*Theme 14: Balance Allotments*

296. As noted in the consideration of submissions there are some circumstances where the exemption of balance lots from some rules is not appropriate. I do not support this approach in its entirety.

*Theme 15, 16, 18 and 24: Consistency with AUP*

297. Generally I support the layout changes and the changes to references to the AUP provisions. As stated previously I question why a more simple replacement by the operative MHS and MHU zones was not proposed. I consider however this will be largely overtaken by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill which will require a variation PC67.

*Theme 17 Improving Quality of Precinct Provisions*

298. I generally support these changes

*Theme 18 Deleted*

*Theme 19 Affordable Dwellings*

299. The removal of the affordable housing provisions is consistent with the remainder of the AUP.

*Theme 20: Removal of Residential Development Controls*

300. This concerns the removal from the Precinct rules which were part of the PAUP:NV but were deleted from the AUP through the approval process. I agree that there is no reason for development in the Hingaia 1 Precinct to be subject to stricter residential development standards than provided for in the zone standards applying across the Auckland region.

*Theme 22: Vehicle Access Over Cycle Facilities*

301. I generally support this approach, however as noted in the assessment of submissions the assessment criteria provided in the Auckland wide provisions are not adequate to address the issues in respect of this Precinct and that amendments to PC67 are required to address this.

*Theme 25: Stormwater Management*

302. Amendments are required to adequately manage stormwater.

*Themes 26, 27, 28, 29 and 30: Agreed Changes to the Hingaia 1 Precinct Plan*

303. Concerns have been raised regarding some of the changes to the Precinct Plan through the assessment of submissions above. Changes are recommended as set to in Appendix 5

## **12. CONCLUSIONS**

304. My overall conclusion is that the impacts of PC67 particularly in respect of traffic matters are not yet fully understood and additional work is required to show that the adjoining transport network is adequate for the additional traffic likely to be generated from the Precinct following the changes. Work is also required to more fully identify streams and wetlands in accordance with the NES:FW. At this time therefore I cannot recommend that PC67 be approved.

305. If however the wider impacts of PC67 can be managed, then subject to the changes set out in **Appendix 5** to this report PC67 can be approved.

## **13. SECTION 32AA ANALYSIS OF RECOMMENDED CHANGES**

306. The changes recommended above require an additional assessment in accordance with S32AA of the RMA.



307. This further evaluation is only made in respect of the changes I have proposed to the text on Appendix 5 to this report and discussed above and is at a level of detail which in my opinion corresponds to the scale and significance of the proposed changes.

#### 14. RECOMMENDATIONS

1. That, the Hearing Commissioners accept or reject submissions (and associated further submissions) as outlined in this report.
2. That until additional information is provided, the Auckland Unitary Plan is not amended by PC67.

#### 15. SIGNATORIES

Name and title of signatories	
Author	 David Wren – Planning Consultant 23 December 2021
Reviewer / Approver	 Craig Cairncross 23 December 2021



**APPENDIX 1**  
**PLAN CHANGE 67**



# REVISED HINGAIA 1 PRECINCT TEXT

## Clause 23 Response Version

### 'Clean' Copy

22 March 2021

## **I444. Hingaia 1**

### **I444.1. Precinct Description**

The Hingaia 1 precinct is located approximately 2.4km west of Papakura and is located in the southern part of the Hingaia Peninsula, to the south of the existing 'Karakā Lakes' residential subdivision.

The whole of the Hingaia Peninsula was structure planned for growth in 2000-2002. However, only Stage 1A was re-zoned at that time. This precinct is to be developed to provide for a logical extension of the existing Hingaia urban area, and development in the precinct will be guided by the Hingaia 1 precinct plan.

The purpose of the Hingaia 1 precinct is to provide for comprehensive and integrated residential development on the Hingaia Peninsula, to increase the supply of housing , to facilitate the efficient use of land, and to co-ordinate the provision of infrastructure.

It is envisaged that future land use, development and subdivision consents will give effect to the key elements of the precinct plan and provide opportunities for pedestrian and roading connections into future development areas.

The zoning of land within this precinct is Residential – Mixed Housing Suburban, Residential – Mixed Housing Urban and Business – Neighbourhood Centre.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

### **I444.2. Objectives**

- (1) Subdivision and development occurs in a co-ordinated way that implements the Hingaia 1 precinct plan, provides a logical extension to the existing urban environment, and provides for connections to future development on adjoining land.
- (2) Development achieves a high standard of amenity while ensuring there is a choice of living environments and affordability options.
- (3) The existing stream network as illustrated on the Hingaia 1 precinct plan is retained and enhanced.
- (4) Subdivision and development occurs in a manner that achieves the co-ordinated delivery of infrastructure, including transport, wastewater, and water services.
- (5) The safety of users of shared paths and dedicated cycleways is prioritised over vehicle access.

- (6) Significant adverse effects of stormwater run-off on communities, the marine receiving environment and freshwater systems are avoided to the extent practical, or otherwise mitigated using water sensitive design principles.
- (7) Subdivision and development adjoining the coast provides for enhanced amenity and avoids risks of adverse effects arising from coastal erosion.
- (8) A neighbourhood centre is developed that provides for small scale convenience retail, service and commercial activities that meet the day-to-day needs of the area, and which does not undermine the viability and role of either the Hingaia Mixed Use Town Centre or the Papakura Metropolitan Centre.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

#### **I444.3. Policies**

- (1) Require the structural elements of the Hingaia 1 precinct plan to be incorporated into all subdivision and development that results in urbanisation of the land.
- (2) Require the construction of new roads, as generally indicated on the Hingaia 1 precinct plan, to achieve integration with the existing urban area and to enable future connections to link into adjoining sites to ensure that an interconnected movement network can be achieved on the Hingaia Peninsula.
- (3) Ensure that a range of lot sizes, housing typologies and densities is enabled throughout the precinct to reflect a choice of living environments and affordability, including by enabling greater development potential for higher density residential developments and integrated residential development;
- (4) Enable a range of residential living opportunities (including a range of lot sizes) with more intensive housing encouraged in locations with close proximity to the neighbourhood centre, public transport routes or areas with high amenity (e.g. locations close to public open space).
- (5) Ensure subdivision and development, including road design, achieves a high standard of amenity, pedestrian safety and convenience, and contributes to a positive sense of place and identity.
- (6) Require subdivision and development to be staged to align with the co-ordinated provision of infrastructure, including transport, water and wastewater.
- (7) Require subdivision and development to use water sensitive design principles as the core development approach to manage stormwater run-off, water quality, and flooding and mimic the natural hydrological regime and provide baseflow to streams.
- (8) Require subdivision and development to restore and to enhance the stream network, as illustrated on the Hingaia 1 precinct plan, to achieve a natural appearance with appropriate native species and encourage restoration and enhancement of wetland areas.
- (9) Encourage walkways along stream corridors and within and around wetland areas. Where possible, walkways should integrate with existing open space areas and enable future connections to adjoining undeveloped sites.
- (10) Require the design of stormwater management devices in public areas to be integrated with the surrounding area and to contribute to multi-use benefits for public areas. Where appropriate, the devices should be natural in appearance.

- (11) Enhance the natural character of the coast and avoid adverse effects from further coastal erosion by encouraging restoration planting with eco-sourced plants where subdivision vests esplanade reserve in Council.
- (12) Promote the development and enhancement of a high amenity urban coastal character by:
  - (a) managing the interface between reserves and private allotments to minimise visual dominance effects from buildings, fences and retaining walls; and
  - (b) providing for viewshafts out to the coast along roads and open space (and from the esplanade reserve back into the development).
- (13) Restrict or manage vehicle access to and from sites adjacent to shared paths or dedicated cycleways so that:
  - (a) the location, number, and design of vehicle crossings and associated access provides for the efficient movement of users of the shared path or dedicated cycleway; and
  - (b) any adverse effect on the effective, efficient and safe operation of the shared paths or dedicated cycleways arising from vehicle access across these facilities is avoided or mitigated.
- (14) Provide for a neighbourhood centre as a community meeting point to that meets the local convenience needs of residents in a manner that protects and safeguards the viability and roles of the Hingaia Local Centre (and adjacent Mixed Use zone) and the Papakura Metropolitan Centre.
- (15) Encourage subdivision and development to contribute to a positive sense of place and identity through in-street landscape elements, including retaining existing landscape features, and maximising coastal vistas.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

#### **I444.4. Activity Tables**

All relevant overlay activity tables apply unless otherwise specified below.

All other relevant Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table I444.4.1 below.

Table I444.4.1 specifies the activity status of land use and development activities in the Hingaia 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I444.4.2 specifies the activity status of subdivision activities in the Hingaia 1 Precinct pursuant to section 11 of the Resource Management Act 1991.

A blank cell in the activity status means that the activity status (and any relevant matters of control or discretion) in the relevant overlay, Auckland-wide or zone provisions applies.

**Table I444.4.1 Activity Table – Land use activities**

Activity		Activity Status	Standards to be complied with
<b>Transport</b>			
(A1)	Construction or use of a vehicle crossing		E27.6.4.1. Vehicle access restrictions; E27.6.4.2. Width and number of vehicle crossings; Standard I444.6.1.7 Vehicle access restrictions – Cycle facilities
<b>Residential</b>			
(A2)	Residential activities (including dwellings) not provided for below		The underlying zone standards applying to that activity; Standard I444.6.1.4 Fences and walls adjoining reserves
(A3)	Two or three dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard I444.6.1.4 Fences and walls adjoining reserves
(A4)	Four or more dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Suburban zone	RD	Standard H4.6.4 Building height; Standard; H4.6.5 Height in relation to boundary; H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard I444.6.1.4 Fences and walls adjoining reserves
(A5)	One dwelling on a front site less than 400 m <sup>2</sup> in area in the Residential – Mixed Housing Urban zone	P	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2. Building coverage for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A6)	Two or three dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A7)	Four or more dwellings per site where the site area per dwelling is less than	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard



	400 m <sup>2</sup> in the Residential – Mixed Housing Urban zone		I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A8)	Integrated Residential Development in the Residential – Mixed Housing Suburban zone	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A9)	Integrated Residential Development in the Residential – Mixed Housing Urban zone	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
<b>Commerce</b>			
(A10)	Show homes in the Residential – Mixed Housing Urban zone	P	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2. Building coverage for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone; Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone
<b>Development</b>			
(A11)	Internal and external alterations to buildings in residential zones		The same activity status and standards as applies to the land use activity that the building is designed to accommodate
(A12)	Accessory buildings in residential zones		The same activity status and standards as applies to the land use activity that the building is accessory to
(A13)	New buildings and additions to buildings in the Residential – Mixed Housing Suburban zone which do not comply with H4.6.5 Height in relation to boundary but comply with H4.6.6 Alternative height in relation to boundary		The same activity status and standards as applies in the underlying zone
(A14)	New buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard H5.6.5 Height in relation to boundary but comply with Standard I444.6.1.5 Height in relation to boundary	P	Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone  Note: Compliance with Standard H5.6.5 Height in relation to boundary is not required.

	in the Residential – Mixed Housing Urban Zone		
(A15)	New buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary	RD	H5.6.6 Alternative height in relation to boundary  Note: Compliance with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone is not required.
(A16)	New buildings and additions to buildings in residential zones	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A17)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Suburban zone that are accessory to a residential activity listed as permitted or restricted discretionary activity in this activity table	P	Standard H4.6.14 Front, side and rear fences and walls; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves
(A18)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Suburban zone not otherwise provided for	P	Standard H4.6.8 Maximum impervious areas; Standard H4.6.10 Landscaped area; Standard H4.6.14 Front, side and rear fences and walls; Standard I444.6.1.4 Fences and walls adjoining reserves
(A19)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Urban zone that are accessory to a show home or a residential activity listed as permitted or restricted discretionary activity in this activity table	P	Standard H5.6.15 Front, side and rear fences and walls; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves
(A20)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Urban zone not otherwise provided for	P	Standard H5.6.9 Maximum impervious areas; Standard H5.6.11 Landscaped area; Standard H5.6.15 Front, side and rear fences and walls; Standard I444.6.1.4 Fences and walls adjoining reserves
(A21)	Structures not defined as buildings under Chapter J in the Business – Neighbourhood Centre zone	P	Standard H12.6.11 Landscaping; Standard H12.6.6. Maximum impervious area in the riparian yard; Standard I444.6.1.4 Fences and walls adjoining reserves

**Table I444.4.2 Activity Table – Subdivision activities**

Subdivision Activity		Activity Status	Standards to be complied with
(A22)	Subdivision that is listed as a restricted discretionary activity in Table E38.4.1, E38.4.2, E38.4.3 or E38.4.4 and not otherwise provided for below	RD	The relevant Auckland-wide standards in sections E38.6 to E38.10; Standard I444.6.2.1 Precinct Plan; I444.6.2.3 Riparian Margins.
(A23)	Vacant sites subdivision in a residential zone	RD	The standards in section E38.6 General standards for subdivision; the standards in

			section E38.8.1 General standards in residential zones; Standard I444.6.2.1 Precinct Plan; Standard I444.6.2.2 Vacant Sites Subdivision in Residential Zones; Standard I444.6.2.3 Riparian Margins
(A24)	Any subdivision that does not meet any of the standards to be complied with listed in this table	D	

#### **I444.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I444.4.1 or Table I444.4.2 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).

#### **I444.6. Standards**

##### **I444.6.1. Land use standards**

Land use activities listed in Table I444.4.1 Activity Table – Land use activities must comply with the standards listed in the column in Table I444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, if listed.

##### **I444.6.1.1. Maximum impervious areas for higher density development**

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risk;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards;
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood; and
- To provide for flexibility of built form for higher density development

- (1) The maximum impervious area must not exceed 70 per cent of the site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

##### **I444.6.1.2. Building coverage for higher density development**

Purpose:

- in the Residential – Mixed Housing Suburban zone, to manage the extent of buildings on a site to achieve the planned suburban built character of buildings;
- in the Residential – Mixed Housing Urban zone, to manage the extent of buildings on a site to achieve the planned urban built character of buildings; and
- to provide for flexibility of built form for higher density residential development.

- (1) The maximum building coverage must not exceed 50 per cent of net site area.

### **I444.6.1.3. Landscaped area for higher density development**

Purpose:

- in the Residential – Mixed Housing Suburban zone, to provide for quality living environments consistent with the planned suburban built character of buildings within a generally spacious setting;
- in the Residential – Mixed Housing Urban zone, to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space;
- to maintain the landscaped character of the streetscape within the zone; and
- to provide for flexibility of built form for higher density residential development.

(1) The minimum landscaped area must be at least 30 per cent of net site area.

(2) The front yard must comprise landscaped area of at least 40 per cent of the front yard.

### **I444.6.1.4. Fences and walls adjoining reserves**

Purpose: to enable fences and walls to be constructed on or adjacent to a site boundary adjoining a reserve vested or to be vested in Council to be a sufficient height to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the adjoining reserve; and
- minimise visual dominance effects to the adjoining reserve;

(1) Where a site has a boundary that adjoins either a site that is vested in Council as a local purpose (esplanade) reserve or part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as a local purpose (esplanade) reserve, then:

(a) no fences or walls shall be constructed on or within 1.0 m of that boundary;

(b) no retaining walls shall be constructed within 1.5 m of that boundary;

(c) within 1.5 m of that boundary, any fences must not exceed a height, measured from the ground level at the boundary, of either:

(i) 1.2 m; or

(ii) 1.6 m, if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary;

(d) within 1.5 m of that boundary, any fences must be a dark, recessive colour; and

(e) if any fence is constructed within 1.5 m of that boundary, then the area between the fence and that boundary shall be fully planted with shrubs that are maintained at a height of at least 1.0 m, except that:

(i) where a fence contains a gate, no planting is required between that gate and the boundary for a maximum width of 2 m.

(2) Where a site has a boundary that adjoins either a site that is vested in Council as a reserve or in lieu of reserves, part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as a reserve or in lieu of reserves or a site or part of a site in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open – Space Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone that Standard I444.6.1.4(1) does not apply to, then:

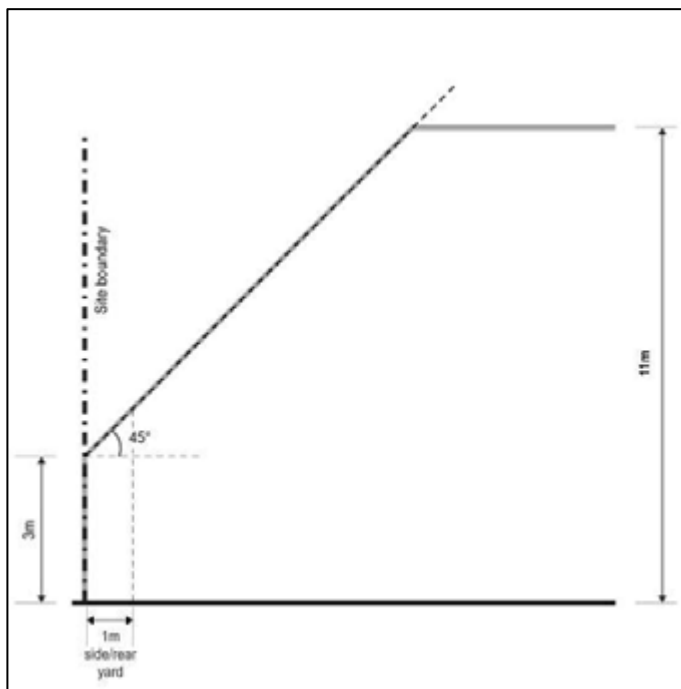
- (a) on or within 1.0 m of that boundary, fences or walls or any combination of these structures (whether separate or joined together) must not exceed a height, measured from the ground level at the boundary, of either:
- (i) 1.4 m;
  - (ii) 1.8 m for no more than 50 per cent of the length of the boundary and 1.4 m for the remainder; or
  - (iii) 1.8 m if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary.

#### **I444.6.1.5. Height in relation to boundary in the Residential – Mixed Housing Urban Zone**

Purpose:

- to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours; and
  - to enable the efficient use of the site by providing design flexibility at upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours
- (1) Unless otherwise specified below, buildings must not project beyond a 45 degree recession plane measured from a point 3 m vertically above ground level along side and rear boundaries, as shown in Figure I444.6.1.5.1 Height in relation to boundary below.

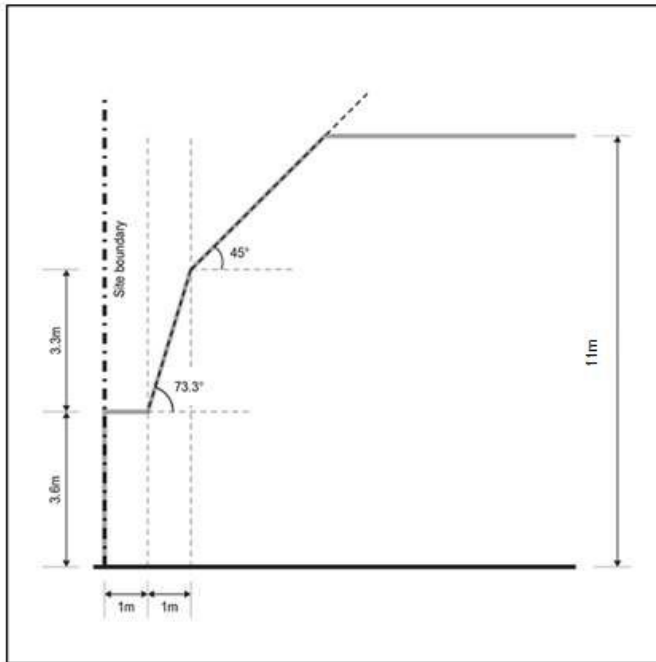
**Figure I444.6.1.5.1 Height in relation to boundary**



- (2) Standard I444.6.1.5(1) does not apply to any buildings or parts of buildings that comply with Standards I444.6.1.5(3) and I444.6.1.5(5) below.

- (3) Any buildings or parts of buildings on front sites within 20 m of the site frontage and more than 6 m from any rear boundary must not exceed a height of 3.6 m measured vertically above ground level at side boundaries. Thereafter, buildings must be set back 1 m and then 0.3 m for every additional metre in height (73.3 degrees) up to 6.9 m and then 1 m for every additional metre in height (45 degrees) as shown in Figure I444.6.1.5.2 Alternative Height in relation to boundary, below.

**Figure I444.6.1.5.2 Alternative Height in relation to boundary**

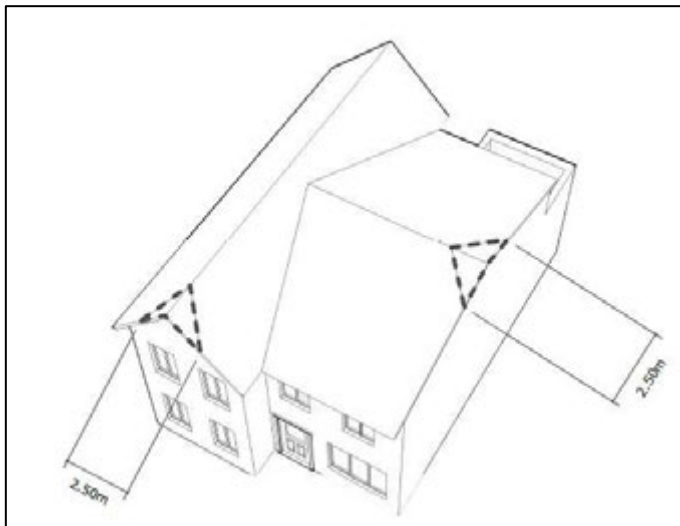


- (4) Standard I444.6.1.5(3) above only applies to buildings that comply with the following:
- (a) Where the site that adjoins the side boundary that the recession plane under Standard I444.6.1.5(3) is taken from contains an existing dwelling (or a dwelling that has obtained building consent), then shading caused by those parts of the building that would not comply with Standard I444.6.1.5(1) shall not result in less than four hours of sunlight between the hours of 9am and 4 pm during the equinox (22 September) over an area of at least:
    - (i) 75% of that existing dwelling's outdoor living space, if the outdoor living space has a total area of 20 m<sup>2</sup> or greater; or
    - (ii) 100% of that existing dwelling's outdoor living space, if the outdoor living space has a total area of less than 20 m<sup>2</sup>.
  - (b) The front façade of each building must contain glazing that is cumulatively at least 20 percent of the area of the front façade (excluding any garage door).
  - (c) The front yard must comprise landscaped area of at least 50 per cent of the front yard.
  - (d) The proposed building shall provide a main entrance door that is visible from the street.
  - (e) Pedestrian access between the main entrance door of the building and the street must not cross any areas for the parking or manoeuvring of vehicles.

- (f) Any garage doors facing the street must:
  - (i) Be set back at least 5 m from the front boundary; and
  - (ii) Must not project forward of the front façade of the building.
- (g) Any balconies, decks or any similar outdoor living spaces above ground floor level must not be visible from any side boundary (when viewing perpendicular to that boundary), unless the structure (including any balustrades) does not intrude the recession planes specified in Standard I444.6.1.5(1).
- (h) Those parts of the building that would not comply with Standard I444.6.1.5(1) must not include any glazing that faces a side boundary unless at least one of the following applies:
  - (i) The glazing is opaque; or
  - (ii) The window sill height is at least 1.6 m above the room's floor level.
- (5) Standards I444.6.1.5(1) and I444.6.1.5(3) above do not apply to a boundary or part of a boundary adjoining any of the following sites:
  - (a) Any site in the Business – Neighbourhood Centre Zone;
  - (b) Any site within the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Sports and Active Recreation Zone, Open Space – Civic Spaces Zone or the Open Space – Community Zone that are greater than 2,000 m<sup>2</sup> in area, subject to the following:
    - (i) the site is greater than 20 m in width when measured perpendicular to the shared boundary; and
    - (ii) where an open space comprises multiple sites but has a common open space zoning, the entire zone may be treated as a single site for the purpose of applying this standard.
  - (c) A site vested in Council as reserve or in lieu of reserve or a site shown on an approved subdivision consent scheme plan to be vested in Council as reserve or in lieu of reserve where:
    - (i) the site and any adjoining sites vested in Council as reserve or in lieu of reserve are cumulatively greater than 2,000 m<sup>2</sup> in area; and
    - (ii) where that part of the site in (i) is greater than 20 m in width when measured perpendicular to the shared boundary; or
  - (d) Part of a site subject to a land covenant that protects streams and/or wetlands where:
    - (i) the covenant area is within 5 m of the site boundary;
    - (ii) the covenant area and any adjoining covenant areas for the purpose of protecting streams and/or wetlands are cumulatively greater than 2,000 m<sup>2</sup> in area; and
    - (iii) that part of the site is greater than 20 m in width when measured perpendicular to the shared boundary.

- (6) Unless otherwise specified below, buildings must not project beyond a 45 degree recession plane measured from a point 2.5 m vertically above ground level along any boundary adjoining any of the following sites:
- (a) Any site in the Residential – Mixed Housing Suburban Zone; or
  - (b) Any site within the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Sports and Active Recreation Zone, Open Space – Civic Spaces Zone or the Open Space – Community Zone not covered by Standard I444.6.1.5(5)(b) above.
- (7) Standards I444.6.1.5(1), I444.6.1.5(3) and I444.6.1.5(6) do not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (8) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the applicable recession plane in Standard I444.6.1.5(1), I444.6.1.5(3) or I444.6.1.5(6) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (9) A gable end, former or roof may project beyond the applicable recession plane in Standard I444.6.1.5(1), I444.6.1.5(3) or I444.6.1.5(7) where that portion beyond the recession plane is:
- (a) no greater than 1.5 m<sup>2</sup> in area and no greater than 1 m in height; and
  - (b) no greater than 2.5 m cumulatively in length measured along the edge of the roof as shown in Figure I444.6.1.5.3 Exceptions for gable ends, dormers and roof projections and dormers below

**Figure I444.6.1.5.3 Exceptions for gable ends, dormers and roof projections and dormers**



- (10) No more than two gable end, dormer or roof projections enabled under I444.6.1.5(10) above are allowed for every 6 m length of site boundary.
- (11) The recession planes in Standards I444.6.1.5(1), I444.6.1.5(3) and I444.6.1.5(7) do not apply to existing or proposed internal boundaries within a site.



#### **I444.6.1.6. Show homes in the Residential – Mixed Housing Urban zone**

Purpose: to avoid, remedy and mitigate adverse effects on residential amenity resulting from show homes, including in relation to noise and traffic.

- (1) The show home shall be treated as a dwelling for the purpose of compliance with all other standards listed in the column in Table I444.4.1 called Standards to be complied with.
- (2) The show home shall not operate outside the hours of 9:00 am and 5:00 pm on any day.
- (3) The show home shall cease to operate five years after approval of code compliance certificate for that show home. From that date, the show home shall be deemed to be a dwelling.

#### **I444.6.1.7. Vehicle access restrictions – Cycle facilities**

- (1) In addition to the requirements of Standard E27.6.4.1, new vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which has frontage to an existing or proposed shared path or dedicated cycle way, including where shown on Figure I444.10.1. Hingaia 1 - Precinct Plan. For the avoidance of doubt, this relates only to allotments fronting that side of the road where the shared path or dedicated cycle way exists or is proposed.
- (2) Standard I444.6.1.7(1) above applies in any of the following circumstances:
  - (a) a new vehicle crossing is proposed;
  - (b) a new activity is established on a site;
  - (c) there is a change of type of activity; or
  - (d) a building(s) is constructed, or additions to buildings that are not permitted activities in Table H12.4.1 Activity table, except that this does not apply in the case of a dwelling where the reconstruction, alteration or addition does not increase the number of dwellings on a site.

#### **I444.6.2. Subdivision standards**

Subdivision activities listed in Table I444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table I444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, if listed, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:

- (1) E38.6.1. Site size and shape;
- (2) E38.6.6. Existing vegetation on the site;
- (3) E38.7.3.1. Subdivision of a site with two or more zones or subdivision along an undefined zone boundary;
- (4) E38.7.3.3. Subdivision of a site within the one per cent annual exceedance probability floodplain;
- (5) E38.7.3.4. Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area;

- (6) E38.8.1.1. Site shape factor in residential zones;
- (7) E38.8.2.5. Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.

**I444.6.2.1. Precinct Plan**

- (1) Vacant sites subdivision shall provide for the following structural elements shown on Figure I444.10.1. Hingaia 1 - Precinct Plan, unless they are shown on the precinct plan to be within any proposed allotment 4 ha or greater in area:
  - (a) Collector roads;
  - (b) Shared paths or dedicated cycle ways (excluding the shared path along the Southern Motorway);
  - (c) Parks, in the locations shown on the precinct plan.
- (2) Where the structural elements shown on Figure I444.10.1. Hingaia 1 - Precinct Plan are required within any proposed allotment that is 4 ha or greater in area, it shall be demonstrated that the proposed subdivision does not preclude the provision of these elements under future subdivisions of that allotment.

**I444.6.2.2. Vacant Sites Subdivision in Residential Zones**

- (1) Where subdivision is of a parent site less than 1 ha, each vacant site must comply with the minimum net site area of 300 m<sup>2</sup>.
- (2) Where subdivision is of a parent site 1 ha or greater in area:
  - (a) Each vacant site within residential zones must comply with the minimum net site area in Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.

**Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater**

Zone	Minimum Net Site Area	Minimum Average Net Site Area	Maximum Average Net Site Area
Residential – Mixed Housing Suburban Zone	240m <sup>2</sup>	300m <sup>2</sup>	480m <sup>2</sup>
Residential – Mixed Housing Urban Zone	240m <sup>2</sup>	300m <sup>2</sup>	360m <sup>2</sup>

- (b) The minimum average net site area calculated over the total of all sites created must comply with Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.

When calculating the minimum average net site area for the purpose of this standard, any proposed site with a net site area greater than the maximum average net site area specified for the applicable zone in Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater must be included in the averaging calculation at the figure specified as the maximum average net site area for the applicable zone.

- (3) Where 30 or more vacant sites are proposed, the total number of rear sites must not exceed five per cent of the total number of proposed sites.

#### **I444.6.2.3. Riparian Margins**

- (1) Where a permanent or intermittent stream is shown on Figure I444.10.1. Hingaia 1 - Precinct Plan within or adjoining a road or an allotment less than 4 ha in area, riparian margins shall be established either side of the banks of the stream (or on one side where the opposite side adjoins an allotment 4 ha or more in area) to a minimum width of 10m measured from the bank of the stream, where the location of the bank can be physically identified by ground survey, or from the centreline of the stream where the bank cannot be physically identified by ground survey. Those margins shall be planted in native vegetation and shall be offered to Council for vesting as local purpose (drainage) reserves where not required by Standard E38.7.3.2 Subdivision establishing an esplanade reserve to be vested as local purpose (esplanade) reserve.

#### **I444.7. Assessment – controlled activities**

There are no controlled activities in this precinct

#### **I444.8. Assessment – Restricted Discretionary Activities**

##### **I444.8.1. Matters of discretion**

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

- (1) for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone:
- (a) the matters listed in H4.8.1(2)(a) and H4.8.1(2)(c); and
  - (b) all of the following standards:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard H4.6.11 Outlook space;
    - (v) Standard H4.6.12 Daylight;
    - (vi) Standard H4.6.13 Outdoor living space;
    - (vii) Standard H4.6.14 Front, side and rear fences and walls; and
    - (viii) Standard H4.6.15 Minimum dwelling size.

- (2) for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone:
- (a) the matters listed in H5.8.1(2)(a) and H5.8.1(2)(c); and
  - (b) all of the following standards:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard H5.6.12 Outlook space;
    - (v) Standard H5.6.13 Daylight;
    - (vi) Standard H5.6.14 Outdoor living space;
    - (vii) Standard H5.6.15 Front, side and rear fences and walls; and
    - (viii) Standard H5.6.16 Minimum dwelling size.
- (3) for Integrated Residential Development in the Residential – Mixed Housing Suburban zone:
- (a) the matters listed in H4.8.1(3)(a) and H4.8.1(3)(c); and
  - (b) all of the following standards:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard I444.6.1.4 Fences and walls adjoining reserves;
    - (v) Standard H4.6.11 Outlook space;
    - (vi) Standard H4.6.12 Daylight;
    - (vii) Standard H4.6.13 Outdoor living space;
    - (viii) Standard H4.6.14 Front, side and rear fences and walls; and
    - (ix) Standard H4.6.15 Minimum dwelling size.
- (4) for Integrated Residential Development in the Residential – Mixed Housing Urban zone:
- (a) The matters listed in H5.8.1(3)(a) and H5.8.1(3)(c); and
  - (b) all of the following standards:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;

- (ii) Standard I444.6.1.2 Building coverage for higher density development;
  - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
  - (iv) Standard I444.6.1.4 Fences and walls adjoining reserves;
  - (v) Standard H5.6.12 Outlook space;
  - (vi) Standard H5.6.13 Daylight;
  - (vii) Standard H5.6.14 Outdoor living space;
  - (viii) Standard H5.6.15 Front, side and rear fences and walls; and
  - (ix) Standard H5.6.16 Minimum dwelling size.
- (5) for development that does not comply with Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2 Building coverage for higher density development; Standard I444.6.1.3 Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone:
- (a) any precinct or zone policy which is relevant to the standard;
  - (b) the purpose of the standard;
  - (c) the effects of the infringement of the standard;
  - (d) in the Residential – Mixed Housing Suburban zone, the effects on the suburban built character of the zone;
  - (e) in the Residential – Mixed Housing Urban zone, the effects on the urban built character of the zone;
  - (f) the effects on the amenity of neighbouring sites;
  - (g) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (h) the characteristics of the development;
  - (i) any other matters specifically listed for the standard; and
  - (j) where more than one standard will be infringed (including standards in the underlying zone), the effects of all infringements.
- (6) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary:
- (a) the matters listed in H5.8.1(5).
- (7) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone that does not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone where Standard H5.6.6 Alternative height in relation to boundary is either not applicable or infringed:

- (a) any precinct or zone policy which is relevant to the standard;
  - (b) the purpose of the standard;
  - (c) the effects of the infringement of the standard;
  - (d) the effects on the urban built character of the zone;
  - (e) the effects on the amenity of neighbouring sites;
  - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (g) the characteristics of the development;
  - (h) any other matters specifically listed for the standard; and
  - (i) where other standards will be infringed (including standards in the underlying zone), the effects of all infringements.
- (8) for construction or use of a vehicle crossing that does not comply with Standard I444.6.1.7. Vehicle access restrictions – Cycle facilities:
- (a) the matters listed in E27.8.1(12).
- (9) for subdivision listed as a restricted discretionary activity in Activity Table I444.4.2:
- (a) the relevant matters listed in section E38.12.1, except that the matters listed in the following sections should not apply to proposed allotments 4 ha or greater in area:
    - (i) E38.12.1(1) subdivision of a site within the one per cent annual exceedance probability floodplain;
    - (ii) E38.12.1(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;
    - (iii) E38.12.1(3) subdivision of a site in the coastal erosion hazard area;
    - (iv) E38.12.1(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment;
    - (v) E38.12.1(7) all other restricted discretionary activity subdivisions; and
    - (vi) E38.12.1(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.
  - (b) the subdivision’s consistency with Figure I444.10.1. Hingaia 1 - Precinct Plan;
  - (c) consistency with Standard I444.6.1.7 Vehicle access restrictions – Cycle facilities for any proposed or future vehicle crossings required to access proposed or existing allotments;
  - (d) any applicable on-site stormwater management requirements for lots less than 4 ha in area;

- (e) the management of effects of stormwater from any proposed roads; and
- (f) enabling viewshafts out to the coast.

#### **I444.8.2. Assessment Criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities from the list below.

- (1) for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone:
  - (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard H4.6.11 Outlook space;
    - (v) Standard H4.6.12 Daylight;
    - (vi) Standard H4.6.13 Outdoor living space;
    - (vii) Standard H4.6.14 Front, side and rear fences and walls; and
    - (viii) Standard H4.6.15 Minimum dwelling size.
  - (b) the criteria listed in H4.8.2(2)(b) to H4.8.2(2)(i).
- (2) for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone:
  - (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2. Building coverage for higher density development;
    - (iii) Standard I444.6.1.3. Landscaped area for higher density development;
    - (iv) Standard H5.6.12. Outlook space;
    - (v) Standard H5.6.13. Daylight;

- (vi) Standard H5.6.14. Outdoor living space;
  - (vii) Standard H5.6.15. Front, side and rear fences and walls; and
  - (viii) Standard H5.6.16. Minimum dwelling size.
- (b) the criteria listed in H5.8.2(2)(b) to H5.8.2(2)(h).
- (3) for integrated residential development in the Residential – Mixed Housing Suburban zone:
- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard I444.6.1.4 Fences and walls adjoining reserves
    - (v) Standard H4.6.11 Outlook space;
    - (vi) Standard H4.6.12 Daylight;
    - (vii) Standard H4.6.13 Outdoor living space;
    - (viii) Standard H4.6.14 Front, side and rear fences and walls; and
    - (ix) Standard H4.6.15 Minimum dwelling size.
  - (b) the criteria listed in H4.8.2(3)(b) to H4.8.2(3)(k).
- (4) for integrated residential development in the Residential – Mixed Housing Urban zone:
- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2. Building coverage for higher density development;
    - (iii) Standard I444.6.1.3. Landscaped area for higher density development;
    - (iv) Standard I444.6.1.4 Fences and walls adjoining reserves
    - (v) Standard H5.6.12. Outlook space;
    - (vi) Standard H5.6.13. Daylight;
    - (vii) Standard H5.6.14. Outdoor living space;
    - (viii) Standard H5.6.15. Front, side and rear fences and walls; and
    - (ix) Standard H5.6.16. Minimum dwelling size.



- (b) the criteria listed in H5.8.2(3)(b) to H3.8.2(3)(k).
- (5) for development that does not comply with Standard I444.6.1.1 Maximum impervious areas for higher density development:
  - (a) refer Policies I444.3(3) and I444.3(4).
  - (b) in the Residential – Mixed Housing Suburban zone, the criteria listed in H4.8.2(9).
  - (c) in the Residential – Mixed Housing Urban zone, the criteria listed in H5.8.2(10).
- (6) for buildings that do not comply with Standard I444.6.1.2 Building coverage for higher density development:
  - (a) refer Policies I444.3(3) and I444.3(4).
  - (b) in the Residential – Mixed Housing Suburban zone, the criteria listed in H4.8.2(10).
  - (c) in the Residential – Mixed Housing Urban zone, the criteria listed in H5.8.2(11).
- (7) for development that does not comply with Standard I444.6.1.3 Landscaped area for higher density development:
  - (a) refer Policies I444.3(3) and I444.3(4).
  - (b) in the Residential – Mixed Housing Suburban zone, the criteria listed in H4.8.2(11).
  - (c) in the Residential – Mixed Housing Urban zone, the criteria listed in H5.8.2(12).
- (8) for development that does not comply with Standard I444.6.1.4 Fences and walls adjoining reserves:
  - (a) refer Policies I444.3(5) and I444.3(12).
- (9) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary:
  - (a) the criteria listed in H5.8.2(5).
- (10) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone that does not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone where Standard H5.6.6 Alternative height in relation to boundary is either not applicable or infringed:
  - (a) refer Policies I444.3(3) and I444.3(4).
  - (b) the criteria listed in H5.8.2(6) and H5.8.2(7).
- (11) for development that does not comply with Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone:
  - (a) refer Policy H5.8.2(8).
- (12) for construction or use of a vehicle crossing that does not comply with Standard I444.6.1.7. Vehicle access restrictions – Cycle facilities:

(a) the criteria listed in E27.8.2(11).

(13) for subdivision listed as a restricted discretionary activity in Activity Table I444.4.2:

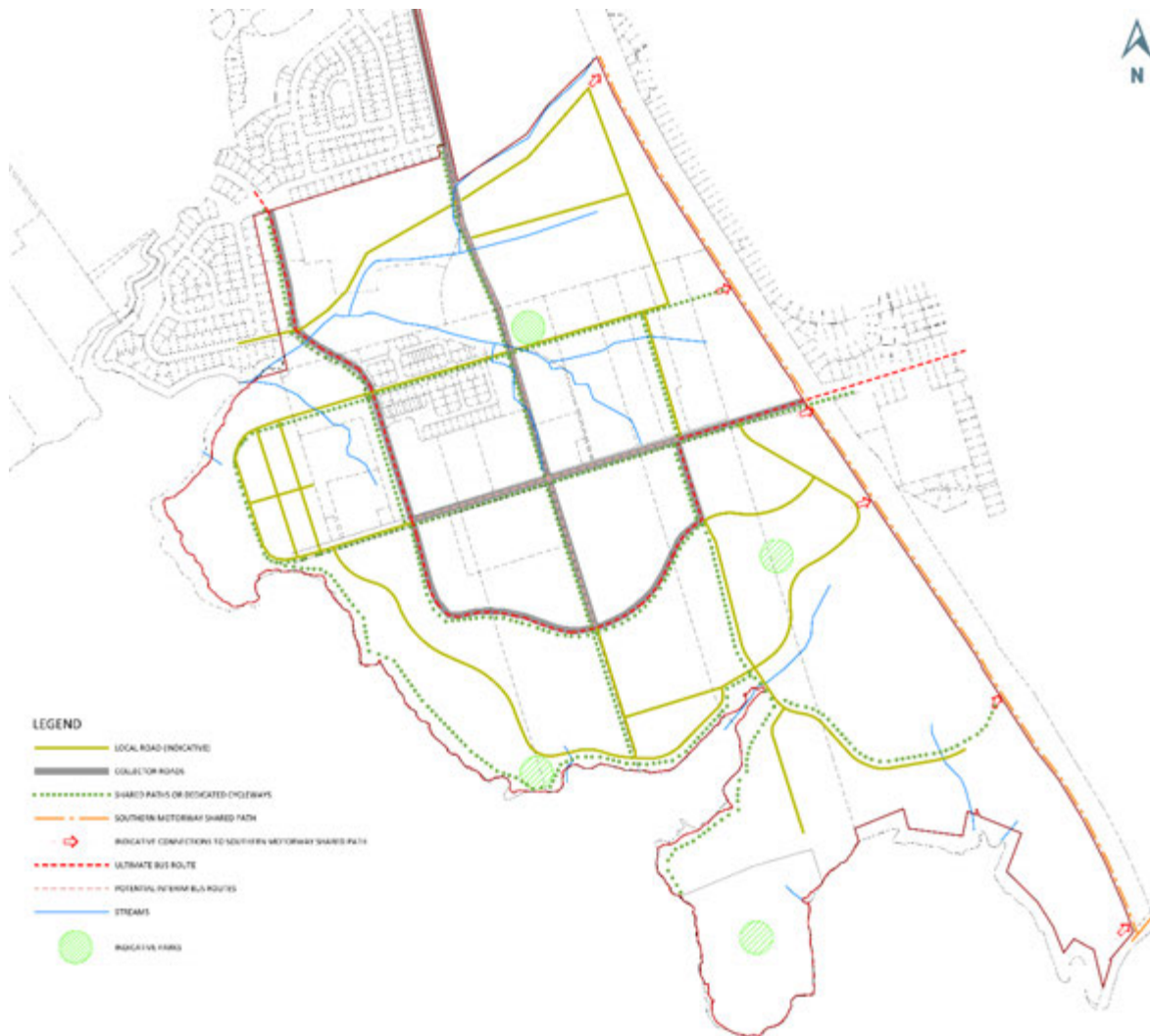
- (a) the relevant criteria listed in section E38.12.2, except that the criteria listed in the following sections should not apply to proposed allotments 4 ha or greater in area:
- (i) E38.12.2(1) subdivision of a site within the one per cent annual exceedance probability floodplain;
  - (ii) E38.12.2(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;
  - (iii) E38.12.2(3) subdivision of a site in the coastal erosion hazard area;
  - (iv) E38.12.2(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment;
  - (v) E38.12.2(7) all other restricted discretionary activity subdivisions; and
  - (vi) E38.12.2(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.
- (b) whether the structural elements shown in Figure I444.10.1. Hingaia 1 - Precinct Plan (including roads and stream corridors) are incorporated into the subdivision design (other than where proposed sites are 4 ha or greater in area);
- (c) whether the proposed staging of development promotes efficient development of the structural elements shown in Figure I444.10.1. Hingaia 1 - Precinct Plan.
- (d) whether the subdivision is consistent with the Hingaia 1 precinct objectives and policies.
- (e) whether lots adjoining an existing or proposed shared path or dedicated cycle way, including where shown on Figure I444.10.1. Hingaia 1 - Precinct Plan, are provided with access from an alternative road so that infringement of Standard I444.6.1.7 Vehicle access restrictions – Cycle facilities (including future infringements by land use activities on the proposed allotments) can be avoided or minimised..
- (f) whether on-going compliance with the on-site stormwater management requirements contained in any relevant Stormwater Management Plan will be achieved.
- (g) whether the management of stormwater runoff from any proposed road is consistent with the requirements of any relevant Stormwater Management Plan.
- (h) the extent to which viewshafts from roads and open spaces out to the coast are provided for.

#### **I444.9. Special Information Requirements**

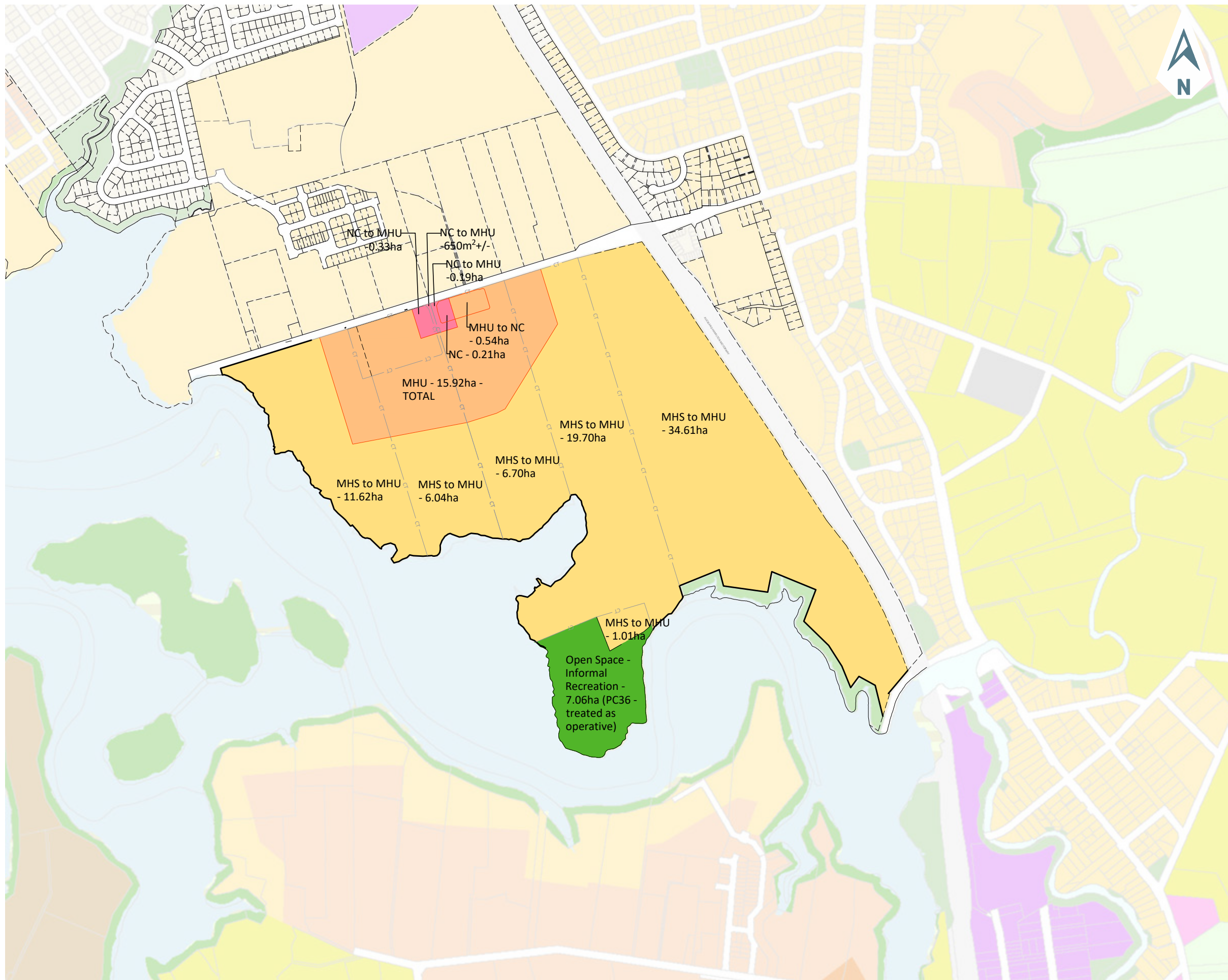
There are no special information requirements in this section.

## I444.10. Precinct Plan

Figure I444.10.1. Hingaia 1 - Precinct Plan







LOT AREA & ZONING		
-	Existing	Proposed
Mixed Housing Suburban (MHS)	79.7ha	0
Mixed Housing Urban (MHU)	16.45ha	96.2ha
Neighbourhood Centre (NC)	0.8ha	0.75ha

REV	PLAN CHANGE	BY	DATE
1	PLAN CHANGE	JZ	03.11.2020
	REVISION DETAILS		

DRAWN:	DATE:	JZ	07.2020
CHECKED:	DATE:	AG	15.07.20
APPROVED:	DATE:	AG	15.07.20

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PROJECT TITLE:  
**HUGH GREEN LTD  
HINGAIA 1 PRECINCT  
PLAN CHANGE**

SHEET TITLE:  
**AUCKLAND UNITARY PLAN ZONING  
EXISTING**

ISSUE STATUS: **FOR INFORMATION**

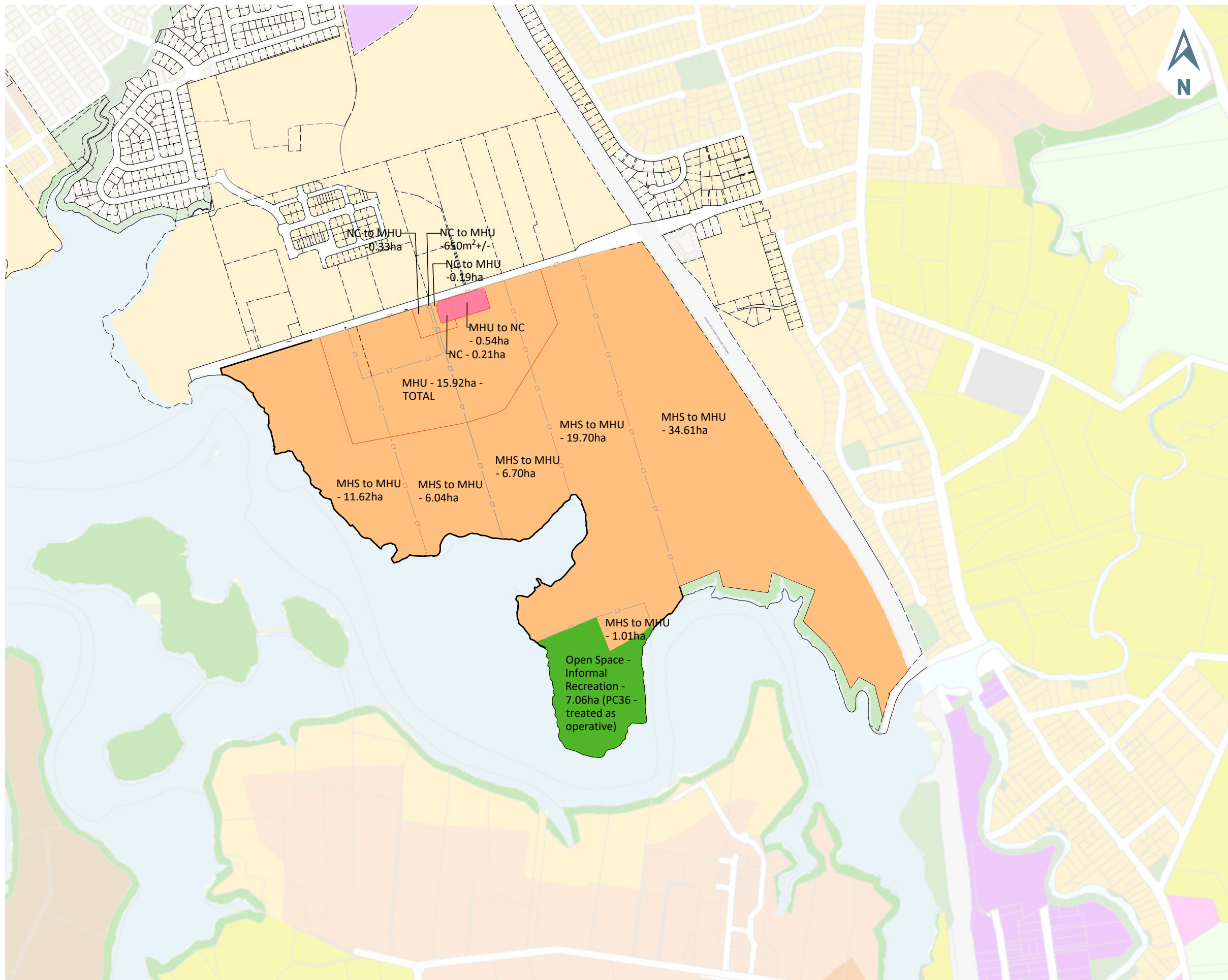
SCALE: (A1/A3) 1:5000 / 1:10000

SCALE BAR 0 30 60 90 120 500m

DRAWING NUMBER: **2197-00-SK011** REV: **1**

Rev: (NO REV=DRAFT) (D=DESIGN) (C=CONSENT) (B=BUILT) (AS-BUILT / FINAL ISSUE)





LOT AREA & ZONING		
-	Existing	Proposed
Mixed Housing Suburban (MHS)	79.7ha	0
Mixed Housing Urban (MHU)	16.45ha	96.2ha
Neighbourhood Centre (NC)	0.8ha	0.75ha

REV	PLAN CHANGE	BY	DATE
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PROJECT TITLE:  
**HUGH GREEN LTD  
HINGAIA 1 PRECINCT  
PLAN CHANGE**

SHEET TITLE:  
**AUCKLAND UNITARY PLAN ZONING  
PROPOSED**

ISSUE STATUS: **FOR INFORMATION**

SCALE: (A1/A3) 1:5000 / 1:10000

SCALE BAR 0 30 60 90 120 500m

DRAWING NUMBER: **2197-00-SK012** REV: **1**

Rev: (NO REV.=DRAFT) (D=DESIGN) (C=CONSENT) (B=BUILD) (AS-BUILT / FINAL ISSUE)

## APPENDIX 2

### SECTION 32 REPORT AND FURTHER INFORMATION

*This appendix has not been re-produced in this agenda due to its size. The documents can be viewed at the following link:*

<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=115>





## **APPENDIX 3**

### **COUNCIL DECISION TO ACCEPT PC67**



# Private plan change from Hugh Green Limited at Hingaia 1 Precinct, Hingaia

Clause 25, Schedule 1, Resource Management Act 1991



## Te take mō te pūrongo

### Purpose of the report

1. To decide how to process the private plan change request to the Auckland Unitary Plan from Hugh Green Limited (**the applicant**) for the Hingaia 1 Precinct, Hingaia.

## Whakarāpopototanga matua

### Executive summary

2. Auckland Council must decide how a private plan change request is processed. Under the Resource Management Act 1991<sup>1</sup> the council may either:
  - a) adopt the request as if it were a proposed plan change made by the council, or
  - b) accept the private plan change request in whole or in part, or
  - c) reject the private plan change request in whole or in part, if one of the limited grounds for rejection is satisfied, or
  - d) deal with the request as if it were an application for a resource consent, or
  - e) a combination of options a) to c).
3. I recommend that the private plan change request is accepted under clause 25(2)(b) Schedule 1 of the Resource Management Act 1991.
4. Hugh Green Limited seeks to rezone land and make changes to the Hingaia 1 Precinct provisions at Park Estate Road, Hingaia. The rezoning relates to changing the zone of land from Residential Mixed Housing Suburban (MHS) zone to Residential Mixed Housing Urban (MHU) zone and a relocation of Business Neighbourhood Centre zone within the precinct in the Auckland Unitary Plan (Operative in Part) 2016.
5. The private plan change relates to district plan provisions of the Auckland Unitary Plan. A copy of the private plan change is included as Attachment A.
6. Hugh Green Limited considers that the proposed private plan change is the most appropriate method to provide for increases in residential building intensity on sites south of Park Estate Road (in recognition of the substantial area of undevelopable wetlands that are being retained), while amending the Hingaia 1 Precinct text to match the current formatting of the Auckland Unitary Plan and reduce inconsistencies with the Auckland-wide and underlying zone provisions.

## Ngā tūtohunga

### Recommendation/s

7. That the Manager Planning – Central South Unit, having had particular regard to the applicant's section 32 evaluation report, accepts the private plan change request by Hugh Green Limited, included as Attachment A, pursuant to clause 25(2)(b) Schedule 1 Resource Management Act 1991, for the following reasons:

<sup>1</sup> Clause 25, Schedule 1, Resource Management Act 1991.

- a. The applicant's section 32 evaluation report considers different options and concludes that the proposed rezoning of land and the changes to the Hingaia 1 Precinct are the most appropriate to achieve the purpose of the Resource Management Act 1991.
- b. Accepting the private plan change request enables the matters raised by the applicant to be considered on their merits, during a public participatory planning process.
- c. It is inappropriate to adopt the private plan change. The private plan change proposal is not a matter under consideration in council's policy work programme. The private plan change does not address a gap in the Auckland Unitary Plan (Operative in Part) 2016, introduce a new policy direction, nor does the private plan change have broad application by seeking to change provisions that apply across the region. The proposed changes are specific to the site/precinct and their appropriateness requires a full and detailed assessment through the notification and submission process.
- d. The grounds to reject a private plan change request under clause 25(4) are limited and no ground is met by this private plan change.
  - i. The request is not frivolous. The applicant provided supporting technical information and the private plan change has a resource management purpose in that relates to changes to existing provisions. The request is not vexatious. The applicant is not acting in bad faith by lodging a private plan change request. The applicant is not requiring council to consider matters in this process that have already been decided or the subject of extensive community engagement or investment.
  - ii. The substance of the request has not been considered within the last two years.
  - iii. The coarse-grain assessment of the request does not indicate that the private plan change is not in accordance with sound resource management practice. Whether the private plan changes request's objectives are the most appropriate way of achieving the promotion of sustainable management will be tested through the submission and hearing processes.
  - iv. The provisions of the Auckland Unitary Plan (Operative in Part) 2016 subject to the private plan change request have been operative for at least two years.
- e. It is not appropriate to deal with the private plan change as if it was a resource consent application because the scope of the proposal and the area of land affected are beyond the scope of a resource consent. A resource consent would require considerably more detail that is not appropriate to require at this stage in the development of the affected land.
- f. The applicant requested that council accept the private plan change request.

## Horopaki

### Context

#### Site and surrounding area

8. The plan change request relates to all properties that are subject to the Hingaia 1 Precinct. This land is located immediately to the west of the southern motorway. It is generally located to the south of the existing Karaka Lakes area and the New Zealand Bloodstock centre at Karaka. The southern and western boundaries of the land are defined by the tidal parts of the Drury Creek. The land is largely a vacant greenfield area with various pockets of newly developed residential land and land under development for urban purposes.
9. The land is accessed via Park Estate Road which includes a bridge over the motorway giving access directly to Great South Road. Some of the newly developed land is also accessed by new roading to the Karaka Lakes area in the north. The land to the south on the other side of the Drury Creek is also undergoing development for urban uses.

10. Figure 1 below is an aerial photograph that illustrates the area of land subject to the requested plan change outlined in red.



**Figure 1: Aerial photograph of the plan change area and Hingiaia Precinct 1**

11. With the exception of an 8000m<sup>2</sup> area of Business – Neighbourhood Centre zone half way along Park Estate Road, all of the precinct is subject to an urban residential zone, the majority of which is Residential – Mixed Housing Suburban zone (**MHS**) with a smaller area of Residential – Mixed Housing Urban zone (**MHU**) located around the neighbourhood centre land. Land to the north of Park Estate Road contains two churches, some new residential



development and lifestyle blocks. The land to the south of Park Estate Road is in the ownership of the applicant except for a Council owned reserve (158A Park Estate Road) and land being developed as a school. The land contains a variety of streams and wetlands which generally drain to the Drury Creek. A Watercare wastewater pump station is located at 158 Park Estate Road.

12. Figure 2 below sets out the current zoning of the land.

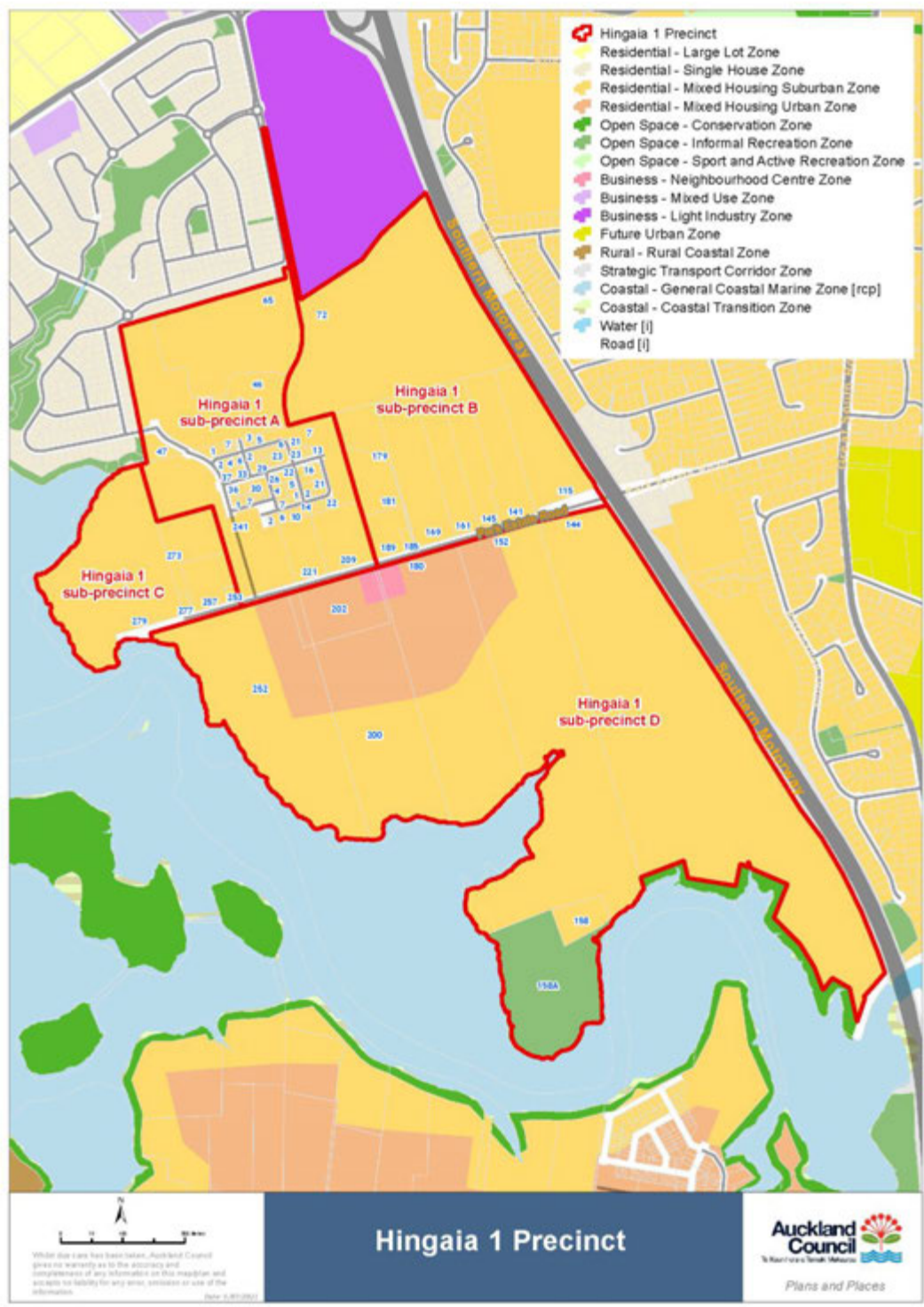


Figure 2: Current Auckland Unitary Plan zoning

## Private plan change content

13. The applicant has requested a number of changes to the precinct provisions, the zone provisions and the zone pattern. These can be described as follows;

### *Residential Zoning and Activities.*

- a. Rezoning those parts of the properties at 144, 152, 158, 180 and 252 Park Estate Road currently zoned MHS to MHU.
- b. Changing the Hingaia 1 Precinct provisions that promote higher densities by enabling increased development opportunities, including removal of the precinct-specific definition of 'integrated residential development'.
- c. Inserting Hingaia 1 Precinct provisions that would enable limited use of the MHU alternative height in relation to boundary standard as a permitted activity within the applicant's land holding.
- d. Removal of the precinct development control for fencing (with the zone standard still being applicable).

### *Commercial Zoning and Activities*

- e. Rezoning parts of the properties at 180, 200 and 202 Park Estate Road in order to relocate the Neighbourhood Centre zone to be wholly within 180 Park Estate Road (with the remainder of the sites being zoned MHU).
- f. Removing precinct provisions that limit the area of the Neighbourhood Centre Zone and limit the gross floor area of commercial uses within this zone.
- g. Inserting precinct provisions that provide for show homes within the applicant's land holding as a permitted activity.

### *Coastal and Reserve Interface Provisions*

- h. Removing the precinct provisions that require larger site sizes to be provided along the coast.
- i. Removing the precinct development control for landscaping for coastal retaining walls and instead inserting precinct provisions that restricts buildings, fences and retaining walls within a site's interface with the coast and reserves.
- j. Providing within the precinct provisions an exemption to height in relation to boundary controls for boundaries with reserves or sites subject to protective covenants for streams and wetlands.

### *Other Provisions*

- k. Removal of rules for limited notification to NZTA, Transpower and Counties Power in certain circumstances.
- l. Inserting precinct provisions that provide for structures not defined as buildings.
- m. Inserting precinct provisions that do not require compliance with the precinct provisions for proposed balance allotments.

### *Consistency with the Auckland Unitary Plan (Operative in Part) (AUP:OP)*

- n. Replacing all references to the AUP (notified version) in the precinct provisions with references to the equivalent provisions in the AUP:OP.
- o. Reformatting and reorganising the precinct provisions to be consistent with the layout applied in AUP:OP including the consolidation of activity tables.
- p. Ensuring that all precinct objectives specify the outcome sought and all precinct policies specify the approach to be taken (and relevant weighting) to achieve precinct objectives.

- q. Removal of precinct provisions that duplicate AUP:OP overlay provisions or designation responsibilities.
- r. Removal of precinct provisions that require affordable dwellings to be provided for a specifically identified.
- s. Removal of the precinct development controls for dwellings fronting the street, maximum building length and garages, as these were equivalent to or less strict than zone development controls in the PAUP NV and decisions on the PAUP were to delete the zone controls.
- t. Replacing subdivision provisions restricting vehicle access over cycle facilities with land use provisions consistent with those in section E27 of the AUP:OP.
- u. Removing the precinct subdivision control for roading standards and instead relying on the AUP:OP subdivision standards.
- v. Removing elements from the precinct plan that are not references in the precinct provisions.

*Consistency with Hugh Green Limited's Resource Consent Master Planning Exercise*

- w. Replacing the precinct stormwater management provisions with an alternative requirement for stormwater management to be consistent with an approved discharge consent.
- x. Amending the precinct plan to relocate indicative parks to positions most recently agreed with Council.
- y. Amending the precinct plan to relocate the bus route to the position most recently agreed to with Auckland Transport.
- z. Amending the precinct plan to relocate the collector roads to the positions granted by resource consent BUN60343386.
- aa. Amending the precinct plan to relocate the indicative local roads to align with the key road location shown on Hugh Green Limited's master plan.
- bb. Amending the precinct plan to ensure that the positions of streams and wetlands do not contradict the ecological features confirmed at High Green Limited's sites during the processing of resource consents BUN60325204 and BUN60339982.

14. Figures 3 and 4 below set out the requested Precinct Map and the requested zone changes





Figure 3: Requested Precinct Plan

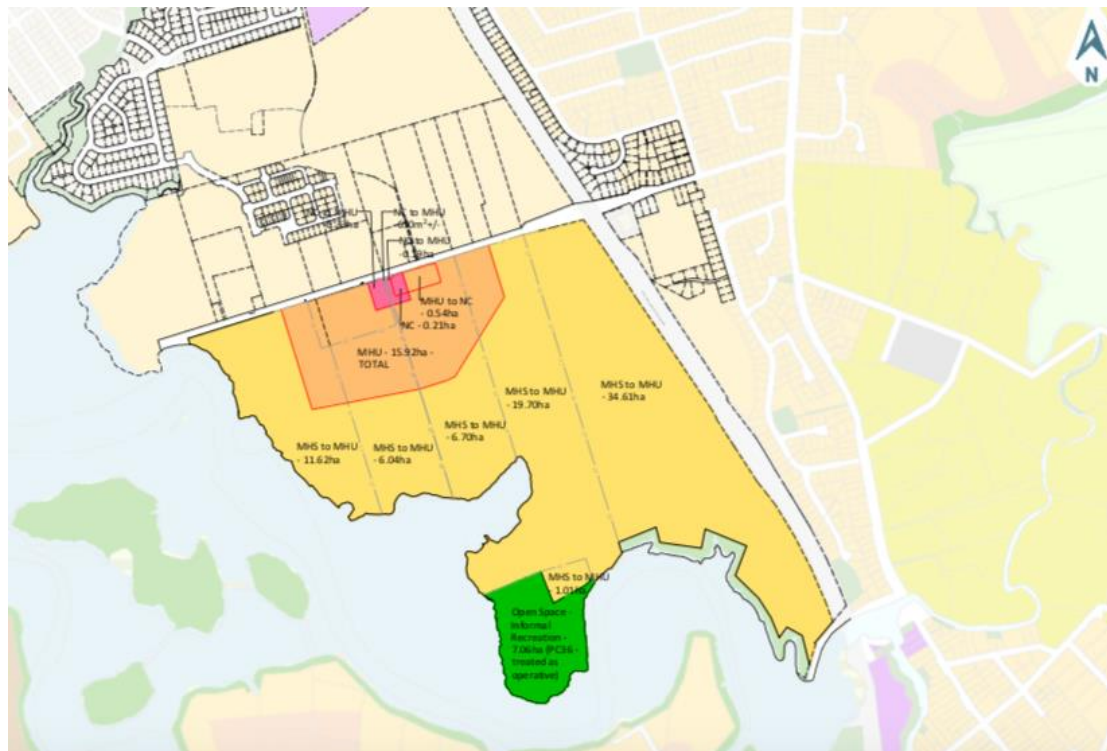


Figure 4: Requested Zone Changes

15. The reasons given by the applicant for the plan change request include the following;
- (a) There have been a number of resource consents granted.
  - (b) There are some difficulties with the Hingaia 1 Precinct provisions partly due to the fact that the provisions reference the PAPU NV rather than the AUP:OP.
  - (c) A number of deviations from the Hingaia 1 Precinct provisions have been agreed by council. These relate to how stormwater should be managed, the roading layout, bus routes, road cross-sections and the location of parks.
  - (d) The designation of part of the land for a school by the Minister of Education;
  - (e) The developable area has been reduced through park acquisition, the school designation, the road widening of SH1, and wetland restoration.
16. The plan change request makes a number of changes to the Hingaia Precinct 1 objectives. The overall purpose of the request is listed as being;
- Providing for increases in residential building intensity on sites south of Park Estate Road (in recognition of the substantial area of undevelopable wetlands that are being retained), while amending the Hingaia 1 Precinct text to match the current formatting of the Auckland Unitary Plan and reduce inconsistencies with the Auckland-wide and underlying zone provisions.*
17. The applicant provided the following information to support the plan change request:
- private plan change request, including drafted changes to the Auckland Unitary Plan
  - section 32 evaluation report
  - specialist reports:
    - Engineering report
    - Geotechnical report
    - Contamination report
    - Archaeological report
    - Ecological report
    - Coastal erosion assessment report
    - Stormwater management plan
    - Urban design report
    - Economic reports
    - Transportation assessment report
    - Transport modelling report
    - Cultural values assessment
    - Consultation correspondence.

### **Timeframes**

18. Hugh Green Limited lodged the private plan change request on 13 November 2020.
19. Further information was provided on 31 March 2021 and on 25 May 2021.
20. Council is required to decide how the private plan change request is processed within 30 working days of the latest date specified above. That period ends on 7 July 2021.

## Decision-maker

21. Council delegated<sup>2</sup> to Plans and Places' tier four managers the authority to make decisions how to process private plan change requests. A Unit Manager can decide under clause 25, Schedule 1, RMA, how council will process this private plan change request.

## Tātaritanga me ngā tohutohu Analysis and advice

### Statutory context: Resource Management Act 1991

22. Any person may request a change to a district plan, a regional plan or a regional coastal plan.<sup>3</sup> The procedure for private plan change requests is set out in Part 2 of Schedule 1, RMA. The process council follows as a plan-maker is adapted,<sup>4</sup> and procedural steps added<sup>5</sup> including the opportunity to request information.
23. Council must decide under clause 25 which is the most appropriate processing option for each private plan change request. In making this decision council must have particular regard to the applicant's section 32 evaluation report when deciding. The clause 25 decision is the subject of this report and clause 25 is set out in full in Attachment B.
24. I consider that the applicant has provided sufficient information for the request to be considered. I consider that the insufficient information grounds for rejection in clause 23(6) are not available in this instance.
25. The plan change request has not been modified.
26. I evaluate the options available under clause 25 in the next sections of this report. I have had particular regard to the applicant's section 32 evaluation report in undertaking the assessment of clause 25 options.

### Options available to the council

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

27. Council can decide to adopt the request, or part of the request. Council would then process it as though it were a council-initiated plan change.
28. If the plan change
  - a) includes a rule that protects or relates to any natural or historical resource specified in section 86B RMA, or
  - b) provides for or relates to aquaculture activitiesit may be appropriate for the plan change to have legal effect from notification. If there is a proposed rule of this kind, immediate legal effect could be desirable to prevent a "goldrush" of resource (over)use that could occur until the plan change is made operative.
29. Only a council initiated, or an adopted private plan change, could have immediate legal effect.
30. The plan change does not include any proposed rule that would protect, or relate to, any natural or historical resource specified in section 86B. The private plan change is unrelated to aquaculture activities. It is unnecessary to adopt the private plan change request to enable a rule to have immediate legal effect.

<sup>2</sup> Auckland Council Combined Chief Executive's Delegation Register (updated June 2019). All powers, functions and duties under Schedule 1 of the Resource Management Act 1991, except for the power to approve a proposed policy statement or plan under clause 17 of Schedule 1, are delegated to the relevant Tier 4 Manager

<sup>3</sup> Clause 21, Schedule 1, Resource Management Act 1991.

<sup>4</sup> Part 1 Schedule 1 applies, as modified by clause 29 Part 2 Schedule 1, Resource Management Act 1991.

<sup>5</sup> Part 2 Schedule 1 Resource Management Act 1991.

31. The request does not address a gap in the Auckland Unitary Plan's planning provisions. While it does address an issue with the relationship between the provisions within those precincts that reference the PAUP, this is a matter best dealt with by the Council on an Auckland wide basis. The requested plan change only relates to the Hingaia 1 Precinct and it is not appropriate to adopt it for this reason.
32. The private plan change proposal is not a matter under consideration in council's policy work programme. The private plan change does not address a gap in the Auckland Unitary Plan, introduce a new policy direction, nor does the private plan change have broad application by seeking to change provisions that apply across the region. In many respects the request plan change is a bit too focused in that it only addresses the zoning in part of the precinct. There is no case in my view for the Council to adopt the requested plan change.
32. Council meets all costs of processing the plan change if the request is adopted. Council should not carry these costs if the request is primarily of direct benefit to the applicant, rather than the wider public, or have other public policy benefits. The request is a site-specific proposal relating almost exclusively to land within the ownership of the applicant in respect of the zoning changes and the major benefactor of the changes to the precinct provisions is likely to be the applicant because of this.
33. The applicant did not request that council adopt the private plan change request.
34. I recommend the private plan change request not be adopted.

**Option 2 – Reject the request, in whole or in part**

35. Council has the power to reject a private plan change request, in whole or in part, in reliance on one of the limited grounds set out in clause 25(4).
36. The grounds for rejection under clause 25(4) are as follows:
  - a) the request or part of the request is frivolous or vexatious; or
  - b) within the last two years, the substance of the request or part of the request;
    - i. has been considered, and given effect to, or rejected by, the local authority or the Environment Court; or
    - ii. has been given effect to by regulations made under section 360A; or
  - c) the request or part of the request is not in accordance with sound resource management practice; or
  - d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or
  - e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than two years.

Is the request frivolous or vexatious?

37. The objective of the plan change is to change zoning to enable site development for more intensive residential activity and to reformat the precinct provisions to be more consistent with the AUP:OP. The request includes a section 32 evaluation report which is supported by specialist assessments on relevant matters, including , engineering, transport, infrastructure and urban design and others. I consider the request is not frivolous as the private plan change:
  - a) was considered thoroughly in the application materials
  - b) is supported by expert independent opinion, and a section 32 analysis, and
  - c) cannot be said to have no reasonable chance of succeeding.

38. The applicant is not acting in bad faith by lodging a private plan change request. The applicant is not requiring council to consider matters in this process that have already been decided or the subject of extensive community engagement or investment. Accordingly I do not consider the private plan change request to be vexatious.

39. I recommend the private plan change request not be rejected on this ground.

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

40. The provisions the subject of the requested plan change have been in place since the AUP became partly operative in 2015. It is now more than two years since that occurred. I am not aware of any other request to deal with the matters the subject of this request since the AUP was made partly operative.

41. I recommend the private plan change request not be rejected on this ground.

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

42. Section 360A relates to regulations amending regional coastal plans pertaining to aquaculture activities. The site is not within the coastal marine area, or involve aquaculture activities, and therefore section 360A regulations are not relevant.

43. I recommend the private plan change request not be rejected on this ground.

Is the request in accordance with sound resource management?

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

45. In the recent Environment Court decision **Orakei Point Trustee v Auckland Council** [2019] NZEnvC 117, the Court stated:

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

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

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

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

47. The RMA's purpose is set out at section 5 and the principles are set out at sections 6 to 8. Regarding these RMA Part 2 matters, the private plan change proposes changes more to the details of how residential land within the precinct is developed and not to any fundamental aspect of resource management applying to the site. The site is located within a coastal environment, and while some changes are proposed to the management of development near the coast, I consider that it does not fundamentally offend the preservation of the natural character of the coastal environment or the provision of access to the coastal environment.

48. The applicant supplied technical reports and a section 32 evaluation report in support of the private plan change request. Experts were engaged to evaluate the proposed plan change. There are some potential issues with access, streams and the approach taken in some urban

design and planning matters. These matters are not fundamental in my view and relate mainly to the potential differences in yield between the existing provisions and the proposed provisions, details of some of the changes and the extent to which there should have been zone changes to the north of the Park Estate Road. The applicant considers that there is not scope within the request for potential submitters to change the zoning north of Park Estate Road. However based on the proposed changes to the Precinct provisions, I consider that it is at least arguable that such changes could be within scope.

49 Overall, while I am not entirely comfortable with all the changes requested, I consider that having reviewed the applicant's planning and specialist reports, undertaken a coarse scale merits assessment of the private plan change request, and taken the purpose and principles of RMA into account, the private plan change request is considered to be in accordance with sound resource management practice for the purposes of consideration under Clause 25(4)(c), Schedule 1.

50. I recommend the private plan change request not be rejected on this ground.

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

51. Part 5 of the RMA sets out the role and purpose of planning documents created under the RMA, including that they must assist a local authority to give effect to the sustainable management purpose of the RMA. Regional and district plan provisions must give effect to the regional policy statement and higher order RMA documents, plus not be inconsistent with any (other) regional plan. The relevant sections in Part 5 are determined by the nature of the private plan change: The plan change proposes to amend district plan provisions.

52. The most relevant part of the Auckland Unitary Plan in regard to this test is Chapter B2 – Urban Growth and Form (Regional Policy Statement) of the Auckland Unitary Plan which generally seeks the a quality compact urban form.

53. The applicant has undertaken an assessment of the PPC against the Objectives and Policies of Chapter B2 and has concluded that PPC supports the direction of Chapter B2.

54. The applicant has also undertaken an assessment of the PPC in respect of other chapters within RPS including Chapter B3- Infrastructure, transport and energy, B5 – Historic heritage and special character, B7 Natural resources, B6 Mana Whenua, B8 Coastal environment and B11 Environmental risk. Overall the applicant concludes that the PPC continues to give effect to these matters.

55. The applicant has also assessed the consistency of the PPC on PC36 which relates to the rezoning of 158 Park Estate Road from MHS zone to Open Space- Informal Recreation. This plan change is now operative. The PPC is consistent with this plan change as it recognises the amended zoning.

56. One of the intents of the PPC is to make the Hingaia 1 Precinct provisions more consistent with the AUP:OP both in terms of formatting and in terms of the applicable provisions. While some of the detail of these proposed changes is up for debate, the intention is that the precinct provisions are made more consistent with the AUP:OP.

57. The PPC does not introduce any new or novel planning techniques or seek to introduce any new subject matter that is not relevant to council's regional or territorial functions and the corresponding requirements of RMA plans.

58. My preliminary assessment indicates the private plan change request will not make the Auckland Unitary Plan inconsistent with Part 5 of the RMA. The conclusions in the request documentation would be best evaluated via the submissions and hearing processes so that these matters can be considered in full.

59. I recommend the private plan change request not be rejected on this ground.

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

60. The plan provisions of the AUP relevant to this request were made operative on 15 November 2016. The provisions have therefore been operative for more than two years.
61. I recommend the private plan change request not be rejected on this ground.

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

62. The council may decide to deal with the request as if it were an application for a resource consent and the provisions of Part 6 would then apply accordingly.
63. I consider that the plan change process is the most appropriate process because the scope, both in terms of the physical area covered by the PPC and the matters addressed are beyond what would normally be considered in a resource consent application. In addition a resource consent application would normally address matters in a degree of detail (i.e. individual house design) that is neither possible nor appropriate to deal with at this stage in the development of the area.
64. I recommend the private plan change request not be dealt with as if it were an application for a resource consent.

### **Option 4 - Accept the private plan change request, in whole or in part**

65. Council can decide to accept the request in whole, or in part. If accepted, the plan change cannot have legal effect until it is operative. In my opinion the private plan change may be accepted as there isn't a demonstrable need for any rule to have immediate legal effect; adoption is not required.
66. The private plan change mechanism is an opportunity for an applicant to have their proposal considered between a council's ten-yearly plan review cycle. The subject matter of this private plan change request is not a priority matter in Plans and Places' work programme, and is not presently being considered. The private plan change process is a means by which this matter can be considered before the next plan review.
67. If the private plan change is accepted the matters raised by the applicant can be considered on their merits, during a public participatory planning process.
68. The applicant did not request that council adopt the private plan change request.

### **Conclusion: options assessment**

69. I have assessed the private plan change request against the options available and the relevant matters. These include clause 25 Schedule 1 matters, having particular regard to the applicant's section 32 evaluation, and case law<sup>6</sup> that provides guidance on the statutory criteria for rejection of a private plan change request. I recommend the private plan change request is accepted.

## **Tauākī whakaaweawe āhuarangi**

### **Climate impact statement**

70. Council declared a climate emergency in Auckland, in June 2019. The decision included a commitment for all council decision-makers to consider the climate implications of their decisions. In particular, consideration needs to be given in two key ways:
- a) how the proposed decision will impact on greenhouse gas emissions and the approach to reduce emissions
  - b) what effect climate change could have over the lifetime of a proposed decision and how these effects are being taken into account.
71. The decision whether to adopt, accept, reject or deal with the private plan change request is a decision relative to those procedural options, rather than a substantive decision on the plan change request itself. The clause 25 decision is unrelated to any greenhouse gas emissions.

<sup>6</sup> Malory Corporation Limited v Rodney District Council [2010] NZRMA 392 (HC)



The decision requested is a decision of short duration. Climate impacts can be considered in the future hearing report on the private plan change request, and any submissions received. At that time the potential impacts on Auckland's overall greenhouse gas emissions may be considered (does it encourage car dependency, enhance connections to public transit, walking and cycling or support quality compact urban form), and whether the request elevates or alleviates climate risks (such as flooding and stress on infrastructure).

## **Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera**

### **Council group impacts and views**

72. Views have been sought from Council groups in a preliminary manner. These have included Auckland Transport (**AT**), and Veolia. Additional departmental/ consultant input has been sought in respect of Economics, Urban Design, Ecology and Biodiversity.
73. At this stage additional information has been sought and mostly received in respect of any concerns. The applicant is not prepared to provide any further information. It is understood that AT may have residual concerns regarding road network capacity matters. I consider that those concerns can be dealt with through the notification and submission process and that AT is able to make a submission.

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

### **Local impacts and local board views**

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

## **Tauākī whakaaweawe Māori**

### **Māori impact statement**

#### **Consequence of clause 25 options for future consultation**

76. If council accepts a private plan change request, it is not required to complete pre-notification engagement with iwi authorities. If the council accepts the request and subsequently notifies it, iwi authorities have the opportunity to make submissions. No changes can be made to the private plan change prior to notification.
77. If council adopts a private plan change the same consultation requirements apply as though the plan change was initiated by council: consultation with iwi authorities is mandatory prior to notification.<sup>7</sup> Changes can be made to the plan change prior to notification. Iwi authorities have the opportunity to make submissions after notification.
78. None of the clause 25 options trigger any signed mana whakahono a rohe (iwi participation arrangement).

<sup>7</sup> Clauses 3, 4A Schedule 1, Resource Management Act 1991.



## Substance of private plan change request

79. Many of the resources that can be afforded protection by a rule with immediate legal effect may be of interest to Māori, for example water, air or significant indigenous vegetation. The private plan change request does not include a proposed rule that should have immediate legal effect, utilising section 86B, and should not be adopted as a council plan change.
80. The request relates mainly to limited changes to zoning (i.e. MHS to MHU) and changes, including reformatting, to the Hingaia 1 Precinct provisions. However the PPC does remove the specific provisions for affordable housing in the precinct. Therefore the private plan change may trigger an issue of significance (being Affordable Housing) as identified in the Schedule of Issues of Significance and Māori Plan 2017.<sup>8</sup>

## Record of applicant's consultation

81. An applicant should engage with iwi authorities in preparing a private plan change request, as a matter of best practice. It is also best practice for an applicant to document changes to the private plan change request and/or supporting technical information arising from iwi engagement.
82. Hugh Green Limited advises that it is has engaged with the following iwi authorities with an interest in the area (see below) providing the opportunity for feedback before the request was formally lodged with council.

Iwi authority	Organisation	Detail
Ngāti Tamaoho	C/- Lucille Rutherford	Applicant has met with Ngāti Tamaoho and received feedback regarding stormwater management standards and height of dwellings along the coastal edge.  A response was made to Ngāti Tamaoho and no further feedback has been received.
Ngaati Te Ata	C/- Hugh Flavell	The following feedback has been received.  "There are no 'major' concerns from Ngāti Te Ata regarding the proposed changes to the AUP provisions as a result of this plan change request, however we will want to provide further comment (CVA Addendum) at the notification process which Ngaati Te Ata intends to be a part of.
Te Ākitai Waiohua	C/- Nigel Denny	No response received.
Ngāi Tai ki Tāmaki		No response received

<sup>8</sup> Schedule of Issues of Significance and Māori Plan 2017, Independent Māori Statutory Board

Iwi authority	Organisation	Detail
Ngāti Maru		No response received
Te Ahiwaru - Waihua		No response received
Waikato- Tainui		No response received

## Ngā ritenga ā-pūtea Financial implications

83. If the request is adopted, council would pay all costs associated with processing it. Plans and Places department would be required to cover this unbudgeted expenditure; there would be less funding available to progress the department's work programme.
84. If the request is accepted or, if the request is dealt with as a resource consent application, the applicant would pay all reasonable costs associated with processing it on a user-pays basis.

## Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

85. An applicant may appeal to the Environment Court a decision to:
- adopt the private plan change request in part only under clause 25(2)
  - accept the private plan change request in part only under clause 25(2)
  - reject the private plan change in whole or in part under clause 23(6)
  - deal with the private plan change request as if it were an application for a resource consent.<sup>9</sup>
86. I recommend that all of the private plan change request is accepted. The applicant requested the private plan change be accepted. The risk of a legal challenge by the applicant utilising the clause 27 appeal rights is negligible. No avenue for appeal would be available.
87. No substantial changes can be made to the private plan change request following the clause 25 decision. Council staff have worked with the applicant on the plan change leading up to this clause 25 report. I understand that the applicant was provided with council's writing guidelines for the Auckland Unitary Plan to achieve conformity of plan provisions. After obtaining expert advice from council's project team further information was sought from the applicant to ensure there would be sufficient information to evaluate the private plan change.

## Ngā koringa ā-muri Next steps

88. If accepted, the private plan change must be notified within four months of its acceptance.
89. A separate evaluation and decision will be required regarding extent of notification.
90. I will seek the views and preferences of the Papakura Local Board after submissions close for inclusion in the section 42A hearing report.
91. Council will need to hold a hearing to consider any submissions, and local board views, and a decision would then be made on the private plan change request in accordance with Schedule 1 of the RMA.

<sup>9</sup> Clause 27, Schedule 1 Resource Management Act 1991.

## Clause 25 recommendation


92. This private plan change request requires decision-making pursuant to clause 25 of Part 2 of Schedule 1 of the Resource Management Act 1991, to determine whether it will be adopted, accepted, rejected or dealt with as if it were a resource consent application.
93. I recommend that the private plan change request from Hugh Green Limited to insert what the plan change does at address be **accepted** under Clause 25(2)(b) of Schedule 1 of the Resource Management Act 1991 for the reasons set out in this report.

## Ngā kaihaina Signatories

Author	David Wren Planning Consultant   Signature: Date: 2 July 2021
Reviewer	Craig Cairncross Team Leader: Central South   Signature: Date: 2 July 2021

## Clause 25 authority and decision

94. In accordance with Auckland Council Combined Chief Executives Delegation Register (updated June 2019), all powers, functions and duties under Schedule 1 of the Resource Management Act 1991, except for the power to approve a proposed policy statement or plan under clause 17 of Schedule 1, are **delegated** to Plans and Places Department Tier 4 Managers.
95. I have read the planner's report and recommendations on the private plan change request. I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 and to make a decision under delegated authority.

Decision	I Celia Davison accept the private plan change request by Hugh Green Limited under Clause 25 of Schedule 1 of the Resource Management Act 1991
Authoriser	Celia Davison, Manager Central South   Signature: Date: 2 July 2021

## **Ngā tāpirihanga**

### **Attachments**

**A Private plan change**

**B Clause 25 Schedule 1, Resource Management Act 1991**

## **A Private plan change**

## B Clause 25 Schedule 1, Resource Management Act 1991

### Cls 25 Local authority to consider request

- (1) A local authority shall, within 30 working days of—
  - (a) receiving a request under [clause 21](#); or
  - (b) receiving all required information or any report which was commissioned under [clause 23](#); or
  - (c) modifying the request under [clause 24](#)—whichever is the latest, decide under which of subclauses (2), (3), and (4), or a combination of subclauses (2) and (4), the request shall be dealt with.
- (1A) The local authority must have particular regard to the evaluation report prepared for the proposed plan or change in accordance with [clause 22\(1\)](#)—
  - (a) when making a decision under subclause (1); and
  - (b) when dealing with the request under subclause (2), (3), or (4).
- (2) The local authority may either—
  - (a) adopt the request, or part of the request, as if it were a proposed policy statement or plan made by the local authority itself and, if it does so,—
    - (i) the request must be notified in accordance with [clause 5](#) or [5A](#) within 4 months of the local authority adopting the request; and
    - (ii) the provisions of [Part 1](#) or [4](#) must apply; and
    - (iii) the request has legal effect once publicly notified; or
  - (b) accept the request, in whole or in part, and proceed to notify the request, or part of the request, under [clause 26](#).
- (2AA) However, if a direction is applied for under [section 80C](#), the period between the date of that application and the date when the application is declined under [clause 77\(1\)](#) must not be included in the calculation of the 4-month period specified by subclause (2)(a)(i).
- (2A) Subclause (2)(a)(iii) is subject to [section 86B](#).
- (3) The local authority may decide to deal with the request as if it were an application for a resource consent and the provisions of [Part 6](#) shall apply accordingly.
- (4) The local authority may reject the request in whole or in part, but only on the grounds that—
  - (a) the request or part of the request is frivolous or vexatious; or
  - (b) within the last 2 years, the substance of the request or part of the request—
    - (i) has been considered and given effect to, or rejected by, the local authority or the Environment Court; or
    - (ii) has been given effect to by regulations made under [section 360A](#); or
  - (c) the request or part of the request is not in accordance with sound resource management practice; or
  - (d) the request or part of the request would make the policy statement or plan inconsistent with [Part 5](#); or
  - (e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.
- (5) The local authority shall notify the person who made the request, within 10 working days, of its decision under this clause, and the reasons for that decision, including the decision on notification.

## **APPENDIX 4**

### **SUBMISSIONS AND FURTHER SUBMISSIONS**





The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Nicholas Paul Kroef

Organisation name:

Agent's full name:

Email address: [nic.kroef@gmail.com](mailto:nic.kroef@gmail.com)

Contact phone number:

Postal address:

## Submission details

### This is a submission to:

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

### My submission relates to

Rule or rules:

We do not support the proposed change from residential mixed housing suburban to residential mixed housing urban

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:

We wish the zoning to remain as it is

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

1.1

Submission date: 28 August 2021

## 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: Dean Bruce Cunningham

Organisation name: resident

Agent's full name:

Email address: [deandi@xtra.co.nz](mailto:deandi@xtra.co.nz)

Contact phone number:

Postal address:  
51 Hinau rd Karaka Lakes  
Papakura  
Auckland 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:  
Changing of plans

Property address: 51 Hinau rd

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:

This Hinau is already to busy at times ,in the morning the queue to get out of all exits is allready Crazy , at night the road is busy all night .IF jointing more subdivison to it will turn sub division into a motorway ,Why does nt park estate make they own road south to bremmer rd Duruy ?

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

Submission date: 28 August 2021

## Attend a hearing

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

2.1

## 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: leo

Organisation name:

Agent's full name:

Email address: [linxu868@gmail.com](mailto:linxu868@gmail.com)

Contact phone number:

Postal address:

## Submission details

### This is a submission to:

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

### My submission relates to

Rule or rules:

We don't want our community to become suburban

Property address: Hingaia Rezone

Map or maps: Hingaia rezone

Other provisions:

We don't want our community to become suburban

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 community is too crowded

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

Submission date: 30 August 2021

## Attend a hearing

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

## Declaration

3.1

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: PAUL BRIAN MAGILL

Organisation name: Managing Director

Agent's full name: Blue kiwi Property Consulting Trust

Email address: [paul@bluekiwi.nz](mailto:paul@bluekiwi.nz)

Contact phone number:

Postal address:  
[paul@bluekiwi.nz](mailto:paul@bluekiwi.nz)  
Auckland  
Auckland 0630

## Submission details

### This is a submission to:

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

### My submission relates to

Rule or rules:  
North and Including Sunnypark Ave

Property address: Sunnypark Ave

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? Yes

The reason for my or our views are:  
The zone in Rosehill between and including Sunnypark drive.  
Should all be zoned Residential Mixed Housing Urban.  
As it is close to facilities, town, school, and motorway and transport.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Expand the area that is Mixed Housing URBAN

Submission date: 31 August 2021

4.1

## **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: Lovejit Kaur

Organisation name:

Agent's full name:

Email address: [lovejit\\_1@hotmail.com](mailto:lovejit_1@hotmail.com)

Contact phone number: 0226022044

Postal address:  
33 Kuhanui Drive  
Karakā  
Auckland 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:  
Housing change  
Business centre

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:

There will be too much traffic heading through our road.

Our house already sits on a bus stop marking. Only 1 carpark available outside our property. Getting in & out at peak times will become very difficult.

The quality of houses (not all) will be pretty average by the sounds of the plan. Not happy that more box type

Houses will crowd the area. Our house prices may be reflected due to this.

Park Estate side should not be able to link up to this side of lakes/hingaia due to the above reasons.

5.1

5.2

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

Submission date: 31 August 2021

### **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: Akbar Sheikh

Organisation name:

Agent's full name:

Email address: [sheikh@sheikh.co.nz](mailto:sheikh@sheikh.co.nz)

Contact phone number: 021844148

Postal address:

33 The Track  
Takanini  
Auckland 2112

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Rezoning

Property address: 3 Tairere Crescent Papakura

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 agree with the new zoning plan

I or we seek the following decision by council: Approve the plan change without any amendments

6.1

Details of amendments:

Submission date: 1 September 2021

## 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: Sunjay malik

Organisation name:

Agent's full name:

Email address: [sunjay.malik@gmail.com](mailto:sunjay.malik@gmail.com)

Contact phone number: 0275809091

Postal address:  
25 lake drive  
Karaka  
2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Property address:

Map or maps:

Other provisions:  
Linking park estate road to hinua road

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:  
Massive increase in vehicle traffic. Reduced security. Negative impact on property value.

7.1 7.2 7.3  
I or we seek the following decision by council: Decline the plan change

Submission date: 1 September 2021

## 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: Danny Maera

Organisation name:

Agent's full name:

Email address: [dmaera@gmail.com](mailto:dmaera@gmail.com)

Contact phone number:

Postal address:  
9 Royal Arch Place  
Papakura  
Auckland 2113

## Submission details

### This is a submission to:

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

### My submission relates to

Rule or rules:

Proposed Plan Change - from Residential Mixed Housing Suburban to Residential Mixed Housing Urban

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:

I believe the ability to have more houses on less land, and three storey high buildings on land in the area will create more problems and more noise.

Generally our area is a quiet area, at times there is a bit of noise and the odd domestic event however, when you increase the amount of people living in close vicinity to one another it can lead to more noise and more problems.

I've seen this happening in other areas around Papakura, and it is having an effect on people who have lived in Papakura for a long time, they are starting to move away because they are living close to these apartment buildings where you have people looking into your backyard etc.

I really don't think there is a need for this. People shouldn't be living so close together. Our 1/4 acre sections in NZ offered everyone the chance to have their own piece of paradise and that is slowly being eradicated.

Down the road in Drury and surrounds, there are plenty of new houses being built for people, why condense an already well set up area?

Please, think about the community and what is best for it rather than how we can get more houses in one area. There isn't a need.

Thank you :D

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

8.1

Submission date: 2 September 2021

### **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: Andre Gil

Organisation name:

Agent's full name:

Email address: [aegil@xtra.co.nz](mailto:aegil@xtra.co.nz)

Contact phone number: 027 542 3445

Postal address:  
13 Bridgeview Rd  
Karaka  
Auckland  
Karaka  
Auckland 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:  
Proposed plan change 67 (private)

Property address: Hingaia 1 Precinct

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:

We don't want social housing and high density building smells of social housing! We have spent a fortune living out here and we don't want crime to increase, or to devalue our neighbourhood and quality of life! If this government wants to produce high density housing - do it somewhere else, we don't want it near us! | 9.1

Traffic congestion - whether they feed onto the motorway at Drury, Park Estate or Papakura this area is so congested 7 days a week - even on a Sunday afternoon! Please think of peoples quality of life, mental health and not being stuck in traffic all the time! | 9.2

Allowing buildings that are 12 metres high and on a smaller sections is not visually pleasant. What about landscape and trees for the environment and look? Also off street parking and carparking is a | 9.3

problem in Auckland - smaller sections means less carparking space, and narrower roads.  
What about services - water quality, local parks condensing, fire, ambulance etc.

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

Submission date: 3 September 2021

### **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.

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: wenting cao

Organisation name:

Agent's full name: wenting cao

Email address: [wentingcao1989.wc@gmail.com](mailto:wentingcao1989.wc@gmail.com)

Contact phone number:

Postal address:  
27 Kabardin Street  
karaka  
AUCKLAND 1026

### Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Property address: 27 Kabardin street

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:  
Need to reserve our beautiful nature here

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

10.1

Submission date: 7 September 2021

### 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: Cassie Ju

Organisation name:

Agent's full name:

Email address: [cassie4ca@gmail.com](mailto:cassie4ca@gmail.com)

Contact phone number: 0225196708

Postal address:

## Submission details

### This is a submission to:

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

### My submission relates to

Rule or rules:

Rezoning south of park estate road , Change from suburban to urban zone

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:

There are already suburban lots in the area and the land size is very small and number of houses are increasing rapidly, traffic is getting a lot worse and obviously the capacity of the road is not enough, it is already very busy in the neighborhood, the new road will cross kuhanui road and the residents from bay-vista dr will be having trouble getting out from the round about. Suburban is already dense enough. The change of zone is obviously bringing benefit to the owner of the land and allow them to make more money but the smaller houses doesn't mean lower prices, the price they are selling now is very high and they don't sell it at cheaper prices because the smaller land size, this is just to harm the residents and the future buyers, it only benefit the developer/owner of the land. The zoning system should not be manipulated like this, being used as a profit making policy.

11.1

11.2

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

Submission date: 7 September 2021

## **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.

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: Jason Deng

Organisation name:

Agent's full name:

Email address: [jasondeng07@gmail.com](mailto:jasondeng07@gmail.com)

Contact phone number: 0275471476

Postal address:

## Submission details

### This is a submission to:

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

### My submission relates to

Rule or rules:

Plan Change 67 - Rezoning of south of Park Estate Road from Suburban to Urban

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:

High density housing is encouraged around city centers and those have convenient public transport or city hubs. Karaka is non of those, and the motorway is already not enough for the increasing traffic even after the road work, this is due to the rapidly increasing number of houses in south and out of date road. It took us very long just to get on to motorway in the morning, and it can only be worse if there are more high density houses being built.

12.1

Changing of zone clearly only benefit the developer/owner of the land, but taking advantage of current residents and future buyers. Smaller houses and smaller land don't mean the developer will sell the properties at lower affordable prices but only means higher profit. The houses here are already small enough such as 200m<sup>3</sup> land and still selling at over 1 million, attached houses selling at close to 1 million. So that is not small enough and expensive enough for the developer. If the zoning is already there, what is the possible reason to change it? Money of course. The zoning policy should not be used as a profit generating tool.

12.2

The current road capacity is not enough, Kuhanui round about will be very busy and the residents inside will have real trouble just to get out from that roundabout.

12.3

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

Submission date: 8 September 2021

### **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.

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: ryan wang

Organisation name:

Agent's full name:

Email address: [nzwangjing@hotmail.com](mailto:nzwangjing@hotmail.com)

Contact phone number: 0275888667

Postal address:  
15 Andalusian Way  
Karaka  
Auckland 2113

### Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:  
Pc 67 change

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:  
Not want to connect

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

13.1

Submission date: 8 September 2021

### 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.

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: James Han

Organisation name:

Agent's full name:

Email address: [tailor907@hotmail.com](mailto:tailor907@hotmail.com)

Contact phone number:

Postal address:  
31 andalusian way  
karaka  
papakura 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Property address: 31 andalusian way, karaka

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:

We do not want to change plan at all. The road capacity is not enough to meet the need of more population. we want to keep current traffic condition of Kuhanui drive.

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

14.1

Submission date: 9 September 2021

## 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: Kelly Guo

Organisation name:

Agent's full name:

Email address: [stoneguo@gmail.com](mailto:stoneguo@gmail.com)

Contact phone number:

Postal address:  
31 andalusian way  
karaka  
papakura 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Property address: 31 andalusian way, karaka

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:

I don't agree with the plan (plan 67) change at all. This plan change (suburban zone to urban zone) means more houses built and residents grow in the community in the future. Single houses are welcomed but no apartments or terrace houses, as roadside parking, public transportation are all problems. The current traffic is already busy at peak times (especially Hingaia road), I don't want it to be any worse.

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

15.1

Submission date: 9 September 2021

**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: Yusuf Jariwala

Organisation name:

Agent's full name:

Email address: [yusuf@apexarchitecture.nz](mailto:yusuf@apexarchitecture.nz)

Contact phone number: 0212752786

Postal address:  
57 Bayvista Drive  
Karakā  
Auckland 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:  
changing of surburban to urban

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:  
Because it will create intense urban environment that will have tremendous effect on existing amenities as well traffic  
there is no major public transport and current width of road is not sufficient specially during school days; so strongly oppose it

16.1

16.2

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

Submission date: 17 September 2021

## 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.

Yes

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



21<sup>st</sup> Sept 2021

Auckland Council  
John Duguid & Todd Elder

## **REJECT the Proposed Plan Change 67 (Private) – Hingaia 1 Precinct**

To whom it may Concern

I am replying to your invitation to place a submission regarding the plan change from Residential Mixed Housing Suburban zone to Residential Mixed Housing Urban Zone

A bit of background about who I am and the ties that my whanau have within the Park Estate Rosehill area

My Parents purchased and moved into their Chichester Drive Property in 1973, so coming up to 49 years. They have occupied the homestead ever since. When they purchased the whare there were only two houses on this street (formerly Joanne Place). We were surrounded by paddocks back then. Papakura was still considered a "Country" town and I was part of the Xmas Parade celebrations when we to being an official "Town"

I am a foundation child of Park Estate Primary School when the school opened in 1976. I planted a tree by the driveway for the 20 year reunion. My whanau and several other neighbour whanau who have lived in this area for over 25, 30, 40 years still live and remain on the same properties all these many years later

We are also the same people who fought to stop a prison being built in the exact same place that this new development is taking place.

So yes my whanau and I have looked after our Papakura Neighbourhood for nearly 50 years

While at Park Estate I remember we were a Nation of 3 million people. Moving forward 45 years we are a Nation of 5 million, you would then expect in another 45 years our team would increase to 7 Million

I do understand the rationale behind future proofing for the next generations to come HOWEVER since the 1970's our whanau has witness extensive new developments within the Takanini, Papakura, Drury townships

The Takanini Race tracks disappear and filled with houses. Bruce Pullman Park and surrounding streets, The Army base camp (and Soccer fields) disappear. The hill above Dominion Road the Land around Bunnythorpe, Ponga Road, Karaka Lakes, Buckland Beach the list goes on and on and on

And now it is on our back doorstep with Park Estate and Drury.

Now somehow we missed the notification that our area/Zone moved from a Single house to Residential Mixed Housing Suburban Zone which I had to research and find out what that was.

I have read the Proposed Plan Change and have several issues outlined below

- Increase at the intersection of Park Estate and Gt Sth Road. – There are developments happening on Gatland Road Drury and just before the Drury School so yes there will be increases to not only the traffic on Great South Road but also along Chichester Drive which will impact us | 17.1
- The Report talks about how much Land the Developer will be losing or has lost due to Environments rulings which is the MAIN reason for the change in Zoning so they can “Make up their money by putting more houses in the smaller amount of Land”, which has nothing to do with the next generation | 17.2
- Removal of affordable housing... Mixed housing in the development | 17.3

If this proposal moves ahead due to the fact that the Developer wants to make more MONEY, how easy will it be for future developers to change the current Zoning?

We have a developer who has purchased the two houses behind us and also two adjoining house with the driveway on to Goodwin Drive

He has been and still is trying to sell the 4 houses together with the intention of building 21 townhouses when the Zoning Changes

I live in a neighbourhood where my “Residential character” is Single Story homes which we will try very hard for this not to change

We have WEEKLY visits and mail from Real Estate people wanting to purchase our house.

Why can't we remain living in the neighbourhood that we are accustomed to? Why can't we still endure the peace and privacy that we have grown up with? Why can't our neighbourhood REMAIN as a neighbour for large families? Why can't our low income earners enjoy a house that is big enough to accommodate their families? | 17.4

Once again I stress, if this ruling passes how easy it will be for the next developer to change the next zone just OVER the bridge

I am writing this for the future, welfare of our well established Neighbourhood

For Once Auckland Council think about the PEOPLE who live here and have lived here for many YEARS. Not MONEY

Nga Mihi

**Maria Taka (and Taka Whanau)**  
**157 Chichester Drive**  
**Rosehill, Papakura**  
**0211499343**  
**thomas.taka@xtra.co.nz**

Dear sir/madam,

Thank you for the notice regarding the proposed urban zone change outlined in the email subject line and I would like to take the opportunity to make a submission regarding the plan change.

From what I can understand, the plan change will allow a dense living style with apartments, townhouses etc. As a long time resident in the area I have certain concerns over the suitability of the proposed change and the long term sustainability of such residential structures.

First there is a lack of new local medium to large businesses in Papakura/Karaka/kingseat/Drury to provide the growing populations with job opportunities to stay local in order to create a balanced work/lifestyle. | 18.1

Secondly, there are limited access ways to travel to other districts of Auckland for the need to work elsewhere. And that the motorway is not sufficient to ease the traffic around peak hours especially if the population is to continuously grow as the result of the fast-track southern housing developments. The extent of the traffic congestion on the motorway also extends into nearby suburbs creating unnecessary travel stress and dangerous driving behaviours. | 18.2

Furthermore, in the close proximity where the precinct is to be developed, there are already several developments such as Harbourside development, Karaka Lake development, Hayfield development etc, some of them are ongoing. The traffic in Hingaia continues to become heavier over time which reflects the incompatibility of the use of existing suburban infrastructures to host large populations, as the traffic flow is limited by the single road layout and will always be limited by it without any road widening. However the needed improvement may be difficult as a result of lack of space once the physical buildings are set in place.

I think that the community's well-being as a whole to live and enjoy in the suburbs in the way they are designed to function should outweigh the need to change the existing zone plan, and to avoid further challenges and difficulties in township/regional planning in the long term. | 18.3

Yours sincerely  
Wenjing Qin

[wispswiskers@gmail.com](mailto:wispswiskers@gmail.com)

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Kevin Moncur

Organisation name: Moncur Family owning a property at 241 Bremner Rd

Agent's full name:

Email address: [kfm1949@gmail.com](mailto:kfm1949@gmail.com)

Contact phone number:

Postal address:

6 Marne Rd.  
Sandringham  
Sandringham  
Auckland 1025

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Zone change in an area 2km north of the property we own in Bremner Rd

Property address:

Map or maps:

Other provisions:

Allowing higher buildings in the area north of ours

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:

Lack of impact on our property

I or we seek the following decision by council: Approve the plan change without any amendments

19.1

Details of amendments:

Submission date: 23 September 2021

## 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 Private Plan Change 67 – Hingaia 1 under Clause 6 of Schedule 1 Resource Management Act 1991

23 September 2021

Auckland Council  
Plans and Places  
Private Bag 92300  
Auckland 1142  
Attn: John Duguid

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

CC: [Aaron@civilplan.co.nz](mailto:Aaron@civilplan.co.nz)

#### **Name of submitter: The New Zealand Transport Agency**

This is a submission on Private Plan Change 67 Hingaia 1 Precinct (**Plan Change**) to the Auckland Unitary Plan (Operative in Part).

The New Zealand Transport Agency (**Waka Kotahi**) could not gain an advantage in trade competition through this submission.

#### **Waka Kotahi role and responsibilities**

Waka Kotahi is a Crown Entity established by Section 93 of the Land Transport Management Act 2003 (LTMA). Waka Kotahi's objective is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest. Waka Kotahi's roles and responsibilities include:

- Managing the State Highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the system.
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding.
- Managing regulatory requirements for transport on land and incidents involving transport on land.
- Issuing guidelines for and monitoring the development of regional land transport plans.

The Plan Change relates to land which is close to and potentially affects State Highway 1. Waka Kotahi's interest in this proposed Plan Change stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand.
- A planner of the land transport network to integrate one effective and resilient network for customers.

- Provider of access to and use of the land transport system to shape smart efficient, safe and responsible transport choices.
- The manager of the State Highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.

#### **Government Policy Statement on Land Transport.**

Waka Kotahi also has a role in giving effect to the Government Policy Statement on Land Transport (GPS). The GPS is required under the LTMA and outlines the Government's strategy to guide land transport investment over the next 10 years. The four strategic priorities of the GPS 2021 are safety, better travel options, climate change and improving freight connections. A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, it has a long-term impact on transport. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management. Likewise, changes in transport can affect land use.

Waka Kotahi gives effect to the GPS through a number of strategic plans including:

- Arataki – our ten-year view of the step changes and actions needed to deliver on the government's current priorities and long-term outcomes for the land transport system;
- Toitu Te Taiao – Our sustainability action plan. This notes two big challenges around reducing greenhouse gases and improving public health;
- Keeping Cities Moving – our national mode shift plan based around shaping urban form, making shared and active modes more attractive and influencing travel demand and transport choices.

#### **Decision sought**

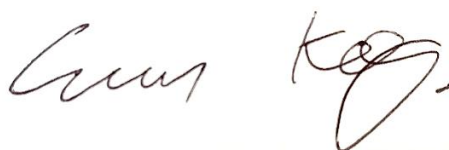
Waka Kotahi supports the zoning sought by the plan change in principle but seeks amendments and / or further information to provide greater certainty around the effects of the development and to ensure the health and wellbeing of future residents are protected.

Decisions that Waka Kotahi seeks on the Plan Change are set out in its submissions contained in **Table 1**. Waka Kotahi also seeks any consequential changes to the Plan Change required to give effect to the relief described in **Table 1**.

#### **Hearings**

Waka Kotahi wishes to be heard in support of its submission. If others make a similar submission, Waka Kotahi will consider presenting a joint case with them at a hearing.

Signature of person authorised to sign on behalf of Submitter:



**Evan Keating**

Principal Planner, Waka Kotahi

Address for Service of person making submission:

NZ Transport Agency

Contact Person: Evan Keating

Email: [Evan.Keating@nzta.govt.nz](mailto:Evan.Keating@nzta.govt.nz)



**Table 1: NZ Transport Agency Submission on Auckland Unitary Plan (OIP) Plan Change 67 (Private) Hingaia 1 Precinct**

Sub #	Provision Number	Reason for Submission	Relief Sought Base text is PC67 as notified New text <u>underline</u> Deleted text <del>strikethrough</del>	
1	Whole of plan change	Waka Kotahi seeks to ensure that transport effects across the land transport system are appropriately managed and that sufficient infrastructure is provided to service the proposed development. At present, the Transportation Assessment Report does not provide information to assess the effects of the development on the strategic transport network, including the Papakura Interchange on State Highway 1 (SH1).	Provide a revised Transportation Assessment Report which clearly identifies the effects of the increased vehicle movements enabled by this plan change and suitable provisions (if required) to resolve any adverse effects.	20.1
2	Proposed neighbourhood centre zoning	Waka Kotahi supports the provision of local services for the developing residential population in this location,	Retain zoning as notified	20.2
2	Proposed deletion of objective 10	The sub-precinct was originally assessed under the notified version of the Proposed Auckland Unitary Plan (PAUP) and all relevant considerations of its local environment, including effects on and from the adjoining state highway. This remains a relevant consideration for future resource consents in the sub-precinct.	Decline proposed change. In the alternative, draft new objectives which protect the safe and efficient operation of the state highway network and minimise adverse effects from land transport noise on the residents of the sub-precinct.	20.3
3	Proposed deletion of policy 17.	The sub-precinct was originally assessed under the notified version of the Proposed Auckland Unitary Plan (PAUP) and zoned under all its provisions. This included a policy to ensure compliance with a 'High Land Transport Noise Overlay'. Although this overlay no longer exists, the issue the policy was seeking to address remains, and the applicant retains an obligation to achieve similar outcomes.	Support with amendment. Relief sought:  Reword policy 17 to read: Require subdivision to be consistent with the Electricity Transmission and <u>to minimise the effects of High Land Transport Noise Overlay</u> land transport noise on residents of the sub-precinct.	20.4

4	444.5. 2. Notification	As per submission point (2) above, the precinct was zoned on the basis of an overlay to protect residents from noise effects and Waka Kotahi from reverse sensitivity effects. The notification rule ensures that Waka Kotahi has an opportunity to assess compliance with the relevant noise standards.	Decline proposed change.	20.5
5	New standard to give effect to objective 10 and policy 17	Insert technical standards to provide for human health protection adjacent to state highways for the reasons outlined in submission points (2) and (3).	Insert activity controls as per attachment 1 below or similar wording as may be proposed by or agreed with Waka Kotahi.	20.6

## Attachment 1:

### Permitted Activity Rule X

At any point within 100 metres from the edge of State Highway carriageway 1:

#### *Outdoor road noise*

1. Any noise sensitive space in a new building, or alteration to an existing building, that contains an activity sensitive to noise where:
  - a. External road noise levels are less than 57  $dB_{L_{Aeq}(24h)}$  at all points 1.5 metres above ground level within the proposed notional boundary; or
  - b. there is a noise barrier at least 3 metres high which blocks the line-of-sight to the road surface from all points 1.5 metres above ground level within the proposed notional boundary.

#### *Indoor road noise*

2. Any noise sensitive space in a new building, or alteration to an existing building, that contains an activity sensitive to noise where the building or alteration is:
  - a. Designed, constructed and maintained to achieve indoor design noise levels resulting from the road not exceeding the maximum values in Table 1; or
  - b. At least 50 metres from the carriageway of any state highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows, to the road surface.

**Table 1**

Occupancy/activity	Maximum road noise level $L_{Aeq}(24h)$
<i>Building type: Residential</i>	
Sleeping spaces	40 dB
All other habitable rooms	40 dB
<i>Building type: Education</i>	
Lecture rooms/theatres, music studios, assembly halls	35 dB
Teaching areas, conference rooms, drama studios, sleeping areas	40 dB
Libraries	45 dB
<i>Building type: Health</i>	
Overnight medical care, wards	40 dB
Clinics, consulting rooms, theatres, nurses' stations	45 dB
<i>Building type: Cultural</i>	
Places of worship, marae	35 dB

*Mechanical ventilation*

3. If windows must be closed to achieve the design noise levels in clause 2(a), the building is designed, constructed and maintained with a mechanical ventilation system that:
- a. For habitable rooms for a residential activity, achieves the following requirements:
    - i. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
    - ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
    - iii. provides relief for equivalent volumes of spill air; and
    - iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18CC and 25CC; and
    - v. does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.
  - b. For other spaces, is as determined by a suitably qualified and experienced person.

### *Indoor road vibration*

4. Any noise sensitive space with a noise sensitive room in a new buildings or alterations to existing buildings containing an activity sensitive to noise, closer than 40 metres to the carriageway of a state highway, is designed constructed and maintained to achieve road vibration levels not exceeding 0.3mm/s  $V_{w.95}$ .

### *Design report*

5. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (1) to (4) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:
  - a. Road noise is based on measured or predicted noise levels plus 3 dB.

### **Restricted Discretionary Activity – Matters of Discretion IX.8.2**

Discretion is restricted to:

- (a) Location of the building;
- (b) The effects of the non-compliance on the health and amenity of occupants;
- (c) Topographical, ground conditions or building design features that will mitigate noise or vibration effects; and
- (d) The outcome of any consultation with the NZ Transport Agency.

### **Restricted Discretionary Activity – Assessment Criteria IX.8.2**

Discretion is restricted to:

- (a) Whether the location of the building minimises effects;
- (b) Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants;
- (c) Any identified topographical, ground conditions or building design features that will mitigate noise and vibration effects or; and
- (d) The outcome of any consultation with the NZ Transport Agency.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Jahanzeb Aslam Khan

Organisation name: None

Agent's full name: None

Email address: [jahanzeb\\_k77@yahoo.com](mailto:jahanzeb_k77@yahoo.com)

Contact phone number: 0210691910

Postal address:  
18 park estate road  
Rosehill  
Papakura 2113

### Submission details

#### This is a submission to:

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

#### My submission relates to

Rule or rules:  
Plan change 67 (private) - Hingaia 1 Precinct.

Property address: 18 park estate road rosehill papakura 2113

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:  
None

I or we seek the following decision by council: Approve the plan change without any amendments

21.1

Details of amendments:

Submission date: 24 September 2021

### 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.

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: Mackenzie Schultze

Organisation name:

Agent's full name:

Email address: [mackenzieschultze@icloud.com](mailto:mackenzieschultze@icloud.com)

Contact phone number:

Postal address:  
25 Lynton Road  
Bucklands Beach  
Auckland 2012

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Proposed plan change 7. Rezoning of land from residential mixed suburban zone to residential mixed housing urban zone and relocation of the business neighbourhood centre zone.

Property address: 28 Waka Ama Road

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:

Reducing value of my property	22.1
Traffic congestion	22.2
Increased load on infrastructure	22.3
Increased noise	22.4

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

Submission date: 24 September 2021

## 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: Paul Dawkins

Organisation name:

Agent's full name:

Email address: [pauldawkins@me.com](mailto:pauldawkins@me.com)

Contact phone number:

Postal address:  
43 Bayvista Dive  
Karaka  
Auckland 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Property address:

Map or maps:

Other provisions:

The access to the Southern motorway at Karaka from Karaka Lakes side of Hingaia will be severely affected by the increased housing density proposed.

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:

The access to the Southern motorway at Karaka from Karaka Lakes side of Hingaia will be severely affected by the increased housing density proposed.

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

23.1

Submission date: 25 September 2021

## 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: Benjamin Hussey

Organisation name:

Agent's full name:

Email address: [ben.hussey@mail.com](mailto:ben.hussey@mail.com)

Contact phone number: 0277025855

Postal address:  
65 Bayvista Drive  
Karakā  
Auckland 2113

### Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:  
Hingaia 1 Precinct

Property address: 65 Bayvista Drive

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:  
Negative Impact on wildlife and fauna

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

24.1

Submission date: 25 September 2021

### 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.

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: Yi Lun Lin

Organisation name:

Agent's full name:

Email address: [allen1258@hotmail.com](mailto:allen1258@hotmail.com)

Contact phone number:

Postal address:

[allen1258@hotmail.com](mailto:allen1258@hotmail.com)

Papakura

Auckland 2113

### Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Property address: 15 cooladerry Place Papakura

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 hope my house can be changed into a zone that can be used to build terrace houses

I or we seek the following decision by council: Approve the plan change without any amendments

25.1

Details of amendments:

Submission date: 25 September 2021

### 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? Yes

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: Lei Wu

Organisation name:

Agent's full name:

Email address: [gengjun.wu@gmail.com](mailto:gengjun.wu@gmail.com)

Contact phone number:

Postal address:  
32 Bayvista Drive  
Karaka  
Auckland 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Property address: 32 Bayvista Drive, Karaka, Auckland

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 community is growing in size, it is better to relocation the Business Neighbourhood Centre Zone to a more convenient location for all of us.

I or we seek the following decision by council: Approve the plan change without any amendments | 26.1

Details of amendments:

Submission date: 25 September 2021

**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: amishkumar patel

Organisation name:

Agent's full name:

Email address: [amishp003@gmail.com](mailto:amishp003@gmail.com)

Contact phone number:

Postal address:

3 devoy drive  
owfata  
rotorua 3010  
owhata  
rotorua 3010

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

4 tiaki lane, duery, auckland

Property address: as above

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:

no

I or we seek the following decision by council: Approve the plan change without any amendments | 27.1

Details of amendments:

Submission date: 26 September 2021

**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? Yes

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: shahrokh Mansoursafaeian

Organisation name:

Agent's full name: shahrokh Mansoursafaeian

Email address: [shah\\_safa42@yahoo.co.nz](mailto:shah_safa42@yahoo.co.nz)

Contact phone number:

Postal address:

### Submission details

#### This is a submission to:

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

#### My submission relates to

Rule or rules:

Plan Change 67 (private) - Hingaia 1 Precinct

Property address: 10 Lusitano Drive

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:  
I don't like the area get too busy.

28.1

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

Submission date: 28 September 2021

### 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: Jarrod Rail

Organisation name:

Agent's full name:

Email address: [railmn@icloud.com](mailto:railmn@icloud.com)

Contact phone number: 021877670

Postal address:

Karaka  
Auckland 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Proposed Private Plan Change 67 - rezoning of land south of Park Estate Road.

Property address: Park Estate Road, Hingaia.

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 proposed PC67 will have major impacts on the surrounding wetland environments, transportation routes and existing suburbs.

Wetlands and waterways and the south end of Park Estate Road will be severely impacted by construction and the risk of pollutants entering the water is high. Run off from the construction area naturally run down into the waters surrounding that end of park estate road. The damage done by this will destroy wildlife and pollute foods sources for species of animals living nearby. | 29.1

Without a new on ramp/off ramp for Park Estate Road, further strain will be put on an already congested roads. Hingaia Road and Karaka Road are extremely busy by 6am in the morning, where it can take upwards of 30mins just get onto the motorway. The adverse effect of increased traffic from additional residential housing will; decrease liveability, increase pollution and decrease safety of the | 29.2

roads of the surrounding suburbs with the increased amount of traffic.

As it is in the Karaka Lakes roads are not designed as a thoroughfare for high traffic volumes. They are narrow residential streets and even with one car parked on the road side it narrows the road down to a single lane. Auckland Transport buses have to carefully navigate these roads as it is to supply a public transport service to the area.

The roads in the area are frequently used by families for cycling and exercise. Increased traffic in the area will make this less safe and less enjoyable for all.

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

Submission date: 30 September 2021

### **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.

Yes

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

Dennis Greenman  
28 September 2021

**Objection to Project 67 Park Estate.**

Reason for objection: Northern traffic flow onto Hinau Road Karaka and then onto Hingaia Road or through any neighbouring streets in Karaka Lake side Estate.

30.1

**1. Hinau Road while wide at the top section where it flows onto Hingaia Road it narrows considerably after the roundabout at the junction of Fountain Ave.**

A. At this point it becomes a narrow two lane road. (Please see attached photo).



B. It has a nasty dog leg entrance to this section going from the roundabout going south going down Hinau Road. (Please see attached photo)



Dennis Greenman  
28 September 2021

- C. If two vehicles are legally parked there is not sufficient room for a third vehicle to get through- let alone an emergency vehicle.
- D. This is a narrow straight road, with a nasty elbow intersection onto Wawatai Drive. There has been a number of traffic incidences here and already a vehicle rolling.

## **2. Altered traffic flow:**

- A. It would increase the volume of traffic in peak hours exiting Hinau Road onto Hingaia Road and the Northern Bound Lane of the Southern Motorway.
- B. At peak times at the moment it can take up to 10 minutes to get out of Hinau Road onto Hingaia Road, then a further 15 minutes to get onto the Northern Lanes of the Southern Motorway.
- C. Traffic is banked up and down Hinau Road past he round about, and on Fountain Ave to the intersection of Anchorage Drive.
- D. The roads were designed as suburban residential roads and were not designed as major throughfares.

## **3. Existing problems with the flow section of Hinau road.**

- A. A long straight section of road to roundabout – this has become a good drag strip for boy racers.
- B. Residents have already had problems with damage to cars due to speeding vehicle's.
  - Damage to wing mirrors
  - Rear damage to cars
  - Residence would like to see some form of traffic control put into place
  - Speed bumps -etc
- 4. Traffic flow on Hinau Road: the effects of the new 120 bed Hinau Road Hilton have yet to be evaluated by local residence.
- 5. Traffic flows on Hingaia Road with new subdivision further down the road at Strathallan and further on out toward Kingseat are already putting a strain on the intersection of Harbourside Road, Hinau Road and Hingaia Road. At peak times cars can be seen banked up to the Karaka Hall intersection area. This is some three kilometres away from this intersection.



Dennis Greenman  
28 September 2021

6. If there is any major incident in the area, all traffic will come to a standstill as there is no other viable option to get onto the motorway to go north. This effects access to both Northern and Southern motorway's.

Reference:

Dennis Greenman  
4 Cornwall Place  
Karak Lakes  
Ph: 0212466399

Steph Cutfield  
43 Hinau Road  
Karak Lakes  
Ph: 0211370917

In support of submission to Park Estate Roding via Hinau Road.

HI Dennis

Great to hear of your submission which we wholeheartedly support. I'm not sure if this makes sense - hopefully it does! Should i load it as my own or will you add to your submission?

We live at 43 HInau Rd, Karaka Lakes and strongly object to this becoming a feeder from the mentioned development, our road is not fit for purpose for multiple reasons.

1. **No parking** - visitors have to park on the road, which essentially turns it into a one way road. This causes hold ups during the quieter time during day/weekends - however peak times it is worse and hold up large amounts of traffic. Also, as it is given the narrow road, home owners are unable to pull out safely without crossing the centre line - the proposed increase in traffic will make it near impossible to safely reverse out of our driveways

2. **Speed** - currently on a daily basis we have drivers using Hinau Rd as a drag strip, at times zooming past our house well over 60kms an hour - putting residents walking and children outside playing at risk. We have already had a car flip on the corner of Hinau & Wawatai Rd - thankfully no one was injured.

Whilst my car was parked on road a car hit and smashed off the wing mirror of my car. They were heard but not seen, drove off and left me with a \$300 repair bill Their wingmirror was also on the road in front of my car - it was evident they were speeding.

3. **HInau Rd/Fountain Rd roundabout** is definitely not suitable for increase volume in traffic. Currently cars coming through the dog leg from Hingaia Rd end cannot stick to their lane. I would say 99% of drivers cross the centre line coming out of the dog leg - while drivers coming the other way do not slow down and

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

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



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

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

For office use only
Submission No:
Receipt Date:

## Submitter details

**Full Name or Name of Agent (if applicable)**

Mr/Mrs/Miss/Ms(Full Name) \_\_\_\_\_

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

**Address for service of Submitter**

Telephone:  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

Plan Change/Variation Name

**The specific provisions that my submission relates to are:**

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

Plan provision(s)

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

The reasons for my views are:

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(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.

# Submission by Transpower New Zealand Ltd on Proposed Plan Change 67 – Hingaia 1 Precinct

## Auckland Unitary Plan

September 2021

*Keeping the energy flowing*



TRANSPOWER



## SUBMISSION ON PROPOSED PLAN CHANGE 67 – HINGAIA 1 PRECINCT

### Overview

The following is a submission from Transpower New Zealand Limited (“**Transpower**”) on Proposed Plan Change 67 – Hingaia 1 Precinct (“**PC67**”) to the Auckland Unitary Plan (operative in part) (“**AUP**”).

The submission has been prepared to assist the Council in ensuring the planning framework under PC67 appropriately recognises and provides for the National Grid. Transpower notes that it is generally neutral regarding PC67 as notified, however it opposes the removal of the relevant objective and policy and seeks amendment to two of the proposed changes (land use and subdivision standards).

### Introduction to Transpower

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand’s National Grid, the high voltage transmission network for the country. The National Grid links generators directly to distribution companies and major industrial users, feeding electricity to the local networks that distribute electricity to homes and businesses. The National Grid comprises towers, poles, lines, cables, substations, a telecommunications network and other ancillary equipment stretching and connecting the length and breadth of the country from Kaikohe in the North Island down to Tiwai in the South Island, with two national control centres (in Hamilton and Wellington).

The National Grid includes approximately 12,000 km of transmission lines and more than 160 substations, supported by a telecommunications network of some 300 telecommunication sites, which help link together the components that make up the National Grid.

Transpower’s role and function is determined by the State-Owned Enterprises Act 1986, the company’s Statement of Corporate Intent, and the regulatory framework within which it operates. Transpower does not generate electricity, nor does it have any retail functions.

Transpower’s Statement of Corporate Intent for July 2019 to July 2022, states that:

*Transpower is central to the New Zealand electricity industry, connecting New Zealanders to their power system through safe, smart solutions for today and tomorrow. Our principal commercial activities are:*

*- As grid owner, to reliably and efficiently transport electricity from generators to distributors and large users, and*

*- As system operator, to operate a competitive electricity market and deliver a secure power system*

In line with these objectives, Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to ensure security of supply, thereby contributing to New Zealand’s economic and social aspirations. It has to be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. Transpower therefore has a significant interest in contributing to the process of developing an effective, workable and efficient Unitary Plan where it may affect the National Grid, including possible future changes.

## National Grid Transmission Assets in Auckland

Transpower has a number of assets which are located within and traverse the Auckland Region. A map showing the assets is attached as Appendix 2:

Of specific relevance to PC67 are the Huntly – Otahuhu A (HLY-OTA A) 220kV double circuit transmission line on towers and the Bombay-Otahuhu A (BOB-OTA A) 110kV double circuit transmission line on towers. These lines traverse the *Hingaia 1 Precinct*.

## Statutory Framework

### National Policy Statement on Electricity Transmission

The National Policy Statement on Electricity Transmission was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure decision-makers under the RMA duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the Grid. The NPSET only applies to the National Grid – the assets used or operated by Transpower – and not to electricity generation or distribution networks. A copy of the NPSET is attached as **Appendix 3**.

The NPSET sets a clear directive to councils on how to provide for National Grid resources (including future activities) when drafting all their plans. Thus, district councils have to work through how to make appropriate provision for nationally and regionally significant infrastructure in their district plans.

The one objective of the NPSET is as follows:

*To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:*

- a. Managing the adverse environmental effects of the network; and*
- b. Managing the adverse effects of other activities on the network.*

The NPSET's 14 policies provide for the recognition of the benefits of the National Grid, as well as the environmental effects of transmission and the management of adverse effects on the National Grid. The policies have to be applied by both Transpower and decision-makers under the RMA, as relevant. The development of the National Grid is explicitly recognised in the NPSET.

## Background to PC67

PC67 is proposing a number of changes to the Hingaia 1 Precinct within the AUP.

The summary of the proposal is outlined in the plan change request as: *'Proposed Private Plan Change 67 seeks to rezone land south of Park Estate Road, Hingaia and make changes to the Hingaia 1 Precinct provisions. The rezoning relates to changing the zone of land from Residential Mixed Housing Suburban zone to Residential Mixed Housing Urban zone and a relocation a Business Neighbourhood Centre zone in the Auckland Unitary Plan (Operative in Part) 2016.'*

The plan change introduces new provisions and zoning for the Precinct as well as removal of existing provisions, including objectives, policies and rules. Existing National Grid assets traverse the proposed Hingaia 1 Precinct and a number of changes relate to provisions directly relevant to Transpower.

## Chapter D26 National Grid Corridor Overlay

Chapter D26 National Grid Corridor Overlay within the AUP manages the effects of third-party land use, development and subdivision on the National Grid within the Auckland Region. Section D26.1 provides:

*The purpose of the National Grid Corridor Overlay is to manage sensitive activities and potentially incompatible development (including land disturbance) within close proximity to the National Grid in order to:*

- *prevent risks to people and property;*
- *protect the National Grid;*
- *preserve line access for inspection and maintenance;*
- *preserve a corridor for the operation, maintenance, upgrade and development of National Grid infrastructure; and*
- *manage potential reverse sensitivity effects.*

Within Chapter D26 is one Objective, a number of associated policies and supporting rules relevant to the National Grid. PC67 does not propose any amendments to these provisions.

### Transpower's Submission:

Transpower supports the proposal to ensure that there are no changes to the National Grid Corridor overlay provisions in Chapter D26 as they apply to the precinct. However, Transpower seeks relief as described below and set out in **Appendix 1**.

#### 1. Removal of Objective and Policy

It is noted that the plan change request proposes the following changes, with the corresponding reasons.

- Removal of Objective 10, being;  
**10.Subdivision and development in the precinct will not adversely impact on the safe and efficient operation of the adjoining State Highway network and/or the National Grid.**

The reason given is that in theme 18 on page 20 of the updated clean version of the plan change request:

*Removes provisions (including items shown on the precinct plan) that are not necessary to be included as part of the Hingaia 1 Precinct as the subject matter is dealt with in other sections of the AUP...*

- Removal of Policy 17, being;  
**17.Require subdivision to be consistent with the Electricity Transmission and High Noise Land Transport overlay provisions.**

The reason given is that in theme 16 on page 20 of the updated clean version of the plan change request: Policy 1. *Require the structural elements of the Hingaia 1 precinct plan to be incorporated into all subdivision and development that results in urbanisation of the land.*

Transpower considers that while the precinct provisions do not propose to amend or override Chapter D26, given the national significance of the National Grid, it is appropriate to retain the objective and policy referencing the National Grid Corridor. The Precinct provisions, including the Precinct Description do not contain any text that identifies that the precinct is traversed by National Grid transmission lines and regulated by the National Grid Corridor provisions in Chapter D26.

Transpower considers that the objective and policy should be retained to alert plan users to the National Grid Corridor requirements and ensure they are considered as part of the development of the Precinct as a whole, particularly given that the precinct enables a significant land use change.

### 3. Notification

The plan change request proposed to amend the wording of the notification section of the Precinct provisions, of relevance to Transpower the following provision is proposed to be removed;

*2.Subdivision and resource consent applications for urban development within 37m of the centerline of a National Grid transmission line, or over underground Counties Power electricity lines, or adjoining the southern motorway in sub-precincts B, C or D will be notified on a limited basis to Transpower, the New Zealand Transport Agency and/or Counties Power if written approval from these parties is not included with the resource consent application.*

It is to be replaced with a more generic notification provision, being;

#### *1444.5. Notification*

- (1) Any application for resource consent for an activity listed in Table 1444.4.1 or Table 1444.4.2 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).*

Transpower has taken a neutral position on the wording of the notification clause. Chapter D26 and the corresponding provisions in Chapter C general rules (specifically C1.13 Notification) provide for Transpower to be considered an affected party (if written approval has not been provided) in regards to activities within the National Grid Corridor Overlay.

Transpower agrees that the requirement for the notification within 37m of the centerline of a National Grid transmission line is no longer required. If the notification provision is to be retained the wording could be amended to state 'within the National Grid Corridor'.

### 4. Land Use and Subdivision Standards

As part of the plan change request the general wording of the land use and subdivision standards are proposed to be amended, to state:

#### 1444.6.1 Land use standards

*Land use activities listed in Table 1444.4.1 Activity Table – Land use activities must comply with the standards listed in the column in Table 1444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, if listed.*

**And**

#### 1444.6.2 Subdivision Standards

*Subdivision activities listed in Table 1444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table 1444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, if listed, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:*



There appears to be a double up of the matters listed, the ‘if listed’ wording underlined above is considered confusing and unnecessary. The provision already states that land use and subdivision need to comply with the standards listed in the corresponding tables. The way the provision is worded could therefore be read that the relevant overlay and Auckland-wide standards need to be listed for them to apply. Of relevance to Transpower there are no overlays specifically listed under the land use standards and only the Significant Ecological Areas Overlay listed under the subdivision provision. This could be interpreted to read that the National Grid Corridor Overlay could be excluded from applying. This is unlikely to be the intent of the changes and Transpower seeks a simple amendment to remove doubt.

### **Specific Submission Points**

Specific comments are included in the table in Appendix 1 attached and for the avoidance of doubt, include any consequential relief to the specific relief sought.



## Appendix 1: Specific Submission Points

Table 1. Specific Submission Point

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<u>Retention of National Grid Corridor Overlay insofar as it relates to the Hingaia 1 Precinct</u>	Support	PC67 proposes that there will be no change to the National Grid Corridor overlay, Chapter D26. The scope of the plan change request states that the scope excludes ‘any change to overlays or controls as shown on the AUP planning maps;’ and ‘excludes ‘any changes to the text of the Overlay, Auckland-wide and Zone provisions of the AUP. This means that the National Grid Corridor overlay will continue to apply within the Precinct (albeit noting Transpower’s relief sought on Clauses I444.6.1 and I444.6.2). This gives effect to the National Policy Statement on Electricity Transmission 2008 insofar as it relates to the Hingaia Precinct.	N/A
<p><u>I444.2. Objectives</u></p> <p>...</p> <p><del>10. Subdivision and development in the precinct will not adversely impact on the safe and efficient operation of the adjoining State Highway network and/or the National Grid.</del></p>	Oppose	The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure decision-makers under the RMA duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the Grid. Policies 10 and 11 of the NPSET provide a clear policy directive for managing the adverse effects of third-party land use and development on the transmission network. Retention of the objective gives effect to NPSET Policy 10 and 11, and alerts plan users to the National Grid within the precinct, particularly given the lack of specific recognition of the National Grid within the precinct description.	Retain the Objective (new number as appropriate)

31.1

31.2

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><u>I444.3. Policies</u> ... <del>17.Require subdivision to be consistent with the Electricity Transmission and High Noise Land Transport overlay provisions. Restrict or manage</del></p>	Oppose	As above for inclusion of both the objective and policy.	Retain the policy (with the new number as appropriate).
<p>I444.5. 2. Notification <u>(1) Any application for resource consent for an activity listed in Table I444.4.1 or Table I444.4.2 above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.</u> <u>(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).</u> ... <del>2.Subdivision and resource consent applications for urban development within 37m of the centerline of a National Grid transmission line, or over underground Counties Power electricity lines, or adjoining the southern motorway in sub-precincts B, C or D will be notified on a limited basis to Transpower, the New Zealand Transport Agency and/or Counties Power if written approval from these parties is not included with the resource consent application.</del></p>	Neutral	Transpower neither supports nor opposes the removal of the notification provisions as they relate to Transpower. On the basis that no changes are made to D26 or C1 Transpower is neutral to the removal of provisions as they relate to notification.	If retained, request that <i>'within 37m of the centreline of a National Grid transmission line'</i> be amended to <b>"within the National Grid Corridor"</b> .

31.3

31.4

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p>I444.6.1 Land use standards</p> <p><u>Land use activities listed in Table I444.4.1 Activity Table – Land use activities must comply with the standards listed in the column in Table I444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, if listed.</u></p>	Oppose, in part	The provision could be interpreted to mean that the relevant overlay and Auckland-wide standards need to be listed for them to apply. As the National Grid Corridor overlay Chapter D26 is not listed, this could be interpreted to read that the National Grid Corridor Overlay could be excluded from applying. To avoid confusion with the amended wording Transpower requests a simple amendment to the wording.	<p>Amend the land use standard to remove the ‘if listed’ at the end of the sentence.</p> <p><u>Land use activities listed in Table I444.4.1 Activity Table – Land use activities must comply with the standards listed in the column in Table I444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, <del>if listed.</del></u></p>
<p>I444.6.2 Subdivision Standards</p> <p><u>Subdivision activities listed in Table I444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table I444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, if listed, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:</u></p>	Oppose, in part	As above for I444.6.1 Land use standards.	<p>Amend to;</p> <p><u>Subdivision activities listed in Table I444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table I444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, <del>if listed</del>, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:</u></p>

31.5

31.6



***Appendix 2: Map of Transpower Assets in the Auckland Region***





# Transpower Assets

## Auckland

### Legend

Territorial Land Authority

Boundary

NZ Roads

Highways

### Transpower Assets

Cable Protection Zone

Overhead Fibre Cable

Underground Fibre Cables

Site

ACSTN

COMMS

HVDC

TEE

Transmission Line

0kV Overhead

11, 66kV Underground

11, 33, 66 kV Overhead

110kV Underground

110 kV Overhead

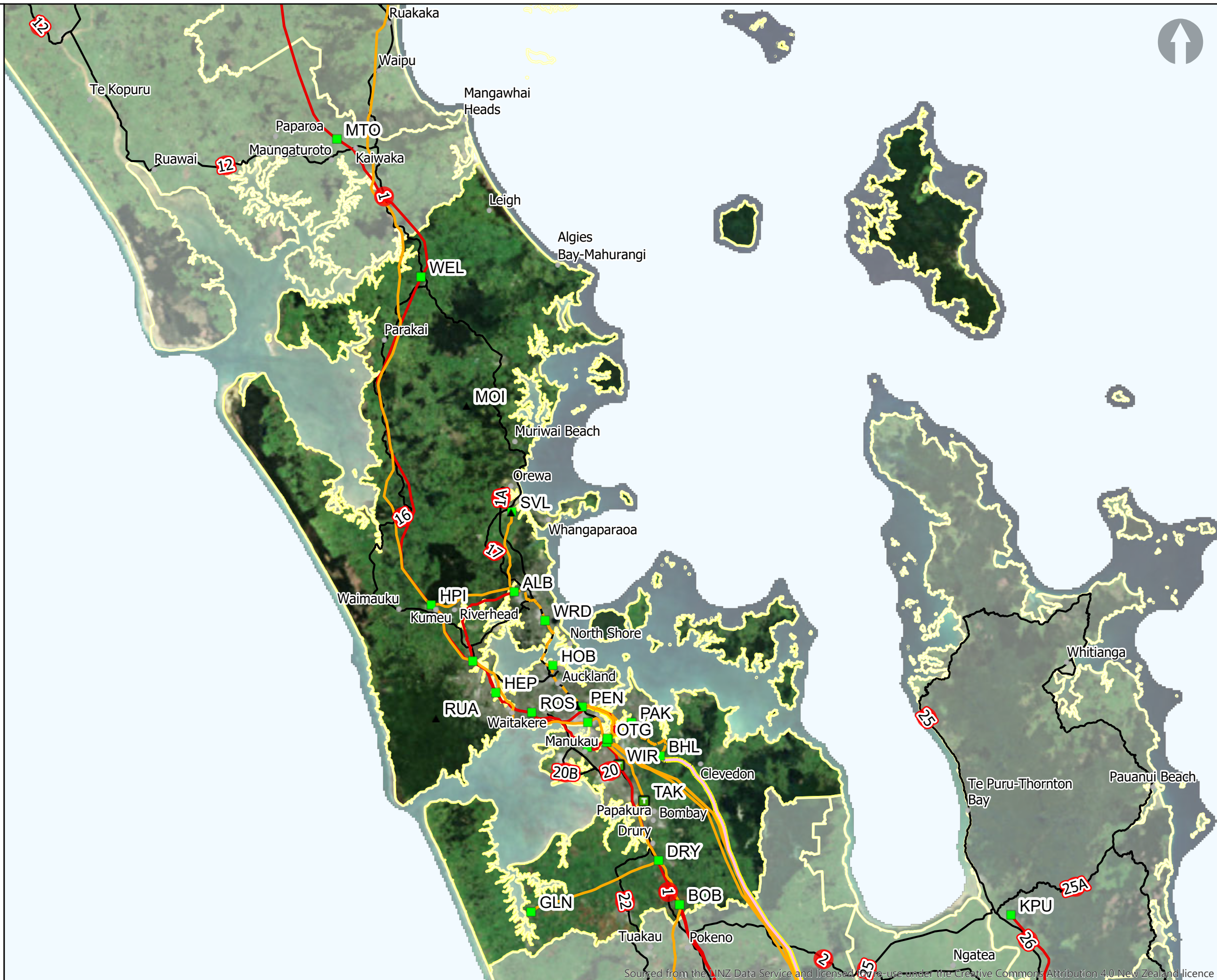
220kV Underground

220 kV Overhead

350 kV Overhead

350kV Submarine

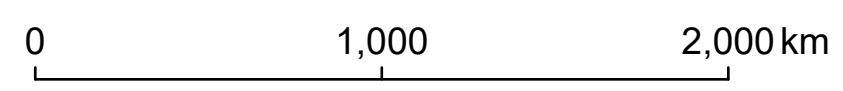
400kV Overhead



Sourced from the LINZ Data Service and licensed for re-use under the Creative Commons Attribution 4.0 New Zealand licence



Projection: NZTM 2000 Scale: 1:609,000 Plan Size: A3L



**External Disclaimer**  
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Date: 8/04/2020 Drawn by: berrymannem

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***Appendix 3: National Policy Statement on Electricity Transmission 2008***

## NATIONAL POLICY STATEMENT

# on Electricity Transmission

*Issued by notice in the Gazette on 13 March 2008*

### CONTENTS

Preamble

1. Title
2. Commencement
3. Interpretation
4. Matter of national significance
5. Objective
6. Recognition of the national benefits of transmission
7. Managing the environment effects of transmission
8. Managing the adverse effects of third parties on the transmission network
9. Maps
10. Long-term strategic planning for transmission assets

## Preamble

This national policy statement sets out the objective and policies to enable the management of the effects of the electricity transmission network under the Resource Management Act 1991.

In accordance with section 55(2A)(a) of the Act, and within four years of approval of this national policy statement, local authorities are to notify and process under the First Schedule to the Act a plan change or review to give effect as appropriate to the provisions of this national policy statement.

The efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment. Electricity transmission has special characteristics that create challenges for its management under the Act. These include:

- Transporting electricity efficiently over long distances requires support structures (towers or poles), conductors, wires and cables, and sub-stations and switching stations.
- These facilities can create environmental effects of a local, regional and national scale. Some of these effects can be significant.
- The transmission network is an extensive and linear system which makes it important that there are consistent policy and regulatory approaches by local authorities.
- Technical, operational and security requirements associated with the transmission network can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects.
- The operation, maintenance and future development of the transmission network can be significantly constrained by the adverse environmental impact of third party activities and development.
- The adverse environmental effects of the transmission network are often local – while the benefits may be in a different locality and/or extend beyond the local to the regional and national – making it important that those exercising powers and functions under the Act balance local, regional and national environmental effects (positive and negative).
- Ongoing investment in the transmission network and significant upgrades are expected to be required to meet the demand for electricity and to meet the Government’s objective for a renewable energy future, therefore strategic planning to provide for transmission infrastructure is required.

The national policy statement is to be applied by decision-makers under the Act. The objective and policies are intended to guide decision-makers in drafting plan rules, in making decisions on the notification of the resource consents and in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.

However, the national policy statement is not meant to be a substitute for, or prevail over, the Act’s statutory purpose or the statutory tests already in existence. Further, the national policy statement is subject to Part 2 of the Act.

For decision-makers under the Act, the national policy statement is intended to be a relevant consideration to be weighed along with other considerations in achieving the sustainable management purpose of the Act.

This preamble may assist the interpretation of the national policy statement, where this is needed to resolve uncertainty.

## 1. Title

This national policy statement is the National Policy Statement on Electricity Transmission 2008.

## 2. Commencement

This national policy statement comes into force on the 28<sup>th</sup> day after the date on which it is notified in the *Gazette*.

## 3. Interpretation

In this national policy statement, unless the context otherwise requires:

**Act** means the Resource Management Act 1991.

**Decision-makers** means all persons exercising functions and powers under the Act.



**Electricity transmission network, electricity transmission and transmission activities/assets/infrastructure/resources/system** all mean part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.

**National environmental standard** means a standard prescribed by regulations made under the Act.

**National grid** means the assets used or owned by Transpower NZ Limited.

**Sensitive activities** includes schools, residential buildings and hospitals.

## 4. Matter of national significance

The matter of national significance to which this national policy statement applies is the need to operate, maintain, develop and upgrade the electricity transmission network.

## 5. Objective

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- managing the adverse environmental effects of the network; and
- managing the adverse effects of other activities on the network.

## 6. Recognition of the national benefits of transmission

### POLICY 1

In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:

- i) maintained or improved security of supply of electricity; or
- ii) efficient transfer of energy through a reduction of transmission losses; or
- iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or
- iv) enhanced supply of electricity through the removal of points of congestion.

The above list of benefits is not intended to be exhaustive and a particular policy, plan, project or development may have or recognise other benefits.

## 7. Managing the environmental effects of transmission

### POLICY 2

In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.

### POLICY 3

When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.

### POLICY 4

When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.

### POLICY 5

When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

#### POLICY 6

Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.

#### POLICY 7

Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.

#### POLICY 8

In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

#### POLICY 9

Provisions dealing with electric and magnetic fields associated with the electricity transmission network must be based on the International Commission on Non-ionising Radiation Protection *Guidelines for limiting exposure to time varying electric magnetic fields (up to 300 GHz)* (Health Physics, 1998, 74(4): 494-522) and recommendations from the World Health Organisation monograph *Environment Health Criteria* (No 238, June 2007) or revisions thereof and any applicable New Zealand standards or national environmental standards.

## 8. Managing the adverse effects of third parties on the transmission network

#### POLICY 10

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

#### POLICY 11

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

## 9. Maps

#### POLICY 12

Territorial authorities must identify the electricity transmission network on their relevant planning maps whether or not the network is designated.

## 10. Long-term strategic planning for transmission assets

#### POLICY 13

Decision-makers must recognise that the designation process can facilitate long-term planning for the development, operation and maintenance of electricity transmission infrastructure.

#### POLICY 14

Regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

#### Explanatory note

*This note is not part of the national policy statement but is intended to indicate its general effect*

This national policy statement comes into force 28 days after the date of its notification in the *Gazette*. It provides that electricity transmission is a matter of national significance under the Resource Management Act 1991 and prescribes an objective and policies to guide the making of resource management decisions.

The national policy statement requires local authorities to give effect to its provisions in plans made under the Resource Management Act 1991 by initiating a plan change or review within four years of its approval.

## Form 5

### Submission on the Proposed Plan Change 67

**To:** Auckland Council

**Name of Submitter:** Hugh Green Limited

**Address for Service:** C/- CivilPlan Consultants Limited  
PO Box 97796  
Manukau City  
**Auckland 2241**

Attn: Aaron Grey

**Telephone:** (09) 222 2445

**Email:** aaron@civilplan.co.nz

This is a submission on Proposed Plan Change 67 to the Auckland Unitary Plan ('the proposal'), affecting the Hingaia 1 Precinct area.

The submitter is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 ('RMA').

The submitter is the applicant of the private plan change.

#### 1. Specific provisions of the proposal that this submission relates to

This submission specifically relates to proposed Standard I444.6.1.7. Vehicle access restrictions – Cycle facilities.

#### 2. Submission

As applicant of the private plan change, the submitter supports the proposal in full.

However, the submitter now seeks an amendment to a new standard proposed to apply in the Hingaia 1 Precinct, being Standard I444.6.1.7. Vehicle access restrictions – Cycle facilities. The proposed standard will have an unintended impact on the use of sites with existing vehicle crossings across shared paths and the construction of dwellings on vacant sites served by vehicle crossings across shared paths. In the case of the latter, the current provisions do not contain any land use rules controlling this and so the assessment of effects of these vehicle crossings have been determined through subdivision consent approvals instead.



The effects of the sought amendment are considered to be minimal, given that all assessment of effects of vehicle crossings across shared paths and dedicated cycleways will have been undertaken as part of subdivision consent approvals.

### 3. Relief Sought

The following amendments are sought to proposed Standard I444.6.1.7. Vehicle access restrictions – Cycle facilities:

#### **I444.6.1.7. Vehicle access restrictions – Cycle facilities**

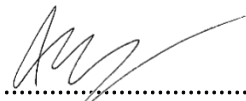
- (1) In addition to the requirements of Standard E27.6.4.1, new vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which has frontage to an existing or proposed shared path or dedicated cycle way, including where shown on Figure I444.10.1. Hingaia 1 - Precinct Plan. For the avoidance of doubt, this relates only to allotments fronting that side of the road where the shared path or dedicated cycle way exists or is proposed.
- (2) Standard I444.6.1.7(1) above applies in any of the following circumstances:
  - (a) a new vehicle crossing is proposed;
  - (b) a new activity is established on a site;
  - (c) there is a change of type of activity; or
  - (d) a building(s) is constructed, or additions to buildings that are not permitted activities in Table H12.4.1 Activity table, except that this does not apply in the case of a dwelling where the reconstruction, alteration or addition does not increase the number of dwellings on a site.
- (3) Standards I444.6.1.7(1) and I444.6.1.7(2) above do not apply to:
  - (a) the use of a vehicle crossing that exists on [legal effect date] that serves no more than one dwelling per site; and
  - (b) the construction or use of a vehicle crossing that has been shown on the plans of an approved subdivision consent that will serve no more than one dwelling per existing or approved site.

It is otherwise sought that Plan Change 67 be approved as proposed.

32.1

HGL do not wish to be heard in support of this submission, noting that they will be heard as the applicant of the plan change regardless.

Signature:



.....

Aaron Grey – Senior Planner, CivilPlan Consultants Ltd  
on behalf of Hugh Green Limited

Date: 8 October 2021

## Form 5

### Submission on the Proposed Plan Change 67

**To:** Auckland Council

**Name of Submitter:** Hugh Green Limited

**Address for Service:** C/- CivilPlan Consultants Limited  
PO Box 97796  
Manukau City  
**Auckland 2241**

Attn: Aaron Grey

**Telephone:** (09) 222 2445

**Email:** aaron@civilplan.co.nz

This is a submission on Proposed Plan Change 67 to the Auckland Unitary Plan ('the proposal'), affecting the Hingaia 1 Precinct area. This is the second submission being made by Hugh Green Limited.

The submitter is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 ('RMA').

The submitter is the applicant of the private plan change.

#### 1. Specific provisions of the proposal that this submission relates to

This submission specifically relates to all provisions of the Hingaia 1 Precinct and Plan Change 67 that will be affected by the Medium Density Residential Standards that are to be introduced by the passing of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill. It is expected that this bill will be passed and enacted by the New Zealand Parliament in December 2021, which would most likely be prior to a hearing on Plan Change 67 being held.

#### 2. Submission

In light of the introduction of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill, the submitter supports Plan Change 67 subject to all amendments necessary in order to incorporate the Medium Density Residential Standards referred to by the Bill for those parts of the Hingaia 1 Precinct proposed to be within a residential zone.

If changes are made to the Medium Density Residential Standards prior to the passing and enactment of the Bill, amendments to Plan Change 67 are to be in accordance with those changes.

### 3. Relief Sought

Based off the version of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill introduced to the House of Parliament on 19 October 2021, the amendments sought to the proposed Hingaia 1 Precinct text are attached. For the sake of clarity and to avoid confusion, tracked changes are made to the 'clean' copy of the Hingaia 1 Precinct text proposed by Plan Change 67 (which does not identify the changes to the operative text). The various changes can be categorised as either (as noted in the attachment):

32.2

- Changes to policies required by Schedule 3A, clause 8(b);
- Changes to activity statuses for dwellings required by Schedule 3A, clauses 2 and 3;
- Changes to the applicable standards for up to three dwellings required by Schedule 3A, clause 2;
- Inserting the activity of 'fences and walls' as a permitted activity subject to the existing zone and proposed precinct standards applicable to fences and walls as a consequential change, given that Schedule 3A, clause 2(3) does not allow for these standards to apply to the activity of up to three dwellings, as well as related consequential changes to matters of discretion and assessment criteria for four or more dwellings and integrated residential development in recognition of this activity being inserted;
- Changes to the notification rules required in Schedule 3A, clause 4;
- Inserting the building standards in Part 2 of Schedule 3A, including text requiring terms in these standards to having the meaning as they do in the definitions standard (section 14) of the national planning standards (in accordance with Schedule 3A, clause 1(3));
- Deleting existing or proposed precinct standards where they are less permissive than the building standards in Part 2 of Schedule 3A, in order to ensure that section 77F(4)(c) is adhered to;
- Relocating the exemptions from the proposed Standard I444.6.1.5 Height in relation to boundary standard to the MDRS standard (Schedule 3A, clause 10), recognising that section 77F(4)(b) allows for a standard to be more permissive than the MDRS standard;
- Consequential changes to the applicable standards, matters of discretion and assessment criteria for four or more dwellings and integrated residential development in order to provide alignment with the building standards in Part 2 of Schedule 3A where there are equivalent existing or proposed standards;
- Consequential changes relocating the standards related to impervious area in yards and landscaped area to the matters of discretion and assessment criteria for four or more dwellings and integrated residential development given that Schedule 3A, clause 2(3) does not allow for these standards to apply to the activity of up to three dwellings;
- Changes to Standard I444.1.1.2 (vacant sites subdivision site sizes) required by Schedule 3A, clause 6(a)(ii);

- Deletion of the matters of discretion and assessment criteria proposed for infringing applicable precinct standards (including the building standards in Part 2 of Schedule 3A being inserted), with reliance instead on the provisions in section C1.9 of the AUP;
- Consequential changes to remove redundant provisions following the above changes, including removal of all provisions related to the use of the alternative height in relation to boundary recession plane as a permitted activity (given that the standard in Schedule 3A, clause 10 is more permissive);
- Consequential changes to provide explanatory text, such as to identify that the MDRS standards are being incorporated prior to a public plan change using the ISPP; and
- Consequential changes to update provision numbering.

If changes are made to the Medium Density Residential Standards prior to the passing and enactment of the Bill, further amendments are sought, if necessary, in order for the proposed Hingaia 1 Precinct text to be in accordance with those changes.

It is otherwise sought that Plan Change 67 be approved as proposed.

While the Medium Density Residential Standards will generally result in the Residential – Mixed Housing Suburban and Residential – Mixed Housing Urban imposing the same requirements, no amendments to the proposed zoning are sought.

HGL do not wish to be heard in support of this submission, noting that they will be heard as the applicant of the plan change regardless.

**Signature:**  .....

Aaron Grey – Senior Planner, CivilPlan Consultants Ltd  
on behalf of Hugh Green Limited

**Date:** 21 October 2021

**REVISED HINGAIA 1 PRECINCT TEXT**  
**MDRS Submission Version**  
**(Based on 22 March 2021 Clean Copy Version)**

21 October 2021

## **I444. Hingaia 1**

### **I444.1. Precinct Description**

The Hingaia 1 precinct is located approximately 2.4km west of Papakura and is located in the southern part of the Hingaia Peninsula, to the south of the existing 'Karakā Lakes' residential subdivision.

The whole of the Hingaia Peninsula was structure planned for growth in 2000-2002. However, only Stage 1A was re-zoned at that time. This precinct is to be developed to provide for a logical extension of the existing Hingaia urban area, and development in the precinct will be guided by the Hingaia 1 precinct plan.

The purpose of the Hingaia 1 precinct is to provide for comprehensive and integrated residential development on the Hingaia Peninsula, to increase the supply of housing, to facilitate the efficient use of land, and to co-ordinate the provision of infrastructure.

It is envisaged that future land use, development and subdivision consents will give effect to the key elements of the precinct plan and provide opportunities for pedestrian and roading connections into future development areas.

The Hingaia 1 Precinct also gives effect to the Medium Density Residential Standards ('MDRS') introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. These provisions are expected to be deleted if duplication with zone provisions occurs as a result of implementation of the intensification policies of the NPS-UD through the Intensification streamline planning process for the remainder of the Auckland urban area.

**Commented [MDRS1]:** Consequential change (explanatory text)

The zoning of land within this precinct is Residential – Mixed Housing Suburban, Residential – Mixed Housing Urban and Business – Neighbourhood Centre.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

### **I444.2. Objectives**

- (1) Subdivision and development occurs in a co-ordinated way that implements the Hingaia 1 precinct plan, provides a logical extension to the existing urban environment, and provides for connections to future development on adjoining land.
- (2) Development achieves a high standard of amenity while ensuring there is a choice of living environments and affordability options.
- (3) The existing stream network as illustrated on the Hingaia 1 precinct plan is retained and enhanced.
- (4) Subdivision and development occurs in a manner that achieves the co-ordinated delivery of infrastructure, including transport, wastewater, and water services.

- (5) The safety of users of shared paths and dedicated cycleways is prioritised over vehicle access.
- (6) Significant adverse effects of stormwater run-off on communities, the marine receiving environment and freshwater systems are avoided to the extent practical, or otherwise mitigated using water sensitive design principles.
- (7) Subdivision and development adjoining the coast provides for enhanced amenity and avoids risks of adverse effects arising from coastal erosion.
- (8) A neighbourhood centre is developed that provides for small scale convenience retail, service and commercial activities that meet the day-to-day needs of the area, and which does not undermine the viability and role of either the Hingaia Mixed Use Town Centre or the Papakura Metropolitan Centre.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

#### 1444.3. Policies

- (1) Require the structural elements of the Hingaia 1 precinct plan to be incorporated into all subdivision and development that results in urbanisation of the land.
- (2) Require the construction of new roads, as generally indicated on the Hingaia 1 precinct plan, to achieve integration with the existing urban area and to enable future connections to link into adjoining sites to ensure that an interconnected movement network can be achieved on the Hingaia Peninsula.
- (3) Ensure that a range of lot sizes, housing typologies and densities is enabled throughout the precinct to reflect a choice of living environments and affordability by applying the Medium Density Residential Standards introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, including by enabling greater development potential for higher density residential developments and integrated residential development;
- (4) Enable a range of residential living opportunities (including a range of lot sizes) with more intensive housing encouraged in locations with close proximity to the neighbourhood centre, public transport routes or areas with high amenity (e.g. locations close to public open space).
- (5) Ensure subdivision and development, including road design, achieves a high standard of amenity, pedestrian safety and convenience, and contributes to a positive sense of place and identity.
- (6) Require subdivision and development to be staged to align with the co-ordinated provision of infrastructure, including transport, water and wastewater.
- (7) Require subdivision and development to use water sensitive design principles as the core development approach to manage stormwater run-off, water quality, and flooding and mimic the natural hydrological regime and provide baseflow to streams.
- (8) Require subdivision and development to restore and to enhance the stream network, as illustrated on the Hingaia 1 precinct plan, to achieve a natural appearance with appropriate native species and encourage restoration and enhancement of wetland areas.
- (9) Encourage walkways along stream corridors and within and around wetland areas. Where possible, walkways should integrate with existing open space areas and enable future connections to adjoining undeveloped sites.

**Commented [MDRS2]:** Change required by Schedule 3A, clause 8(b)

- (10) Require the design of stormwater management devices in public areas to be integrated with the surrounding area and to contribute to multi-use benefits for public areas. Where appropriate, the devices should be natural in appearance.
- (11) Enhance the natural character of the coast and avoid adverse effects from further coastal erosion by encouraging restoration planting with eco-sourced plants where subdivision vests esplanade reserve in Council.
- (12) Promote the development and enhancement of a high amenity urban coastal character by:
  - (a) managing the interface between reserves and private allotments to minimise visual dominance effects from buildings, fences and retaining walls; and
  - (b) providing for viewshafts out to the coast along roads and open space (and from the esplanade reserve back into the development).
- (13) Restrict or manage vehicle access to and from sites adjacent to shared paths or dedicated cycleways so that:
  - (a) the location, number, and design of vehicle crossings and associated access provides for the efficient movement of users of the shared path or dedicated cycleway; and
  - (b) any adverse effect on the effective, efficient and safe operation of the shared paths or dedicated cycleways arising from vehicle access across these facilities is avoided or mitigated.
- (14) Provide for a neighbourhood centre as a community meeting point to that meets the local convenience needs of residents in a manner that protects and safeguards the viability and roles of the Hingaia Local Centre (and adjacent Mixed Use zone) and the Papakura Metropolitan Centre.
- (15) Encourage subdivision and development to contribute to a positive sense of place and identity through in-street landscape elements, including retaining existing landscape features, and maximising coastal vistas.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

#### **I444.4. Activity Tables**

All relevant overlay activity tables apply unless otherwise specified below.

All other relevant Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table I444.4.1 below.

Table I444.4.1 specifies the activity status of land use and development activities in the Hingaia 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I444.4.2 specifies the activity status of subdivision activities in the Hingaia 1 Precinct pursuant to section 11 of the Resource Management Act 1991.

A blank cell in the activity status means that the activity status (and any relevant matters of control or discretion) in the relevant overlay, Auckland-wide or zone provisions applies.

Table I444.4.1 Activity Table – Land use activities

Activity	Activity Status	Standards to be complied with
<b>Transport</b>		
(A1)	Construction or use of a vehicle crossing	E27.6.4.1. Vehicle access restrictions; E27.6.4.2. Width and number of vehicle crossings; Standard I444.6.1.107 Vehicle access restrictions – Cycle facilities
<b>Residential</b>		
(A2)	Residential activities (including dwellings) not provided for below	The underlying zone standards applying to that activity; Standard I444.6.1.4 Fences and walls adjoining reserves
(A2)	Up to three dwellings in a residential zone	P Standard I444.6.1.1 Building height (MDRS); Standard I444.6.1.2 Height in relation to boundary (MDRS); Standard I444.6.1.3 Setbacks (MDRS); Standard I444.6.1.4 Building coverage (MDRS); Standard I444.6.1.5 Impervious area (MDRS); Standard I444.6.1.6 Outdoor living space (per unit) (MDRS); Standard I444.6.1.7 Outlook space (per unit) (MDRS)
(A3)	Four or more dwellings in a residential zone	RD Standard I444.6.1.1 Building height (MDRS); Standard I444.6.1.2 Height in relation to boundary (MDRS); Standard I444.6.1.3 Setbacks (MDRS)
(A3)	Two or three dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area	RD Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard I444.6.1.4 Fences and walls adjoining reserves
(A4)	Four or more dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Suburban zone	RD Standard H4.6.4 Building height; Standard; H4.6.5 Height in relation to boundary; H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard I444.6.1.4 Fences and walls adjoining reserves
(A5)	One dwelling on a front site less than 400 m <sup>2</sup> in area in the Residential – Mixed Housing Urban zone	P Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2 Building coverage for higher density development; Standard I444.6.1.3 Landscaped area for higher density development; Standard I444.6.1.4

**Commented [MDRS3]:** Consequential change (redundant provisions)

**Commented [MDRS4]:** Change required by Schedule 3A, clause 2(1)

**Commented [MDRS5]:** Change required by Schedule 3A, clauses 2(2) and 2(3)

**Commented [MDRS6]:** Change required by Schedule 3A, clause 3(2)(a)

**Commented [MDRS7]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS8]:** Consequential change (redundant provisions)

**Commented [MDRS9]:** Consequential change (redundant provisions)



			Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A6)	Two or three dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A7)	Four or more dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Urban zone	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A48)	Integrated Residential Development in a residential zone the Residential – Mixed Housing Suburban zone	RD	Standard I444.6.1.1 Building height (MDRS); Standard I444.6.1.2 Height in relation to boundary (MDRS); Standard I444.6.1.3 Setbacks (MDRS); Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A9)	Integrated Residential Development in the Residential – Mixed Housing Urban zone	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
<b>Commerce</b>			
(A510)	Show homes in the Residential – Mixed Housing Urban zone	P	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2. Building coverage for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone; Standard I444.6.1.1 Building height (MDRS); Standard I444.6.1.2 Height in relation to boundary (MDRS); Standard I444.6.1.3 Setbacks (MDRS); Standard I444.6.1.4 Building coverage (MDRS); Standard I444.6.1.5 Impervious area (MDRS);

**Commented [MDRS10]:** Consequential change (redundant provisions)

**Commented [MDRS11]:** Consequential change (redundant provisions)

**Commented [MDRS12]:** Consequential change (redundant provisions)

**Commented [MDRS13]:** Consequential change (alignment with MDRS standards)

			Standard I444.6.1.6 Outdoor living space (per unit) (MDRS); Standard I444.6.1.7 Outlook space (per unit) (MDRS); Standard I444.6.1.9 <del>6</del> Show homes in the Residential – Mixed Housing Urban zone
<b>Development</b>			
(A614)	Internal and external alterations to buildings in residential zones		The same activity status and standards as applies to the land use activity that the building is designed to accommodate
(A712)	Accessory buildings ( <del>excluding fences and walls</del> ) in residential zones		The same activity status and standards as applies to the land use activity that the building is accessory to
(A13)	<del>New buildings and additions to buildings in the Residential – Mixed Housing Suburban zone which do not comply with H4.6.5 Height in relation to boundary but comply with H4.6.6 Alternative height in relation to boundary</del>		<del>The same activity status and standards as applies in the underlying zone</del>
(A14)	<del>New buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard H5.6.5 Height in relation to boundary but comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone</del>	P	Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone  Note: Compliance with Standard H5.6.5 Height in relation to boundary is not required.
(A15)	<del>New buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary</del>	RD	H5.6.6 Alternative height in relation to boundary  Note: Compliance with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone is not required.
(A816)	New buildings and additions to buildings in residential zones		The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate
(A9)	<del>Fences and walls in the Residential – Mixed Housing Suburban zone</del>	P	Standard H4.6.14 Front, side and rear fences and walls; Standard I444.6.1.8 Fences and walls adjoining reserves
(A10)	<del>Fences and walls in the Residential – Mixed Housing Urban zone</del>	P	Standard H5.6.15 Front, side and rear fences and walls Standard I444.6.1.8 Fences and walls adjoining reserves
(A17)	<del>Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Suburban zone that are accessory to a residential activity listed as permitted or restricted discretionary activity in this activity table</del>	P	Standard H4.6.14 Front, side and rear fences and walls; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.3 Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves
(A1148)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Suburban zone not otherwise provided for	P	Standard H4.6.8 Maximum impervious areas; Standard H4.6.10 Landscaped area; Standard H4.6.14 Front, side and rear fences and walls; Standard

**Commented [MDRS14]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS15]:** Consequential change (fence standards)

**Commented [MDRS16]:** Consequential change (redundant provisions - alternative height in relation to boundary)

**Commented [MDRS17]:** Consequential change (redundant provisions - alternative height in relation to boundary)

**Commented [MDRS18]:** Consequential change (redundant provisions - alternative height in relation to boundary)

**Commented [MDRS19]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

**Commented [MDRS20]:** Consequential change (redundant provisions)

			<del>I444.6.1.4 Fences and walls adjoining reserves</del>
(A19)	<del>Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Urban zone that are accessory to a show home or a residential activity listed as permitted or restricted discretionary activity in this activity table</del>	<del>P</del>	<del>Standard H5.6.15 Front, side and rear fences and walls; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.3 Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves</del>
(A1229)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Urban zone not otherwise provided for	P	Standard H5.6.9 Maximum impervious areas; Standard H5.6.11 Landscaped area; <del>Standard H5.6.15 Front, side and rear fences and walls; Standard I444.6.1.4 Fences and walls adjoining reserves</del>
(A1324)	Structures not defined as buildings under Chapter J in the Business – Neighbourhood Centre zone	P	Standard H12.6.11 Landscaping; Standard H12.6.6 Maximum impervious area in the riparian yard; Standard <del>I444.6.1.84</del> Fences and walls adjoining reserves

**Commented [MDRS21]:** Consequential change (redundant provisions)

**Commented [MDRS22]:** Consequential change (redundant provisions)

**Commented [MDRS23]:** Consequential change (redundant provisions)

**Table I444.4.2 Activity Table – Subdivision activities**

Subdivision Activity	Activity Status	Standards to be complied with
(A22) Subdivision that is listed as a restricted discretionary activity in Table E38.4.1, E38.4.2, E38.4.3 or E38.4.4 and not otherwise provided for below	RD	The relevant Auckland-wide standards in sections E38.6 to E38.10; Standard I444.6.2.1 Precinct Plan; Standard I444.6.2.3 Riparian Margins.
(A23) Vacant sites subdivision in a residential zone	RD	The standards in section E38.6 General standards for subdivision; the standards in section E38.8.1 General standards in residential zones; Standard I444.6.2.1 Precinct Plan; Standard I444.6.2.2 Vacant Sites Subdivision in Residential Zones; Standard I444.6.2.3 Riparian Margins
(A24) Any subdivision that does not meet any of the standards to be complied with listed in this table	D	

**I444.5. Notification**

(1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties:

(a) four or more dwellings per site in a residential zone that comply with all of the following standards:

(i) Standard I444.1.1.1 Building height (MDRS);

(ii) Standard I444.6.1.2 Height in relation to boundary (MDRS);

(iii) Standard I444.6.1.3 Setbacks (MDRS);

(iv) Standard I444.6.1.4 Building coverage (MDRS);

(v) Standard I444.6.1.5 Impervious area (MDRS);

(vi) Standard I444.6.1.6 Outdoor living space (per unit) (MDRS); and

(vii) Standard I444.6.1.7 Outlook space (per unit) (MDRS)

(2) Any application for resource consent for the following activities will be considered without public notification:

(a) up to three dwellings per site in a residential zone that does not comply with any of the following standards:

(i) Standard I444.1.1.1 Building height (MDRS);

(ii) Standard I444.6.1.2 Height in relation to boundary (MDRS);

(iii) Standard I444.6.1.3 Setbacks (MDRS);

(iv) Standard I444.6.1.4 Building coverage (MDRS);

(v) Standard I444.6.1.5 Impervious area (MDRS);

(vi) Standard I444.6.1.6 Outdoor living space (per unit) (MDRS); and

(vii) Standard I444.6.1.7 Outlook space (per unit) (MDRS)

(34) Any application for resource consent for an activity listed in Table I444.4.1 or Table I444.4.2 and which is not listed in I144.5(1) or I144.5(2) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(42) 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).

**Commented [MDRS24]:** Change required by Schedule 3A, clause 4(2)

**Commented [MDRS25]:** Consequential change

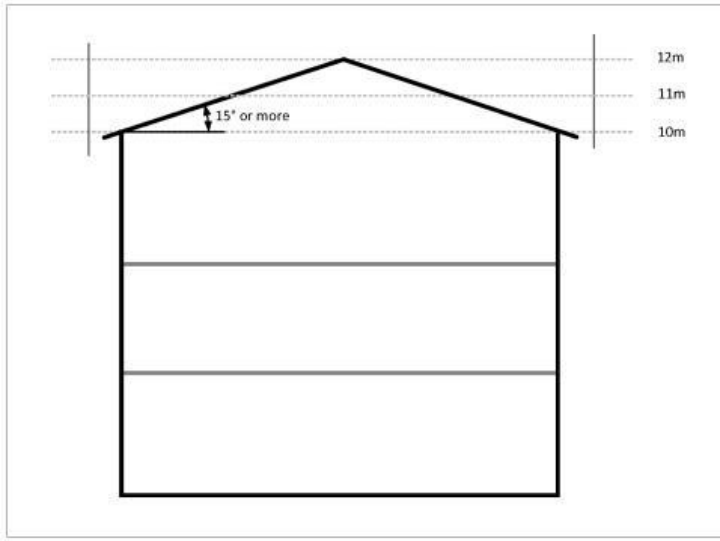
## **I444.6. Standards**

### **I444.6.1. Land use standards**

Land use activities listed in Table I444.4.1 Activity Table – Land use activities must comply with the standards listed in the column in Table I444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, if listed.

#### **I444.1.1.1. Building height (MDRS)**

(1) Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram.

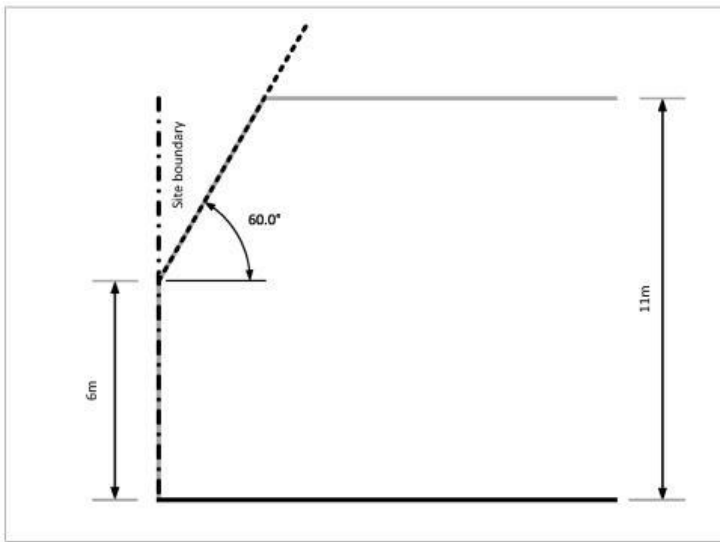


Commented [MDRS26]: Schedule 3A, clause 9

**1444.1.1.2. Height in relation to boundary (MDRS)**

- (1) Terms used in this standard that are defined in the national planning standards have the same meaning in this standard as they do in those standards, rather than Chapter J.
- (2) Buildings must not project beyond a 60° recession plane measured from a point 6 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

Commented [MDRS27]: Change required by Schedule 3A, clause 1(3)



(3) This standard does not apply to:

- (a) a boundary with a road;
- (b) existing or proposed internal boundaries within a site;
- (c) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed;
- (d) a boundary with any site in the Business – Neighbourhood Centre Zone;
- (e) a boundary with any site within the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Sports and Active Recreation Zone, Open Space – Civic Spaces Zone or the Open Space – Community Zone that are greater than 2,000 m<sup>2</sup> in area, subject to the following:
  - (i) the site is greater than 20 m in width when measured perpendicular to the shared boundary; and
  - (ii) where an open space comprises multiple sites but has a common open space zoning, the entire zone may be treated as a single site for the purpose of applying this standard.
- (f) a boundary with a site vested in Council as reserve or in lieu of reserve or a site shown on an approved subdivision consent scheme plan to be vested in Council as reserve or in lieu of reserve where:
  - (i) the site and any adjoining sites vested in Council as reserve or in lieu of reserve are cumulatively greater than 2,000 m<sup>2</sup> in area; and
  - (ii) where that part of the site in (i) is greater than 20 m in width when measured perpendicular to the shared boundary; or
- (g) a boundary with a part of a site subject to a land covenant that protects streams and/or wetlands where:
  - (i) the covenant area is within 5 m of the site boundary;
  - (ii) the covenant area and any adjoining covenant areas for the purpose of protecting streams and/or wetlands are cumulatively greater than 2,000 m<sup>2</sup> in area; and
  - (iii) that part of the site is greater than 20 m in width when measured perpendicular to the shared boundary.

Commented [MDRS28]: Schedule 3A, clause 10

#### 1444.1.1.3. Setbacks (MDRS)

- (1) Terms used in this standard that are defined in the national planning standards have the same meaning in this standard as they do in those standards, rather than Chapter J.
- (2) Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:

Yard	Minimum depth
Front	2.5 metres
Side	1 metre

Commented [MDRS29]: Relocated from proposed Standard I444.6.1.5 Height in relation to boundary (more permissive approach enabled by section 77F(4))

Commented [MDRS31]: Schedule 3A, clause 11

Commented [MDRS30]: Change required by Schedule 3A, clause 1(3)

Rear	1 metre (excluded on corner sites)
------	------------------------------------

**1444.1.1.4. Building coverage (MDRS)**

- (1) Terms used in this standard that are defined in the national planning standards have the same meaning in this standard as they do in those standards, rather than Chapter J.
- (2) The maximum building coverage must not exceed 50% of the net site area.

**Commented [MDRS32]:** Change required by Schedule 3A, clause 1(3)

**Commented [MDRS33]:** Schedule 3A, clause 12

**1444.1.1.5. Impervious area (MDRS)**

- (1) Terms used in this standard that are defined in the national planning standards have the same meaning in this standard as they do in those standards, rather than Chapter J.
- (2) The maximum impervious area must not exceed 60% of the site area.

**Commented [MDRS34]:** Change required by Schedule 3A, clause 1(3)

**Commented [MDRS35]:** Schedule 3A, clause 13

**1444.1.1.6. Outdoor living space (per unit) (MDRS)**

- (1) Terms used in this standard that are defined in the national planning standards have the same meaning in this standard as they do in those standards, rather than Chapter J.
- (2) A residential unit at ground floor level must have an outdoor living space that is at least 15 square metres and that comprises ground floor or balcony or roof terrace space that:
  - (a) where located at ground level, has no dimension less than 3 metres; and
  - (b) where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - (c) is accessible from the residential unit; and
  - (d) is free of buildings, parking spaces, and servicing and manoeuvring areas.

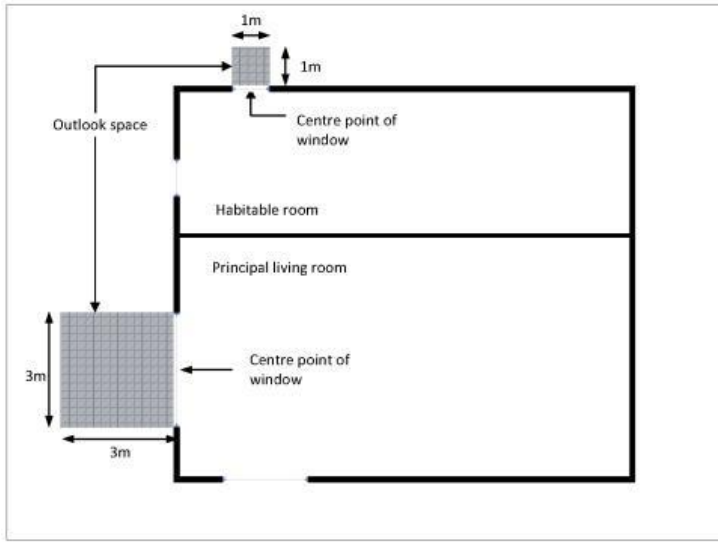
**Commented [MDRS36]:** Change required by Schedule 3A, clause 1(3)

**Commented [MDRS37]:** Schedule 3A, clause 14

**1444.1.1.7. Outlook space (per unit) (MDRS)**

- (1) Terms used in this standard that are defined in the national planning standards have the same meaning in this standard as they do in those standards, rather than Chapter J.
- (2) An outlook space must be provided from habitable room windows as shown in the diagram below. Where the room has 2 or more windows, the outlook space must be provided from the largest area of glazing.

**Commented [MDRS38]:** Change required by Schedule 3A, clause 1(3)



- (3) The minimum dimensions for a required outlook space are as follows:
- (a) a principal living room must have an outlook space with a minimum dimension of 3 metres in depth and 3 metres in width; and
  - (b) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- (4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (5) Outlook spaces may be within the site or over a public street or other public open space.
- (6) Outlook spaces required from different rooms within the same building may overlap.
- (7) Outlook spaces must:
- (a) be clear and unobstructed by buildings; and
  - (b) not extend over an outlook space or outdoor living space required by another dwelling.

Commented [MDRS39]: Schedule 3A, clause 15

#### 444.6.1.1. Maximum impervious areas for higher density development

##### Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risk;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards;
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood; and
- To provide for flexibility of built form for higher density development



~~(1) The maximum impervious area must not exceed 70 per cent of the site area.~~

~~(2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.~~

#### ~~1444.6.1.2. Building coverage for higher density development~~

##### ~~Purpose:~~

- ~~in the Residential – Mixed Housing Suburban zone, to manage the extent of buildings on a site to achieve the planned suburban built character of buildings;~~
- ~~in the Residential – Mixed Housing Urban zone, to manage the extent of buildings on a site to achieve the planned urban built character of buildings; and~~
- ~~to provide for flexibility of built form for higher density residential development.~~

~~(1) The maximum building coverage must not exceed 50 per cent of net site area.~~

#### ~~1444.6.1.3. Landscaped area for higher density development~~

##### ~~Purpose:~~

- ~~in the Residential – Mixed Housing Suburban zone, to provide for quality living environments consistent with the planned suburban built character of buildings within a generally spacious setting;~~
- ~~in the Residential – Mixed Housing Urban zone, to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space;~~
- ~~to maintain the landscaped character of the streetscape within the zone; and~~
- ~~to provide for flexibility of built form for higher density residential development.~~

~~(1) The minimum landscaped area must be at least 30 per cent of net site area.~~

~~(2) The front yard must comprise landscaped area of at least 40 per cent of the front yard.~~

#### ~~1444.6.1.34. Fences and walls adjoining reserves~~

Purpose: to enable fences and walls to be constructed on or adjacent to a site boundary adjoining a reserve vested or to be vested in Council to be a sufficient height to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the adjoining reserve; and
- minimise visual dominance effects to the adjoining reserve;

(3) Where a site has a boundary that adjoins either a site that is vested in Council as a local purpose (esplanade) reserve or part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as a local purpose (esplanade) reserve, then:

- no fences or walls shall be constructed on or within 1.0 m of that boundary;
- no retaining walls shall be constructed within 1.5 m of that boundary;
- within 1.5 m of that boundary, any fences must not exceed a height, measured from the ground level at the boundary, of either:
  - 1.2 m; or
  - 1.6 m, if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary;

**Commented [MDRS40]:** Deleting as standard is less permissive than Schedule 3A, clause 13 (refer section 77F(4)(c))

**Commented [MDRS41]:** Consequential change required by Schedule 3A, clause 2(3) (impervious area in yards)

**Commented [MDRS42]:** Deleting as standard is less permissive than Schedule 3A, clause 12 (refer section 77F(4)(c))

**Commented [MDRS43]:** Change required by Schedule 3A, clause 2(3) (landscaped area)

- (d) within 1.5 m of that boundary, any fences must be a dark, recessive colour; and
  - (e) if any fence is constructed within 1.5 m of that boundary, then the area between the fence and that boundary shall be fully planted with shrubs that are maintained at a height of at least 1.0 m, except that:
    - (i) where a fence contains a gate, no planting is required between that gate and the boundary for a maximum width of 2 m.
- (4) Where a site has a boundary that adjoins either a site that is vested in Council as a reserve or in lieu of reserves, part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as a reserve or in lieu of reserves or a site or part of a site in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open – Space Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone that Standard 1444.6.1.4(1) does not apply to, then:
- (a) on or within 1.0 m of that boundary, fences or walls or any combination of these structures (whether separate or joined together) must not exceed a height, measured from the ground level at the boundary, of either:
    - (i) 1.4 m;
    - (ii) 1.8 m for no more than 50 per cent of the length of the boundary and 1.4 m for the remainder; or
    - (iii) 1.8 m if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary.

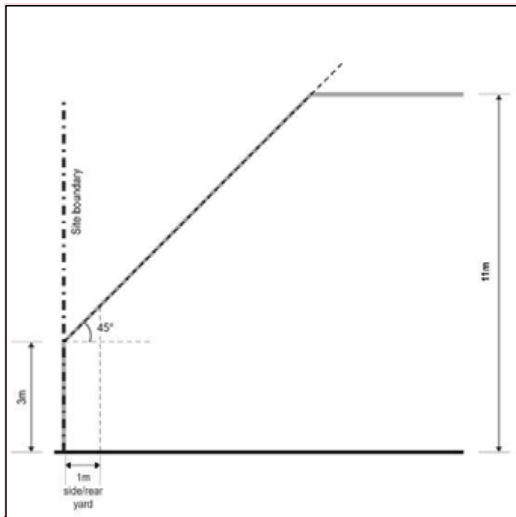
#### **1444.6.1.5. Height in relation to boundary in the Residential – Mixed Housing Urban Zone**

##### **Purpose:**

- to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours; and
- to enable the efficient use of the site by providing design flexibility at upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours

- (1) Unless otherwise specified below, buildings must not project beyond a 45 degree recession plane measured from a point 3 m vertically above ground level along side and rear boundaries, as shown in Figure 1444.6.1.5.1 Height in relation to boundary below.

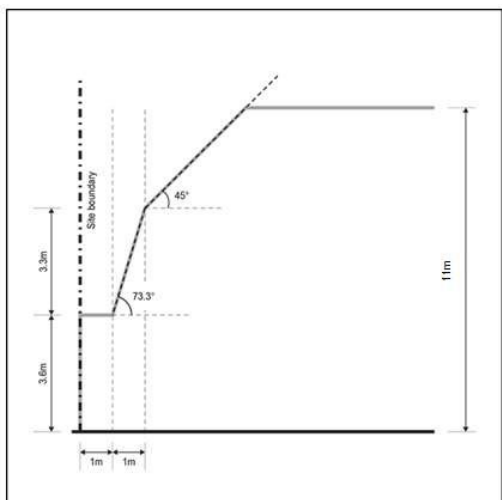
Figure I444.6.1.5.1 Height in relation to boundary



(2) Standard I444.6.1.5(1) does not apply to any buildings or parts of buildings that comply with Standards I444.6.1.5(3) and I444.6.1.5(5) below.

(3) Any buildings or parts of buildings on front sites within 20 m of the site frontage and more than 6 m from any rear boundary must not exceed a height of 3.6 m measured vertically above ground level at side boundaries. Thereafter, buildings must be set back 1 m and then 0.3 m for every additional metre in height (73.3 degrees) up to 6.9 m and then 1 m for every additional metre in height (45 degrees) as shown in Figure I444.6.1.5.2 Alternative Height in relation to boundary, below.

Figure I444.6.1.5.2 Alternative Height in relation to boundary



~~(4) Standard I444.6.1.5(3) above only applies to buildings that comply with the following:~~

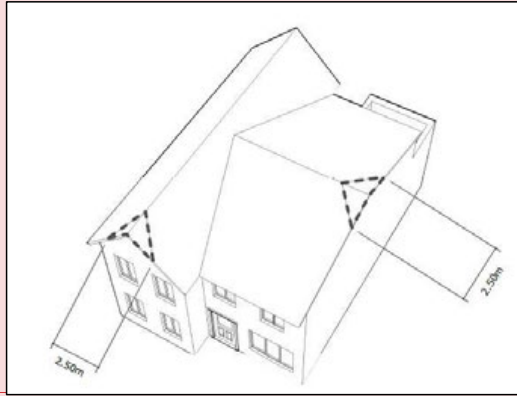
- ~~(a) Where the site that adjoins the side boundary that the recession plane under Standard I444.6.1.5(3) is taken from contains an existing dwelling (or a dwelling that has obtained building consent), then shading caused by those parts of the building that would not comply with Standard I444.6.1.5(1) shall not result in less than four hours of sunlight between the hours of 9am and 4 pm during the equinox (22 September) over an area of at least:
  - ~~(i) 75% of that existing dwelling's outdoor living space, if the outdoor living space has a total area of 20 m<sup>2</sup> or greater; or~~
  - ~~(ii) 100% of that existing dwelling's outdoor living space, if the outdoor living space has a total area of less than 20 m<sup>2</sup>.~~~~
- ~~(b) The front façade of each building must contain glazing that is cumulatively at least 20 percent of the area of the front façade (excluding any garage door).~~
- ~~(c) The front yard must comprise landscaped area of at least 50 per cent of the front yard.~~
- ~~(d) The proposed building shall provide a main entrance door that is visible from the street.~~
- ~~(e) Pedestrian access between the main entrance door of the building and the street must not cross any areas for the parking or manoeuvring of vehicles.~~
- ~~(f) Any garage doors facing the street must:
  - ~~(i) Be set back at least 5 m from the front boundary; and~~
  - ~~(ii) Must not project forward of the front façade of the building.~~~~
- ~~(g) Any balconies, decks or any similar outdoor living spaces above ground floor level must not be visible from any side boundary (when viewing perpendicular to that boundary), unless the structure (including any balustrades) does not intrude the recession planes specified in Standard I444.6.1.5(1).~~
- ~~(h) Those parts of the building that would not comply with Standard I444.6.1.5(1) must not include any glazing that faces a side boundary unless at least one of the following applies:
  - ~~(i) The glazing is opaque; or~~
  - ~~(ii) The window sill height is at least 1.6 m above the room's floor level.~~~~

~~(5) Standards I444.6.1.5(1) and I444.6.1.5(3) above do not apply to a boundary or part of a boundary adjoining any of the following sites:~~

- ~~(a) Any site in the Business – Neighbourhood Centre Zone;~~
- ~~(b) Any site within the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Sports and Active Recreation Zone, Open Space – Civic Spaces Zone or the Open Space – Community Zone that are greater than 2,000 m<sup>2</sup> in area, subject to the following:
  - ~~(i) the site is greater than 20 m in width when measured perpendicular to the shared boundary; and~~~~

- (ii) where an open space comprises multiple sites but has a common open space zoning, the entire zone may be treated as a single site for the purpose of applying this standard.
- (c) A site vested in Council as reserve or in lieu of reserve or a site shown on an approved subdivision consent scheme plan to be vested in Council as reserve or in lieu of reserve where:
  - (i) the site and any adjoining sites vested in Council as reserve or in lieu of reserve are cumulatively greater than 2,000 m<sup>2</sup> in area; and
  - (ii) where that part of the site in (i) is greater than 20 m in width when measured perpendicular to the shared boundary; or
- (d) Part of a site subject to a land covenant that protects streams and/or wetlands where:
  - (i) the covenant area is within 5 m of the site boundary;
  - (ii) the covenant area and any adjoining covenant areas for the purpose of protecting streams and/or wetlands are cumulatively greater than 2,000 m<sup>2</sup> in area; and
  - (iii) that part of the site is greater than 20 m in width when measured perpendicular to the shared boundary.
- (6) Unless otherwise specified below, buildings must not project beyond a 45-degree recession plane measured from a point 2.5 m vertically above ground level along any boundary adjoining any of the following sites:
  - (a) Any site in the Residential – Mixed Housing Suburban Zone; or
  - (b) Any site within the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Sports and Active Recreation Zone, Open Space – Civic Spaces Zone or the Open Space – Community Zone not covered by Standard I444.6.1.5(5)(b) above.
- (7) Standards I444.6.1.5(1), I444.6.1.5(3) and I444.6.1.5(6) do not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (8) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the applicable recession plane in Standard I444.6.1.5(1), I444.6.1.5(3) or I444.6.1.5(6) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (9) A gable end, former or roof may project beyond the applicable recession plane in Standard I444.6.1.5(1), I444.6.1.5(3) or I444.6.1.5(7) where that portion beyond the recession plane is:
  - (a) no greater than 1.5 m<sup>2</sup> in area and no greater than 1 m in height; and
  - (b) no greater than 2.5 m cumulatively in length measured along the edge of the roof as shown in Figure I444.6.1.5.3 Exceptions for gable ends, dormers and roof projections and dormers below

**Figure I444.6.1.5.3 Exceptions for gable ends, dormers and roof projections and dormers**



(10) No more than two gable end, dormer or roof projections enabled under I444.6.1.5(10) above are allowed for every 6 m length of site boundary.

(11) The recession planes in Standards I444.6.1.5(1), I444.6.1.5(3) and I444.6.1.5(7) do not apply to existing or proposed internal boundaries within a site.

**Commented [MDRS44]:** Deleting as standard is less permissive than Schedule 3A, clause 10 (refer section 77F(4)(c))

**I444.6.1.96. Show homes in the Residential – Mixed Housing Urban zone**

Purpose: to avoid, remedy and mitigate adverse effects on residential amenity resulting from show homes, including in relation to noise and traffic.

- (1) The show home shall be treated as a dwelling for the purpose of compliance with all other standards listed in the column in Table I444.4.1 called Standards to be complied with.
- (2) The show home shall not operate outside the hours of 9:00 am and 5:00 pm on any day.
- (3) The show home shall cease to operate five years after approval of code compliance certificate for that show home. From that date, the show home shall be deemed to be a dwelling.

**I444.6.1.107. Vehicle access restrictions – Cycle facilities**

- (1) In addition to the requirements of Standard E27.6.4.1, new vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which has frontage to an existing or proposed shared path or dedicated cycle way, including where shown on Figure I444.10.1. Hingaia 1 - Precinct Plan. For the avoidance of doubt, this relates only to allotments fronting that side of the road where the shared path or dedicated cycle way exists or is proposed.
- (2) Standard I444.6.1.107(1) above applies in any of the following circumstances:
  - (a) a new vehicle crossing is proposed;
  - (b) a new activity is established on a site;
  - (c) there is a change of type of activity; or

- (d) a building(s) is constructed, or additions to buildings that are not permitted activities in Table H12.4.1 Activity table, except that this does not apply in the case of a dwelling where the reconstruction, alteration or addition does not increase the number of dwellings on a site.

#### **I444.6.2. Subdivision standards**

Subdivision activities listed in Table I444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table I444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, if listed, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:

- (1) E38.6.1. Site size and shape;
- (2) E38.6.6. Existing vegetation on the site;
- (3) E38.7.3.1. Subdivision of a site with two or more zones or subdivision along an undefined zone boundary;
- (4) E38.7.3.3. Subdivision of a site within the one per cent annual exceedance probability floodplain;
- (5) E38.7.3.4. Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area;
- (6) E38.8.1.1. Site shape factor in residential zones;
- (7) E38.8.2.5. Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.

##### **I444.6.2.1. Precinct Plan**

- (1) Vacant sites subdivision shall provide for the following structural elements shown on Figure I444.10.1. Hingaia 1 - Precinct Plan, unless they are shown on the precinct plan to be within any proposed allotment 4 ha or greater in area:
  - (a) Collector roads;
  - (b) Shared paths or dedicated cycle ways (excluding the shared path along the Southern Motorway);
  - (c) Parks, in the locations shown on the precinct plan.
- (2) Where the structural elements shown on Figure I444.10.1. Hingaia 1 - Precinct Plan are required within any proposed allotment that is 4 ha or greater in area, it shall be demonstrated that the proposed subdivision does not preclude the provision of these elements under future subdivisions of that allotment.

##### **I444.6.2.2. Vacant Sites Subdivision in Residential Zones**

(1) Compliance with this standard is not required for any allotment where it is practicable to construct one dwelling in accordance with the applicable permitted activity standards listed in Activity Table I444.4.1.

- (2) Where subdivision is of a parent site less than 1 ha, each vacant site must comply with the minimum net site area of 300 m<sup>2</sup>.

**Commented [MDRS45]:** Change required by Schedule 3A, clause 6(a)(ii)

(32) Where subdivision is of a parent site 1 ha or greater in area:

- (a) Each vacant site within residential zones must comply with the minimum net site area in Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.

**Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater**

Zone	Minimum Net Site Area	Minimum Average Net Site Area	Maximum Average Net Site Area
Residential – Mixed Housing Suburban Zone	240m <sup>2</sup>	300m <sup>2</sup>	480m <sup>2</sup>
Residential – Mixed Housing Urban Zone	240m <sup>2</sup>	300m <sup>2</sup>	360m <sup>2</sup>

- (b) The minimum average net site area calculated over the total of all sites created must comply with Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.

When calculating the minimum average net site area for the purpose of this standard, any proposed site with a net site area greater than the maximum average net site area specified for the applicable zone in Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater must be included in the averaging calculation at the figure specified as the maximum average net site area for the applicable zone.

(43) Where 30 or more vacant sites are proposed, the total number of rear sites must not exceed five per cent of the total number of proposed sites.

#### **I444.6.2.3. Riparian Margins**

- (1) Where a permanent or intermittent stream is shown on Figure I444.10.1. Hingaia 1 - Precinct Plan within or adjoining a road or an allotment less than 4 ha in area, riparian margins shall be established either side of the banks of the stream (or on one side where the opposite side adjoins an allotment 4 ha or more in area) to a minimum width of 10m measured from the bank of the stream, where the location of the bank can be physically identified by ground survey, or from the centreline of the stream where the bank cannot be physically identified by ground survey. Those margins shall be planted in native vegetation and shall be offered to Council for vesting as local purpose (drainage) reserves where not required by Standard E38.7.3.2 Subdivision establishing an esplanade reserve to be vested as local purpose (esplanade) reserve.

#### **I444.7. Assessment – controlled activities**

There are no controlled activities in this precinct

#### **I444.8. Assessment – Restricted Discretionary Activities**

##### **I444.8.1. Matters of discretion**

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



(1) ~~for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone;~~

**Commented [MDRS46]:** Consequential change (redundant provisions)

(a) ~~the matters listed in H4.8.1(2)(a) and H4.8.1(2)(c); and~~

(b) all of the following standards:

~~(i) Standard I444.6.1.4 Building coverage (MDRS);~~

~~(ii) Standard I444.6.1.5 Impervious area (MDRS);~~

~~(iii) Standard I444.6.1.6 Outdoor living space (per unit) (MDRS);~~

~~(iv) Standard I444.6.1.7 Outlook space (per unit) (MDRS);~~

~~(i) Standard I444.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) Standard I444.6.1.2 Building coverage for higher density development;~~

~~(iii) Standard I444.6.1.3 Landscaped area for higher density development;~~

~~(iv) Standard H4.6.11 Outlook space;~~

(v) Standard H4.6.12 Daylight; and

~~(vi) Standard H4.6.13 Outdoor living space;~~

**Commented [MDRS47]:** Consequential change (alignment with MDRS standards)

~~(vii) Standard H4.6.14 Front, side and rear fences and walls; and~~

**Commented [MDRS48]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

(viii) Standard H4.6.15 Minimum dwelling size.

~~(b) the extent of impervious area within a riparian yard, a lakeside yard or a coastal protection yard; and~~

**Commented [MDRS49]:** Consequential change required by Schedule 3A, clause 2(3) (impervious area in yards)

~~(c) the extent of landscaped area, including the extent within the site's front yard.~~

**Commented [MDRS50]:** Consequential change required by Schedule 3A, clause 2(3) (landscaped area)

(2) ~~for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone;~~

**Commented [MDRS51]:** Consequential change (redundant provisions)

(a) ~~the matters listed in H5.8.1(2)(a) and H5.8.1(2)(c); and~~

(b) all of the following standards:

~~(i) Standard I444.6.1.4 Building coverage (MDRS);~~

~~(ii) Standard I444.6.1.5 Impervious area (MDRS);~~

~~(iii) Standard I444.6.1.6 Outdoor living space (per unit) (MDRS);~~

~~(iv) Standard I444.6.1.7 Outlook space (per unit) (MDRS);~~

~~(i) Standard I444.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) Standard I444.6.1.2 Building coverage for higher density development;~~

~~(iii) Standard I444.6.1.3 Landscaped area for higher density development;~~

~~(iv) Standard H5.6.12 Outlook space;~~

(v) Standard H5.6.13 Daylight; and

~~(vi) Standard H5.6.14 Outdoor living space;~~

~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~

(viii) Standard H5.6.16 Minimum dwelling size.

~~(b) the extent of impervious area within a riparian yard, a lakeside yard or a coastal protection yard; and~~

~~(c) the extent of landscaped area, including the extent within the site's front yard.~~

(3) for Integrated Residential Development in the Residential – Mixed Housing Suburban zone:

(a) the matters listed in H4.8.1(3)(a) and H4.8.1(3)(c); ~~and~~

(b) all of the following standards:

~~(i) Standard I444.6.1.4 Building coverage (MDRS);~~

~~(ii) Standard I444.6.1.5 Impervious area (MDRS);~~

~~(iii) Standard I444.6.1.6 Outdoor living space (per unit) (MDRS);~~

~~(iv) Standard I444.6.1.7 Outlook space (per unit) (MDRS);~~

~~(i) Standard I444.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) Standard I444.6.1.2 Building coverage for higher density development;~~

~~(iii) Standard I444.6.1.3 Landscaped area for higher density development;~~

~~(iv) Standard I444.6.1.4 Fences and walls adjoining reserves;~~

~~(v) Standard H4.6.11 Outlook space;~~

(vi) Standard H4.6.12 Daylight; and

~~(vii) Standard H4.6.13 Outdoor living space;~~

~~(viii) Standard H4.6.14 Front, side and rear fences and walls; and~~

(vix) Standard H4.6.15 Minimum dwelling size.

~~(b) the extent of impervious area within a riparian yard, a lakeside yard or a coastal protection yard; and~~

~~(c) the extent of landscaped area, including the extent within the site's front yard.~~

**Commented [MDRS52]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS53]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

**Commented [MDRS54]:** Consequential change required by Schedule 3A, clause 2(3) (impervious area in yards)

**Commented [MDRS55]:** Consequential change required by Schedule 3A, clause 2(3) (landscaped area)

**Commented [MDRS56]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS57]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

**Commented [MDRS58]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS59]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

**Commented [MDRS60]:** Consequential change required by Schedule 3A, clause 2(3) (impervious area in yards)

**Commented [MDRS61]:** Consequential change required by Schedule 3A, clause 2(3) (landscaped area)

(4) for Integrated Residential Development in the Residential – Mixed Housing Urban zone:

(a) The matters listed in H5.8.1(3)(a) and H5.8.1(3)(c); ~~and~~

(b) all of the following standards:

~~(i) Standard I444.6.1.4 Building coverage (MDRS);~~

~~(ii) Standard I444.6.1.5 Impervious area (MDRS);~~

~~(iii) Standard I444.6.1.6 Outdoor living space (per unit) (MDRS);~~

~~(iv) Standard I444.6.1.7 Outlook space (per unit) (MDRS);~~

~~(i) Standard I444.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) Standard I444.6.1.2 Building coverage for higher density development;~~

~~(iii) Standard I444.6.1.3 Landscaped area for higher density development;~~

~~(iv) Standard I444.6.1.4 Fences and walls adjoining reserves;~~

~~(v) Standard H5.6.12 Outlook space;~~

(vi) Standard H5.6.13 Daylight; ~~and~~

~~(vii) Standard H5.6.14 Outdoor living space;~~

~~(viii) Standard H5.6.15 Front, side and rear fences and walls; and~~

(vix) Standard H5.6.16 Minimum dwelling size.

~~(b) the extent of impervious area within a riparian yard, a lakeside yard or a coastal protection yard; and~~

~~(c) the extent of landscaped area, including the extent within the site's front yard.~~

~~(5) for development that does not comply with Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2 Building coverage for higher density development; Standard I444.6.1.3 Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone;~~

~~(a) any precinct or zone policy which is relevant to the standard;~~

~~(b) the purpose of the standard;~~

~~(c) the effects of the infringement of the standard;~~

~~(d) in the Residential – Mixed Housing Suburban zone, the effects on the suburban built character of the zone;~~

~~(e) in the Residential – Mixed Housing Urban zone, the effects on the urban built character of the zone;~~

~~(f) the effects on the amenity of neighbouring sites;~~

**Commented [MDRS62]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS63]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

**Commented [MDRS64]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS65]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

**Commented [MDRS66]:** Consequential change required by Schedule 3A, clause 2(3) (impervious area in yards)

**Commented [MDRS67]:** Consequential change required by Schedule 3A, clause 2(3) (landscaped area)

~~(g) the effects of any special or unusual characteristic of the site which is relevant to the standard;~~

~~(h) the characteristics of the development;~~

~~(i) any other matters specifically listed for the standard; and~~

~~(j) where more than one standard will be infringed (including standards in the underlying zone), the effects of all infringements.~~

~~(6) for new buildings and additions to buildings in the Residential — Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary:~~

~~(a) the matters listed in H5.8.1(5).~~

~~(7) for new buildings and additions to buildings in the Residential — Mixed Housing Urban zone that does not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone where Standard H5.6.6 Alternative height in relation to boundary is either not applicable or infringed:~~

~~(a) any precinct or zone policy which is relevant to the standard;~~

~~(b) the purpose of the standard;~~

~~(c) the effects of the infringement of the standard;~~

~~(d) the effects on the urban built character of the zone;~~

~~(e) the effects on the amenity of neighbouring sites;~~

~~(f) the effects of any special or unusual characteristic of the site which is relevant to the standard;~~

~~(g) the characteristics of the development;~~

~~(h) any other matters specifically listed for the standard; and~~

~~(i) where other standards will be infringed (including standards in the underlying zone), the effects of all infringements.~~

~~(58) for construction or use of a vehicle crossing that does not comply with Standard I444.6.1.107. Vehicle access restrictions – Cycle facilities:~~

~~(a) the matters listed in E27.8.1(12).~~

~~(69) for subdivision listed as a restricted discretionary activity in Activity Table I444.4.2:~~

~~(a) the relevant matters listed in section E38.12.1, except that the matters listed in the following sections should not apply to proposed allotments 4 ha or greater in area:~~

~~(i) E38.12.1(1) subdivision of a site within the one per cent annual exceedance probability floodplain:~~

**Commented [MDRS68]:** Consequential change (redundant provisions) - section C1.9 to instead be relied on

**Commented [MDRS69]:** Consequential change (redundant provisions - alternative height in relation to boundary)

- (ii) E38.12.1(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;
  - (iii) E38.12.1(3) subdivision of a site in the coastal erosion hazard area;
  - (iv) E38.12.1(4) subdivision of a site subject to land instability including those areas defined in the Plan as "land which may be subject to land instability", or other unstable soils as identified through a specific site assessment;
  - (v) E38.12.1(7) all other restricted discretionary activity subdivisions; and
  - (vi) E38.12.1(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.
- (b) the subdivision's consistency with Figure I444.10.1. Hingaia 1 - Precinct Plan;
  - (c) consistency with Standard I444.6.1.107 Vehicle access restrictions – Cycle facilities for any proposed or future vehicle crossings required to access proposed or existing allotments;
  - (d) any applicable on-site stormwater management requirements for lots less than 4 ha in area; and
  - (e) the management of effects of stormwater from any proposed roads; and
  - (f) enabling viewshafts out to the coast.

#### I444.8.2. Assessment Criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities from the list below.

- (1) ~~for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone;~~
  - (a) ~~whether the development complies with or the extent to which it infringes the following medium density residential standards:~~
    - (i) ~~Standard I444.6.1.4 Building coverage (MDRS);~~
    - (ii) ~~Standard I444.6.1.5 Impervious area (MDRS);~~
    - (iii) ~~Standard I444.6.1.6 Outdoor living space (per unit) (MDRS);~~
    - (iv) ~~Standard I444.6.1.7 Outlook space (per unit) (MDRS)~~
  - (ba) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) ~~Standard I444.6.1.1 Maximum impervious areas for higher density development;~~
    - (ii) ~~Standard I444.6.1.2 Building coverage for higher density development;~~

**Commented [MDRS70]:** Consequential change (redundant provisions)

**Commented [MDRS71]:** Consequential change (alignment with MDRS standards)

~~(iii) Standard I444.6.1.3 Landscaped area for higher density development;~~

~~(iv) Standard H4.6.11 Outlook space;~~

~~(iv) Standard H4.6.12 Daylight; and~~

~~(vi) Standard H4.6.13 Outdoor living space;~~

~~(vii) Standard H4.6.14 Front, side and rear fences and walls; and~~

~~(iviii) Standard H4.6.15 Minimum dwelling size.~~

(cb) the criteria listed in H4.8.2(2)(b) to H4.8.2(2)(i).

(d) whether the development complies with or the extent to which it infringes the following additional standards:

(i) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area;

(ii) The minimum landscaped area must be at least 30 per cent of net site area;

(iii) The front yard must comprise landscaped area of at least 40 per cent of the front yard.

(2) for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone:

(a) whether the development complies with or the extent to which it infringes the following medium density residential standards:

(i) Standard I444.6.1.4 Building coverage (MDRS);

(ii) Standard I444.6.1.5 Impervious area (MDRS);

(iii) Standard I444.6.1.6 Outdoor living space (per unit) (MDRS);

(iv) Standard I444.6.1.7 Outlook space (per unit) (MDRS)

(ba) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

~~(i) Standard I444.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) Standard I444.6.1.2. Building coverage for higher density development;~~

~~(iii) Standard I444.6.1.3. Landscaped area for higher density development;~~

~~(iv) Standard H5.6.12. Outlook space;~~

~~(iv) Standard H5.6.13. Daylight; and~~

**Commented [MDRS72]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS73]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

**Commented [MDRS74]:** Consequential change required by Schedule 3A, clause 2(3) (impervious area in yards)

**Commented [MDRS75]:** Consequential change required by Schedule 3A, clause 2(3) (landscaped area)

**Commented [MDRS76]:** Consequential change (alignment with MDRS standards)

~~(vi) Standard H5.6.14. Outdoor living space;~~

~~(vii) Standard H5.6.15. Front, side and rear fences and walls; and~~

~~(iiviii) Standard H5.6.16. Minimum dwelling size.~~

(cb) the criteria listed in H5.8.2(2)(b) to H5.8.2(2)(h).

~~(d) whether the development complies with or the extent to which it infringes the following additional standards:~~

~~(i) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area;~~

~~(ii) The minimum landscaped area must be at least 30 per cent of net site area;~~

~~(iii) The front yard must comprise landscaped area of at least 40 per cent of the front yard.~~

(3) for integrated residential development in the Residential – Mixed Housing Suburban zone:

~~(a) whether the development complies with or the extent to which it infringes the following medium density residential standards:~~

~~(i) Standard I444.6.1.4 Building coverage (MDRS);~~

~~(ii) Standard I444.6.1.5 Impervious area (MDRS);~~

~~(iii) Standard I444.6.1.6 Outdoor living space (per unit) (MDRS);~~

~~(iv) Standard I444.6.1.7 Outlook space (per unit) (MDRS)~~

(ba) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

~~(i) Standard I444.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) Standard I444.6.1.2 Building coverage for higher density development;~~

~~(iii) Standard I444.6.1.3 Landscaped area for higher density development;~~

~~(iv) Standard I444.6.1.4 Fences and walls adjoining reserves;~~

~~(v) Standard H4.6.11 Outlook space;~~

~~(ivi) Standard H4.6.12 Daylight; and~~

~~(vii) Standard H4.6.13 Outdoor living space;~~

~~(viii) Standard H4.6.14 Front, side and rear fences and walls; and~~

~~(iix) Standard H4.6.15 Minimum dwelling size.~~

(cb) the criteria listed in H4.8.2(3)(b) to H4.8.2(3)(k).

**Commented [MDRS77]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS78]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

**Commented [MDRS79]:** Consequential change required by Schedule 3A, clause 2(3) (impervious area in yards)

**Commented [MDRS80]:** Consequential change required by Schedule 3A, clause 2(3) (landscaped area)

**Commented [MDRS81]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS82]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS83]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

**Commented [MDRS84]:** Consequential change (alignment with MDRS standards)

**Commented [MDRS85]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

(d) whether the development complies with or the extent to which it infringes the following additional standards:

(i) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area;

(ii) The minimum landscaped area must be at least 30 per cent of net site area;

(iii) The front yard must comprise landscaped area of at least 40 per cent of the front yard.

**Commented [MDRS86]:** Consequential change required by Schedule 3A, clause 2(3) (impervious area in yards)

**Commented [MDRS87]:** Consequential change required by Schedule 3A, clause 2(3) (landscaped area)

(4) for integrated residential development in the Residential – Mixed Housing Urban zone:

(a) whether the development complies with or the extent to which it infringes the following medium density residential standards:

(i) Standard I444.6.1.4 Building coverage (MDRS);

(ii) Standard I444.6.1.5 Impervious area (MDRS);

(iii) Standard I444.6.1.6 Outdoor living space (per unit) (MDRS);

(iv) Standard I444.6.1.7 Outlook space (per unit) (MDRS);

**Commented [MDRS88]:** Consequential change (alignment with MDRS standards)

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

(i) Standard I444.6.1.1 Maximum impervious areas for higher density development;

(ii) Standard I444.6.1.2 Building coverage for higher density development;

(iii) Standard I444.6.1.3 Landscaped area for higher density development;

(iv) Standard I444.6.1.4 Fences and walls adjoining reserves;

**Commented [MDRS89]:** Consequential change (alignment with MDRS standards)

(v) Standard H5.6.12 Outlook space;

**Commented [MDRS90]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

(vi) Standard H5.6.13 Daylight; and

(vii) Standard H5.6.14 Outdoor living space;

**Commented [MDRS91]:** Consequential change (alignment with MDRS standards)

(viii) Standard H5.6.15 Front, side and rear fences and walls; and

**Commented [MDRS92]:** Consequential change required by Schedule 3A, clause 2(3) (fence standards)

(ix) Standard H5.6.16 Minimum dwelling size.

(b) the criteria listed in H5.8.2(3)(b) to H3.8.2(3)(k).

(d) whether the development complies with or the extent to which it infringes the following additional standards:

(i) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area;

(ii) The minimum landscaped area must be at least 30 per cent of net site area;

**Commented [MDRS93]:** Consequential change required by Schedule 3A, clause 2(3) (impervious area in yards)



~~(iii) The front yard must comprise landscaped area of at least 40 per cent of the front yard.~~

**Commented [MDRS94]:** Consequential change required by Schedule 3A, clause 2(3) (landscaped area)

~~(5) for development that does not comply with Standard I444.6.1.1 Maximum impervious areas for higher density development:~~

~~(a) refer Policies I444.3(3) and I444.3(4).~~

~~(b) in the Residential – Mixed Housing Suburban zone, the criteria listed in H4.8.2(9).~~

~~(c) in the Residential – Mixed Housing Urban zone, the criteria listed in H5.8.2(10).~~

~~(6) for buildings that do not comply with Standard I444.6.1.2 Building coverage for higher density development:~~

~~(a) refer Policies I444.3(3) and I444.3(4).~~

~~(b) in the Residential – Mixed Housing Suburban zone, the criteria listed in H4.8.2(10).~~

~~(c) in the Residential – Mixed Housing Urban zone, the criteria listed in H5.8.2(11).~~

~~(7) for development that does not comply with Standard I444.6.1.3 Landscaped area for higher density development:~~

~~(a) refer Policies I444.3(3) and I444.3(4).~~

~~(b) in the Residential – Mixed Housing Suburban zone, the criteria listed in H4.8.2(11).~~

~~(c) in the Residential – Mixed Housing Urban zone, the criteria listed in H5.8.2(12).~~

~~(8) for development that does not comply with Standard I444.6.1.4 Fences and walls adjoining reserves:~~

~~(a) refer Policies I444.3(5) and I444.3(12).~~

**Commented [MDRS95]:** Consequential change (redundant provisions) - section C1.9 to instead be relied on

~~(9) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary:~~

~~(a) the criteria listed in H5.8.2(5).~~

~~(10) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone that does not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone where Standard H5.6.6 Alternative height in relation to boundary is either not applicable or infringed:~~

~~(a) refer Policies I444.3(3) and I444.3(4).~~

~~(b) the criteria listed in H5.8.2(6) and H5.8.2(7).~~

**Commented [MDRS96]:** Consequential change (redundant provisions) - alternative height in relation to boundary

~~(11) for development that does not comply with Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone:~~

~~(a) refer Policy H5.8.2(8).~~

**Commented [MDRS97]:** Consequential change (redundant provisions) - section C1.9 to instead be relied on

(512) for construction or use of a vehicle crossing that does not comply with Standard I444.6.1.107. Vehicle access restrictions – Cycle facilities:

- (a) the criteria listed in E27.8.2(11).

(613) for subdivision listed as a restricted discretionary activity in Activity Table I444.4.2:

- (a) the relevant criteria listed in section E38.12.2, except that the criteria listed in the following sections should not apply to proposed allotments 4 ha or greater in area:
  - (i) E38.12.2(1) subdivision of a site within the one per cent annual exceedance probability floodplain;
  - (ii) E38.12.2(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;
  - (iii) E38.12.2(3) subdivision of a site in the coastal erosion hazard area;
  - (iv) E38.12.2(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment;
  - (v) E38.12.2(7) all other restricted discretionary activity subdivisions; and
  - (vi) E38.12.2(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.
- (b) whether the structural elements shown in Figure I444.10.1. Hingaia 1 - Precinct Plan (including roads and stream corridors) are incorporated into the subdivision design (other than where proposed sites are 4 ha or greater in area);
- (c) whether the proposed staging of development promotes efficient development of the structural elements shown in Figure I444.10.1. Hingaia 1 - Precinct Plan.
- (d) whether the subdivision is consistent with the Hingaia 1 precinct objectives and policies.
- (e) whether lots adjoining an existing or proposed shared path or dedicated cycle way, including where shown on Figure I444.10.1. Hingaia 1 - Precinct Plan, are provided with access from an alternative road so that infringement of Standard I444.6.1.107 Vehicle access restrictions – Cycle facilities (including future infringements by land use activities on the proposed allotments) can be avoided or minimised..
- (f) whether on-going compliance with the on-site stormwater management requirements contained in any relevant Stormwater Management Plan will be achieved.
- (g) whether the management of stormwater runoff from any proposed road is consistent with the requirements of any relevant Stormwater Management Plan.
- (h) the extent to which viewshafts from roads and open spaces out to the coast are provided for.

#### I444.9. Special Information Requirements

There are no special information requirements in this section.

1444.10. Precinct Plan

Figure 1444.10.1. Hingaia 1 - Precinct Plan



The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Lee woo lim and Baek seungkyu

Organisation name:

Agent's full name:

Email address: [richroa@gmail.com](mailto:richroa@gmail.com)

Contact phone number:

Postal address:  
10 Rauaruhe Road  
Karaka  
Auckland 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Property address: 10 Rauaruhe road, Karaka 2113

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? Yes

The reason for my or our views are:

I support the plan for our area grow bigger and have more shops and roads for better environment.

I or we seek the following decision by council: Approve the plan change without any amendments

33.1

Details of amendments:

Submission date: 13 October 2021

## 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: Roseanne Heather Hosken

Organisation name:

Agent's full name:

Email address: [roseannehosken@hotmail.com](mailto:roseannehosken@hotmail.com)

Contact phone number:

Postal address:  
2 Wawatai Drive  
Karaka  
Papakura 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:  
28 & 29 Amending the approved roading plan to extend access from Park Estate Road through to Hinau Road

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:

My understanding is that part of the submission includes the potential to connect Park Estate Road to Hinau Road, enabling residents to exit the entire Hingaia 1 precinct via Hinau Road.

34.1

During "normal" traffic flow times, i.e. when Covid lockdown levels are not in place, the traffic around Karaka Lakes is already unacceptable due to congestion on Hingaia Road, primarily from Linwood Road in the West via Hingaia Road leading to the motorway exchange.

When the motorway is busy, which is at least 5 days a week, there is a delay with vehicles getting onto the north bound onramp at the motorway exchange. This creates at least 1km and frequently much longer line of crawling traffic along Linwood Road and Hingaia Road. This traffic causes issues for Karaka Lakes residents exiting their suburb at Hinau Road, Bridgeview Road, or Kuhanui Drive. It

also causes issues for Karaka Harbourside residents exiting either Harbourside Drive or Pararekau Road. To further exacerbate the issue of the traffic In Karaka Lakes, there are a number of cars in the line of traffic on Hingaia Road who have discovered if they turn right from Hingaia Road into Karaka Lakes, they can join a smaller queue of traffic exiting Karaka Lakes at Hinau Road intersection, and turn right towards the motorway exchange with the assistance of lights. Unfortunately, this compounds the issues for Karaka Lakes residents, and often traffic is backed up further South than the roundabout on Hinau Road, creating immense frustration with residents unable to vacate their suburb in a timely manner.

The traffic flow from Linwood Road and Hingaia Road, including the intersecting roads Hinau and Harbourside MUST be sorted before adding additional traffic to the mix by opening Hinau Road to the whole of Hingaia 1 Precinct.

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

Submission date: 14 October 2021

### **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: KE LI

Organisation name:

Agent's full name:

Email address: [NORALI0412@GMAIL.COM](mailto:NORALI0412@GMAIL.COM)

Contact phone number:

Postal address:  
6 Fountain Ave  
Karaka  
Auckland 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Property address: 6 Fountain Ave, Karaka

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:

The provisions may change the environment and the value of the Karaka Lake community.

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

35.1

Submission date: 15 October 2021

## 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: Logan Billing

Organisation name:

Agent's full name: Logan Billing

Email address: [hotdog1@slingshot.co.nz](mailto:hotdog1@slingshot.co.nz)

Contact phone number:

Postal address:  
4 TURUA RISE  
KARAKA LAKES .KARAKA  
AUCKLAND  
AUCKLAND 2113

## Submission details

### This is a submission to:

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

### My submission relates to

Rule or rules:  
AGAINST HOUSING CHANGE TO RESIDENTIAL MIXED HOUSING URBAN  
AGAINST USEING HINAU ROAD TO CONNECT TO PARK GREEN  
AGAINST USEING KUHANUI DRIVE TO CONNECT TO PARK GREEN

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:

Property values will drop.	36.1
Traffic congestion, Road maintenance, Speeding vehicles, Traffic noise,Extra people and cars that the area was not designed for.	36.2
Security, break-ins to houses and cars. Graffiti and extra rubbish which we do not need.	36.3

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

Submission date: 17 October 2021

## **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: SUE BILLING

Organisation name:

Agent's full name: SUE BILLING

Email address: [hotdog1@slingshot.co.nz](mailto:hotdog1@slingshot.co.nz)

Contact phone number:

Postal address:  
4 TURUA RISE  
KARAKA LAKES .KARAKA  
PAPAKURA  
AUCKLAND 2113

## Submission details

### This is a submission to:

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

### My submission relates to

Rule or rules:  
CHANGING HOUSE ZONING FROM SUBURBAN TO URBAN THIS IS A NO, NO.  
USING LOCAL ROADS TO CONNECT TO PARK GREEN

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:

Totally against the zoning change it will affect house prices in the area. | 37.1  
Our road network was nor designed to have the numbers of extra vehicles on it. The noise and safety to our area along with the environment, this does not stack up. Plus all the other problems that thischange brings security, pollution ,safety . | 37.2  
| 37.3

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

Submission date: 17 October 2021

## **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 publicly notified private plan change request:  
Plan Change 67 (Hingaia 1 Precinct)**

Auckland Council  
135 Albert Street  
Private Bag 92300  
Auckland 1142

**Submitter:**  
Auckland Council

**Scope of submission:**

This is a submission opposing the proposed private Plan Change 67 – ‘Hingaia 1’.

**The specific provisions which this submission relates to are:**

All provisions of proposed private Plan Change 67.

**I seek the following decision:**

- Proposed Plan Change 67 be declined.
- In the alternative, any such other relief which address the specific issues and concerns set out in the following sections.

**Infrastructure provision not aligned with urban growth within the PPC area**

- The AUP Regional Policy Statement B3.1 issues section identifies that the well-being of people and communities, including Auckland’s crucial role in New Zealand’s economy, are affected by choices about the management of and investment in infrastructure. In particular ‘(2) integrating the provision of infrastructure with urban growth; ... (4) traffic management; ... and (6) resilience of infrastructure.’
- The related RPS objective B3.2.1. states: (1) Infrastructure is resilient, efficient and effective. (2) The benefits of infrastructure are recognised, including: (a) providing essential services for the functioning of communities, businesses and industries within and beyond Auckland; (b) enabling economic growth; (c) contributing to the economy of Auckland and New Zealand.
- Objective B3.2.1 states (3) Development, operation, maintenance, and upgrading of infrastructure is enabled, while managing adverse effects on: Auckland Unitary Plan Operative in part 1 B3
- (4) The functional and operational needs of infrastructure are recognised. (5) Infrastructure planning and land use planning are integrated to service growth efficiently.
- The related RPS policies for B3.2.2. Policies Provision of infrastructure (1) Enable the efficient development, operation, maintenance and upgrading of infrastructure.

The Council submission is that:

- The Hingaia 1 Precinct is considered to be inconsistent with the Regional Policy Statement (RPS) objectives and policies because it has not addressed how transport infrastructure is to be provided for, it is silent on how off-site infrastructure required for this precinct will be implemented to service urban growth.
- Hingaia is not a Spatial Priority Area for Council. The Spatial Priority Areas are CRL (Karangahape Road and Mt Eden stations), Auckland Housing Programme, Drury-Opaheke, Redhills/Westgate/Whenuapai and Manukau Regeneration. Spatial Priority Areas have significant funding provided by both Crown and Council to facilitate housing and employment outcomes. Hingaia has very little infrastructure funding set aside in Council's LTP apart from parks provision and nothing in the RLTP. This means that the applicant needs to demonstrate how bulk and local infrastructure that it is relying on for growth will be delivered in the absence of Council investment.

The Council seeks the following decision:

- That the plan change be declined.
- In the alternative, any other such relief that would mitigate effects on the wider transport/ infrastructure network from the urbanisation proposed by plan change request.

38.1

**Transport Infrastructure not sufficiently addressed**

- The AUP Regional Policy Statement Transport Objective B3.3.1. states (1) Effective, efficient and safe transport that: (a) supports the movement of people, goods and services; (b) integrates with and supports a quality compact urban form; (c) enables growth; (d) avoids, remedies or mitigates adverse effects on the quality of the environment and amenity values and the health and safety of people and communities; and (e) facilitates transport choices, recognises different trip characteristics and enables accessibility and mobility for all sectors of the community.
- Policies 1-5 under RPS B3.3.2 describe how that objective should be given effect to through managing transport infrastructure and integrating subdivision, land use and development.

The Council submission is that:

- The Plan Change is inconsistent with the RPS objective and policies related to transport because it has not demonstrated how the effects of growth on the network will be integrated with the proposed land use and development.
- The applicant's projected yield of 1660 dwellings across 79ha of Mixed Housing Urban and approximately 15ha of Neighbourhood Centre zone appears to be low and there is nothing in the precinct provisions controlling the final yield or managing off-site effects from traffic movements. The precinct is therefore inconsistent with the AUP RPS objectives and policies.
- The main transport effects arising from the urbanisation proposed will be non-local private motor vehicle movements and cumulative effects on the wider strategic transport network, including SH1. The proposed Plan Change does not address a) how the wider upgrades identified in the Hingaia FLOW report will be achieved, and b) the required timing or triggers for those upgrades that may affect how many additional dwellings may be built in this precinct before certain upgrades are constructed. Many of the upgrades identified in the FLOW and OPUS reports required works outside the applicant's land. If the applicant is seeking a more permissive development regime, then it needs to address how the transport effects beyond their site will be managed successfully.
- The ITA should indicate the upgrades required related to the land use outcomes identified in the Plan Change so that discussions between the road controlling authority and applicant

could occur in a timely way. Those ‘without prejudice’ discussions may canvas who would be responsible for delivering specific upgrades, cost and timing. An Infrastructure Funding Agreement could then be drafted if required. In its current format, there is no certainty that the effects of the plan change on the wider strategic transport network are able to be mitigated and how the upgrades will be delivered.

- AT does not have an identified line item in its RLTP to fund the operational expenditure required to operate the proposed bus route that the applicant is relying on as a basis for up-zoning. This means that the up zoning requested would be likely to generate greater off-site effects if public transport cannot be provided.

The Council seeks the following decision:

- That the plan change be declined.
- In the alternative, any other such relief that would mitigate the effects on the wider transport network from the urbanisation proposed by plan change request.

38.2

### **Centres Hierarchy, Extent of Residential Mixed Housing Urban/Suburban and Neighbourhood Centre retail provision within the PPC area**

The Council submission is that:

- The Auckland Unitary Plan (AUP) supports a centres hierarchy of more intense developments from the City Centre and Metropolitan to Local and neighbourhood centres. Council considers that the amount of proposed Residential Mixed Housing Urban zone (79ha) is significantly more extensive than any other area in Auckland based on a future bus route and a single Neighbourhood Centre. For comparison purposes, a total of 21ha of Mixed Housing Urban land is located around a total of 6 Neighbourhood Centres in New Lynn.
- The plan change is considered to be inconsistent with Regional Policy Statement Objectives and policies. The plan change in its current form would detract from the commercial and retail enabled in the Local Centre, and Papakura Metropolitan Centre zones by encouraging higher intensity growth away from those centres.

The AUP RPS outlines at B2.1 specific issues for the urban environment in the Auckland region which includes providing for growth in a way that supports integrated planning of land use, infrastructure and development and optimises the efficient use of the existing urban area. The RPS has objectives on quality compact growth including:

- Objective B2.2.1 “A quality compact form that enables...(a) a higher quality urban environment; (b) greater productivity and economic growth; (c) better use of existing infrastructure and efficient provision of new infrastructure (d) improved and more effective public transport...”
- Objective B2.2.1.3 states that sufficient development capacity and land supply is provided to accommodate residential, commercial, industrial growth and social facilities to support growth.

Objective B2.2.3.1.1.(b)- A quality-built environment where subdivision, use and development do all of the following...reinforce the hierarchy of centres and corridors



- Policy B2.2.2 (5) enables 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. (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.
- Since the Plan Change a) removes controls on the scale of commercial and retail activity in the Neighbourhood centre and b) provides for a disproportionate amount of Mixed Housing Urban land surrounding that centre c) is not located on a frequent/rapid transport network (only a proposed bus-route), the plan change does not accord with the objectives and policies in the RPS. The proposed zoning pattern is inconsistent with the AUP's centres hierarchy and challenges zone integrity.

The proposed zoning pattern is considered inconsistent with the more spacious, landscaped lots and treed boulevards developed to the north of Park Estate Road in the Mixed Housing Suburban zone.

- The Papakura Local Board Plan (2020) is relevant to the consideration of this plan change:
  - o The Papakura Local Board Plan is a strategic document reflecting community priorities and preferences. It guides the local board activity, funding and investment decisions and influences local board input into regional strategies and plans.
  - o A common theme during feedback on the draft plan was support for the protection of a vibrant and prosperous local economy. This is reflected in the final plan through 'Outcome 1: A vibrant and prosperous economy. It states that
  - o "The south of Tāmaki Makaurau / Auckland will be home to 160,000 more people over the next 30 years. Most of our area's housing and job growth will be in the hubs of the emerging town and metropolitan centres of Takanini and Papakura, and the major residential, commercial and transport developments in Drury. We want our new centres to complement each other and support their communities."
  - o The extent of Mixed Housing Urban zoning requested by the Plan Change is more consistent with that provided in Drury West (Bremner Road/Auranga) where there is a Local Centre and proposed train station.

The Council seeks the following decision:

- Decline or amend the plan change
- That the Neighbourhood Centre objectives, policies and rules should be consistent with the underlying zone.
- The reduction in the extent of the Neighbourhood Centre zone is supported.
- That the plan change retains the current amount of Mixed Housing Urban and Suburban zoned land around the re-located Neighbourhood Centre.
- In the alternative, any other such relief that would be consistent with the centres hierarchy within the plan change boundary.

38.3

- **National Policy Statement- Urban Development**

The Council submission is that:

The applicant relies on the NPS-UD to lend support to its proposed up-zoning. However, Council is yet to complete its analysis and implementation of zoning principles agreed with the Planning Committee in July and August 2021. The applicant is seeking to 'leap-frog' the process which may lead to an inconsistent zoning pattern and approach to affordable housing compared to other parts of the region i.e. it would undermine the integrity of the Auckland Unitary Plan.

Council plans to consult with the community, local boards and mana whenua in forming its response to the NPS-UD.

The applicant is seeking removal of objectives, policies and rules related to affordable housing from the precinct. Council is still forming its policy response to the NPS-UD policy on affordable housing.

Tier 1 Councils have until August 2022 to give effect to the policy statement. In *Eden Epsom Residents Protection Society Inc v Auckland Council* [2021] NZ EnvC 082 Judge Newhook held that the court is not required to give effect to NPS-UD objectives and policies in assessing private plan changes until Council has implemented its (Schedule 1) plan changes to implement it

The principles for intensification related to NPS-UD are at a formative stage and Hingaia is some distance away from either a Metropolitan, Local Centre or RTN route (Rapid Transit Network).

The Council seeks the following decision:

- That the NPS-UD implementation by Council would provide a more consistent zoning approach and regionally consistent position on affordable housing than a privately initiated plan change that may not consider wider plan integrity.
- In the alternative, any other such relief that would achieve plan integrity with NPS-UD implementation.

38.4

**Auckland-wide and Residential Provisions**

The Council submission is that:

- The proposed provisions amend objectives, policies and rules relating to 'quality growth' for vacant lot subdivision, maximum impervious area, building coverage, landscaped area, outlook space, daylight, outdoor living space, front, side and rear yards, height in relation to boundary and minimum dwelling sizes. The underlying Mixed Housing Suburban and Mixed Housing Urban zones contain provisions controlling those effects collectively to create quality living environments and to enable landscaped urban places and streetscape character. Similarly, the Auckland-wide subdivision rules enable a standard approach to subdivision in the urban area.
- Enabling cafes adjacent to the coast as a Restricted Discretionary Activity may lead to more non-residential activities establishing along the coast creating compromised residential amenity compared with other parts of Auckland or result in more conflict with coastal processes/climate change.

- The proposed changes would cumulatively increase the allowable building envelope and reduce on-site amenity and spaciousness which would undermine the integrity of the residential zones.
- The AUP highlights quality compact growth as a major issue, and so council submits that the underlying Auckland-wide subdivision rules and the land use and development controls for the Mixed Housing Suburban and Mixed Housing Urban zones should be applied as the proposed standards would erode the built form quality, amenity and character of both zones.

The Council seeks the following decision:

- That the plan change be amended to generally reflect the underlying Auckland-wide and Residential zone objectives, policies, land use and development controls. | 38.5
- Delete the rule enabling cafes to establish as a restricted discretionary activity. | 38.6
- In the alternative, any other such relief that would respect the Mixed Housing Suburban and Urban zone integrity. | 38.7

**Geotechnical issues/known coastal hazards**

- **Geotechnical issues/known coastal hazards**
- Extensive areas of the plan change area are currently susceptible to coastal inundation flooding events and the frequency is expected to increase with predicted sea level rise. The coastal margin is also exposed to coastal erosion hazard risk, with a site-specific coastal hazard assessment for the area having identified greater than 20m along the southern coastline to be an area susceptible to coastal instability and erosion (ASCIE).

The Council submission is that:

- The existing Hingaia 1 precinct policies do not strongly align with the natural hazard objectives and policies in the RPS B8.3.2, B10.2.2(13) and E36.
- Precinct objectives should be strengthened to align with RPS objectives B10.2.1(3) & (4) in relation to Natural Hazards to ensure new growth is located and designed to avoid the creation of new risks to people, property and infrastructure, and provides for the effects of climate change on natural hazards including sea level rise

The Council seeks the following decision:

- If the plan change is accepted, that the minimum vacant lot size adjoining the coast remains at 600m<sup>2</sup>.
- Strengthen precinct objectives, policies and rules to align with RPS objectives and policies on natural hazards. | 38.8
- In the alternative, any other such relief that would avoid, mitigate, or remedy geotechnical/coastal hazards.

**Esplanade requirements part of managing coastal hazards**

The Council submission is that:

- Setting clear esplanade requirements in the Precinct plan will more efficiently achieve the natural hazard risk objectives and policies in RPS B8.3.2, B10.2.2(13) and E36, in particular to take into account the likely impact of coastal processes and climate change and be set back sufficiently to not compromise the ability of future generations to have access to and along the coast.

The Council seeks the following decision:

- If the plan change is accepted, retain the esplanade layer on Precinct map, and amend to provide greater setback of development along the southern coastline.
- Amend the precinct provisions to strengthen the link to underlying natural hazard objectives and policies in E36 and E38 to avoid the creation of new risks to people, property and infrastructure and ensure adequate setback of development.
- In the alternative, any other such relief that would take into account the likely impact of climate change and reduce the risk of urban development conflicting with coastal processes.

38.9

#### **Reference to the approved Stormwater Management Plan**

The Council submission is that:

- The applicant's Stormwater Management Plan (SMP) lodged in support of this Plan Change was approved by Healthy Waters as Network Utility Operator in August 2019. The region wide Network Discharge Consent (NDC) has since become operative. Given that this plan change seeks to increase impervious area, it is appropriate to update the SMP to reflect intended development prior to adopting the SMP into the NDC.

The Council seeks the following decision

- If the Plan Change is approved, amend the precinct to add objectives, policies and rules to develop in accordance with an updated Stormwater Management Plan that addresses the greater site coverage proposed.
- In the alternative, any other such relief that would manage stormwater effects.

38.10

#### **Reliance on the Stormwater Management Plan and Network Discharge Consent to manage stormwater matters**

The Council submission is that:

- The existence of a Stormwater Management Plan and region wide Network Discharge Consent does not replace the need for precinct provisions managing Stormwater effects.

The Council seeks the following decision:

- If the Plan Change is approved, amend to include precinct provisions to support implementation of stormwater management rules
- Amend the precinct to include specific provisions to manage flood risk and climate change impacts, water quality and hydrology mitigation.
- In the alternative, any other such relief that would give effect to the updated stormwater management plan

38.11

#### **Deletion of policy 11 – Stormwater infrastructure and devices are designed and sized to incorporate projected climate change.**

The Council submission is that:

- This policy should be retained. The plan change area land will be impacted by climate change effects, particularly increased rainfall depths due to temperature increases and coastal inundation. The precinct provisions have not adequately addressed climate change impacts.

- Relief sought:
- If the Plan Change is accepted, amend to retain policy 11 and introduce rules to give effect to it.
  - In the alternative, any such other relief that would address climate change effects.

38.12

### Hydrology mitigation

The Council submission is that:

- The removal of stormwater controls in the precinct is not supported. For hydrology mitigation the SMAF1 control should be applied or alternatively, the bespoke hydrology mitigation provisions be retained.

Relief sought:

- If the Plan Change is accepted, apply the SMAF1 control to the precinct, or
- Retain bespoke hydrology mitigation requirement.
- In the alternative, any such other relief that would achieve hydrology mitigation.

38.13

### Removal of E38 Standards

The Council submission is that:

- The precinct proposes to exclude some subdivision standards for lots greater than 4ha. Two of those standards relate to the management of risks that are likely to be present in the area of 4ha lots namely flood plain and coastal erosion – those standards are:
- E38.7.3.3 Subdivision of a site within the one per cent annual exceedance probability floodplain
- E38.7.3.4 Subdivision of land in the coastal erosion hazard area or the coastal erosion hazard area; or the coastal storm inundation 1% annual exceedance probability area.
- These standards ensure that buildings are clear from hazards and are applied in the Auckland-wide rules. Removal of those rules would undermine the integrity of the plan and potentially expose people and property to flooding, coastal erosion and hazards.

Relief sought:

- If the Plan Change is accepted, retain the reference to E38 rules.
- In the alternative, any such other relief that would avoid subdivision of residential land within a floodplain or avoid coastal erosion hazards and inundation.

38.14

### Open Space

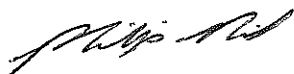
The Council submission is that:

- The plan change does not adequately secure quality Open Space provision, walking and cycling access to Open Space land and the coast. The precinct provisions provide insufficient guidance on how walking and cycling and coastal access will be achieved. The applicant's Urban design report provides a more detailed diagram on access to the coast than what is reflected in the precinct diagram.
- The precinct uses the term reserve, whereas the AUP refers to Open Space.

- The Council does not support a revised height in relation to boundary rule between the residential and Open Space zones as this enables over-shadowing of reserves.
- The fencing provision rule (I444.6.1.4) allows for a planted interface to occur between private sites and reserves/open spaces.
- The Council seeks the following decision:
- If the proposed Plan Change is accepted, amend PC67 to re-zone land purchased by Council for Open Space | 38.15
- Amend PC67 to demonstrate through amended objectives, policies and rules, precinct diagrams, rules and assessment criteria how walking and cycling access along coastal areas will be achieved. | 38.16
- Retain the existing Height in Relation to Boundary control between residential and Open Space land. | 38.17
- Support the fencing provision rule I444.6.1.4 allowing a planted interface between privately owned sites and open space. | 38.18
- Amend provisions to refer to Open Space or public places rather than reserves to be consistent with the definitions section, Chapter J of the AUP. | 38.19
- In the alternative, such other relief as would secure quality public Open Space outcomes in the precinct. | 38.20

I wish to be heard in support of this submission.

On behalf of Auckland Council:



Signature of person authorised to sign on behalf of submitter

Phill Reid  
 Manager – Auckland-wide Planning unit

Dated: 19 October 2021

Address for service:  
 Alina Wimmer  
 Lead Planner – Auckland-wide Planning unit  
 Plans and Places  
 Email: [alina.wimmer@aucklandcouncil.govt.nz](mailto:alina.wimmer@aucklandcouncil.govt.nz)  
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Postal address:  
 Auckland Council  
 135 Albert Street  
 Private Bag 92300  
 Auckland 1142

## Parklands Properties Limited Submission

### Submission on Private Plan Change 67 - Hingaia Precinct 1

Tēnā koe,

#### Introduction

1. This is a submission on Proposed Private Plan Change 67: Hingaia Precinct 1 (**PPC67** or the **Plan Change Request**) by Hugh Green Limited (**applicant**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).
2. Parklands Properties Limited could not gain an advantage in trade competition through this submission.
3. This submission relates to PPC67 in its entirety and all provisions of PPC67 including:
  - (a) The Revised Hingaia 1 Precinct Text and Plans; and
  - (b) The proposed Auckland Unitary Plan zoning plans.
4. Without limiting the generality of the above, the specific reasons for Parklands Properties Limited's submission include:
  - (a) The removal of references to the Proposed Auckland Unitary Plan Notified Version (PAUP NV), removal of provisions that the PAUP deleted and the replacement with references equivalent to provisions in the Auckland Unitary Plan Operative in Part (AUP) to avoid duplication and contradiction;
  - (b) Enablement of additional activities being limited to the proposed MHU zone and not the existing MHS zone;
  - (c) The proposed replacement of Hingaia 1 Precinct stormwater management provisions with an alternative requirement for stormwater management to be consistent with an approved discharge consent (including any Stormwater Management Plan authorised by Council under an approved discharge consent); and
  - (d) The proposed amendments to the Hingaia Precinct Plan 1 that reflect changes to the road network, as previously agreed to by Auckland Council.
5. Parklands Properties Limited generally supports PCC67 with amendments for the reasons outlined in this submission.

#### Background

6. Parklands Properties Limited owns 72 Hinau Road, Hingaia (17.2ha) and 145 Park Estate, Hingaia (2.2ha). Both sites are zoned Residential – Mixed Housing Suburban and located within the Hingaia 1 Precinct (the **Structure Plan** area). Both sites are located directly to the north of the land included within PPC67 on the opposite side of Park Estate Road.

7. Parklands Properties Limited has obtained subdivision consent and a range of related consents to enable development of 72 Hinau Road, Hingaia. These are detailed below.
- An integrated subdivision and land use consent (BUN60077812 (LUC60130971 and SUB60221444) on 10 August 2017 and enabled the creation of 158 vacant residential lots and 19 comprehensive development lots over three stages. The subdivision consent requires the construction of a new public collector road on land owned by Parklands Properties Limited from Hinau Road, at the intersection with Fountain Avenue, to the south-western corner of the subject site. Engineering approval has been obtained from Council for the construction of the new road. However, the road is not yet vest in Council, as it includes a strip of land that contains easements for third party landowners. After the easement is extinguished and following Council's s223 and s224(c) certificate approval under the RMA, record of titles can be issued for the approved residential lots.
  - Bulk earthworks land use consent was sought to establish appropriate ground contour to provide for residential development on the site. The consent (referenced R/LUC/2016/4116) was approved under HASHAA on a non-notified basis on 31 January 2017.
  - An extension of time to the lapse date of the subdivision consent (referenced EXT90077391) was approved on 9 May 2019 and enabled the time period which the consent holder must give effect to the consent to be extended by three years with a new lapse date of 10 August 2022.
  - A land use application was lodged with Council to address road construction works within the root zone of nineteen (19) protected trees and to remove of a street tree. This consent (referenced TRE60341935) was approved on a non-notified basis on 2 August 2019.
  - A change of consent conditions (referenced SUB60221444-A LUC60131971-A) to reflect minor amendments to the subdivision scheme plan and road alignments was approved under HASHAA on a non-notified basis on 22 July 2019.
  - A land use consent (referenced TRE60316663) in relation to the removal of two notable and two street trees from within the road reserve adjacent to the subject site was approved on 31 October 2019 under the RMA on a non-notified basis.
8. Parklands Properties Limited has not obtained any resource or subdivision consent approvals on 145 Park Estate, Hingaia.

*Proposed Plan Change 67 (Hingaia 1 Precinct)*

9. PPC67 has been prepared by Hugh Green Limited to rezone 79.9ha of land to the south of Park Estate Road and to amend the Hingaia 1 Precinct provisions in the AUP.

## Reasons for submission

10. Parklands Properties Limited is in overarching support for PPC67 because:
- PPC67 will result in streamlined provisions that align with the remainder of the AUP, leading to more efficient resource consenting processes (Themes 4, 15). This includes removing references to the PAUP NV, removing provisions that the PAUP deleted, and replacement with references equivalent to provisions in the AUP. The removal of minimum affordable housing requirements across the precinct will likely provide more flexibility for Parklands Properties Limited as to how they develop their land and market future lots/dwellings.
  - PPC67 will provide for a more efficient compact form of development by enabling a reduction in the minimum lot size from 300m<sup>2</sup> to 240<sup>2</sup> across the existing MHS zone, provided that an minimum average site size of 300m<sup>2</sup> is achieved within each subdivision (Theme 2). PPC67 includes changes to the Hingaia 1 Precinct provisions to avoid contradiction and duplication between the AUP and PAUP NV (Themes 15, 16, 18 and 24). Parklands Properties Limited generally supports this approach.



- PPC67 proposes alternative provisions with an alternative requirement for stormwater management within the Hingaia 1 Precinct (Theme 25). Parklands Properties Limited generally supports the approach to avoid duplication with AUP Chapter 36 as well as the proposal to include alternative provisions that ensure that stormwater management requirements are considered by subdivision and land use proposals.
  - PPC67 includes amendment of the Hingaia 1 Precinct Plan (Themes 26, 27, 28, 29 and 30). Parkland Properties Limited acknowledged that the proposed changes have been agreed to with Council and generally supports the proposed changes as they relate to land in their ownership.
11. However, Parklands Properties Limited is concerned with the following aspects of PPC67:
- PPC67 includes changes to the Hingaia 1 Precinct provisions (theme 16). We do not support the duplication with other chapters in the AUP.
  - PPC67 will appropriately enable a greater range of activities within the Hingaia 1 Precinct as a permitted activity, including show homes (Theme 8). However, this enablement is limited to the proposed MHU zone and not the existing MHS zone. We request that this be amended to apply to all residential zones in the precinct.

## Decision sought

12. Parklands Property Limited generally supports the PPC67 and seeks that it is approved by Auckland Council, subject to amendments including, but not limited to:
- Theme 8 be amended to apply to all residential zones in the precinct; | 39.1
  - Amendments are made across the Hingaia 1 Precinct to remove duplicative and/ or contradictory provisions and include references to the relevant Auckland-Wide or Zone | 39.2 provisions of the AUP;
  - That no other changes are made to the Hingaia 1 Precinct Plan as it relates to the northern | 39.3 side of Park Estate Road; and
  - Any other alternative or consequential relief to give effect to this submission. | 39.4

## Conclusion

13. Parklands Property Limited wishes to be heard in support of its submission.
14. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

Dated this 21<sup>st</sup> Day of October 2021

Signature of person authorised to sign on behalf of the submitter:



Euan Williams  
Principal Planner

### Address for service:

Wood and Partners Consultants Limited  
PO Box 6752, Victoria St West, Auckland 1142  
Attention: Euan Williams, Email: [Euan.Williams@woods.co.nz](mailto:Euan.Williams@woods.co.nz)  
Phone 021 757 975, +64 9 308 9229

21 October 2021

Plans and Places  
Auckland Council  
Private Bag 92300  
Auckland 1142

Attn: Planning Technician

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**RE: Proposed Plan Change 67 (Private): Hingaia 1 Precinct**

Please find attached Auckland Transport's submission on Proposed Private Plan Change 67 to the Auckland Unitary Plan (Operative in Part).

Should you have any queries in relation to this submission, please contact me on (09) 447 4200 or at [teresa.george@at.govt.nz](mailto:teresa.george@at.govt.nz).

Yours sincerely



Teresa George  
**Senior Planner, Land Use Policy and Planning Central**

Encl: Auckland Transport's submission on Proposed Private Plan Change 67 – 470 and 476 Great South Road and 2 and 8 Gatland Road, Papakura

**FORM 5 – SUBMISSION ON PRIVATE PLAN CHANGE 67 UNDER CLAUSE 6 OF SCHEDULE 1, RESOURCE MANAGEMENT ACT 1991**

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142

**Submission on:** Proposed Private Plan Change 67 from Hugh Green Limited to re-zone parts of Hingaia 1 Precinct (within Sub-precinct D) from Residential – Mixed Housing Suburban to Residential – Mixed Housing Urban zone, adjust the Business – Neighbourhood Centre zone boundary and amend the precinct provisions, in part in relation to removing the indicative road cross-sections.

**From:** Auckland Transport  
Private Bag 92250  
Auckland 1142

**1. Introduction**

- 1.1 Hugh Green Limited ('the applicant') has lodged a Private Plan Change ('PPC67' or 'the Plan Change') to the Auckland Unitary Plan: Operative in Part ('AUP(OP)'). The Plan Change seeks to re-zone parts of Hingaia 1 Precinct (within Sub-precinct D) from Residential – Mixed Housing Suburban to Residential – Mixed Housing Urban ('MHU') zone, adjust the Business – Neighbourhood Centre ('BNC') zone boundary and amend the precinct provisions, in part in relation to removing the indicative road cross-sections.
- 1.2 It is proposed to increase the amount of MHU zoning from 16.45ha to 96.2ha. While the area of BNC zone is to remain largely the same, it is proposed that the 4,000m<sup>2</sup> limit applying to the neighbourhood centre be deleted. According to the documents provided with the Plan Change application, the rezoning and associated precinct plan is expected to enable development yields to increase from 1,250-1,300 to 1,660 dwellings (i.e. an increase in yield of between 360 and 410 dwellings).<sup>1</sup>
- 1.3 Auckland Transport is a Council-Controlled Organisation of Auckland Council ('the Council') and the Road Controlling Authority for the Auckland region. Auckland Transport has the legislated purpose to contribute to an "*effective, efficient and safe Auckland land transport system in the public interest*".<sup>2</sup> Auckland Transport is responsible for the planning and funding of most public transport; promoting alternative modes of transport (i.e. alternatives to the private motor vehicle); operating the local roading network; and developing and enhancing the local road, public transport, walking and cycling network for the Auckland Region.

<sup>1</sup> These figures are based on the applicant's latest master planning work.

<sup>2</sup> Local Government (Auckland Council) Act 2009, section 39.

1.4 Auckland Transport is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

## 2. Managing Auckland-wide growth and rezoning

2.1 Wide scale growth across the region places greater pressure on the available and limited transport resources that are required to support the movement of additional people, goods and services. The alignment of growth enabled by the AUP(OP) and plan changes with the provision of transport infrastructure and services depends on having a high level of certainty about the funding and delivery of the required infrastructure and services. Without this certainty, there will continue to be a significant deficiency in the transport network due to the challenges of providing and co-ordinating transport responses to the dispersed growth enabled across the region.

## 3. Mitigation of adverse transport effects

3.1 A critical issue is whether the Plan Change includes appropriate provisions to require resource consent applicants to mitigate the adverse transport effects associated with development and to provide the transport infrastructure and services needed to service development.

3.2 Adverse transport effects that arise when development occurs without required transport infrastructure and services being provided cannot be addressed without funding to support the planning, design, consenting and construction of necessary transport infrastructure and services. There is a need to assess and clearly define responsibilities relating to the required infrastructure and the potential range of funding and delivery mechanisms. This includes considering the role of applicants/developers and taking into account the financially constrained environment that the Council and Auckland Transport are operating within.

## 4. Sequencing growth and aligning with the provision of transport infrastructure and services

4.1 The need to coordinate urban development with infrastructure planning and funding decisions is highlighted in the objectives of the National Policy Statement on Urban Development 2020 which are quoted below (with emphasis in bold):

*'Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

- (a) the area is in or near a centre zone or other area with many employment opportunities*
- (b) **the area is well-serviced by existing or planned public transport***
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.'*

*'Objective 6: Local authority decisions on urban development that affect urban environments are:*

- (a) **integrated with infrastructure planning and funding decisions;** and*
- (b) strategic over the medium term and long term; and*
- (c) responsive, particularly in relation to proposals that would supply significant development capacity.'*

4.2 The Regional Policy Statement ('RPS') objectives and policies in the AUP(OP) place similar emphasis on the efficient provision of infrastructure and on the integration of land use and development with infrastructure, including transport infrastructure. Refer, for instance, to Objectives B2.2.1(1)(c) and (5), and Policies B3.3.2(5)(a) (e.g. Policy B3.3.2(5)(a) is to: *'Improve the integration of land use and transport by... ensuring transport infrastructure is planned, funded and staged to integrate with urban growth'*).

**5. Specific parts of the Plan Change that this submission relates to:**

5.1 In keeping with Auckland Transport's purpose, the matters raised relate to potential effects on the transport network and how the development enabled by the Plan Change would give effect to the objectives and policies of the RPS.

5.2 The specific parts of the Plan Change that this submission relates to are set out in the main body of this submission and **Attachment 1** and include the following:

- a) Misalignment with the objectives and policies of the RPS;
- b) Lack of infrastructure funding and delivery certainty, including timing of implementation;
- c) Insufficient assessment of the transport effects;
- d) Inclusion of traffic effects mitigation measures within the precinct provisions;
- e) Misalignment of provisions relating to Vehicle Access Restrictions – Cycle Facilities;
- f) Design elements for new and upgraded roads;
- g) Removal of the Indicative bus routes from the proposed Precinct Plan.

**6. The decisions sought from the Council are:**

6.1 The land use activities enabled by this private plan change are not complementary to the existing and planned future transport network and do not give effect to the RPS objectives and policies in the AUP(OP).

6.2 Auckland Transport **opposes** PPC 67 and seeks that it be declined. In the event that the Private Plan Change is accepted, the matters/concerns raised in this submission (including the main body and **Attachment 1**) should be appropriately addressed by amendments to the Plan Change, and any adverse effects of the proposal on the transport network adequately avoided or mitigated.

6.3 **Attachment 1** provides further detail of the decisions sought from the Council, including alternative relief in the event that Auckland Transport's primary relief (that PPC 67 be declined) is not accepted.

6.4 Auckland Transport acknowledges and appreciates the responses that the applicant provided to requests for further information through the Clause 23 process prior to

the notification of the private plan change. However, a number of key concerns are yet to be fully addressed as detailed in **Attachment 1**.

6.5 In all cases where amendments to the Plan Change are proposed, Auckland Transport would consider alternative wording or amendments which address the reasons for Auckland Transport's submission. Auckland Transport also seeks any consequential amendments required to give effect to the decisions requested.

**7. Appearance at the hearing:**

7.1 Auckland Transport wishes to be heard in support of this submission at a hearing.

7.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.

**Name:** Auckland Transport

**Signature:**



Christina Robertson  
Group Manager, Strategic Land Use and Spatial Management

**Date:** 21 October 2021

**Contact person:** Teresa George  
Senior Planner, Land Use Policy and Planning Central

**Address for service:** Auckland Transport  
Private Bag 92250  
Auckland 1142

**Telephone:** (09) 447 4200

**Email:** [teresa.george@at.govt.nz](mailto:teresa.george@at.govt.nz)

## Attachment 1

The following table sets out where amendments are sought to PPC 67 Hingaia 1 Precinct provisions and AUP(OP) maps and also identifies those provisions which Auckland Transport opposes (in whole or in part).

Issue	Relevant Precinct Provisions	Position (support / oppose)	Reason for submission	Decision / relief sought
Plan Change has not addressed adverse transport effects	Entire Plan Change	Oppose	<p>Auckland Transport is concerned that the adverse transport effects of PPC 67, have not been adequately mitigated, including cumulative effects.</p> <p>A number of other amendments are requested to the precinct provisions for the reasons outlined below.</p>	<p>Decline PPC 67.</p> <p>If PPC 67 is to be approved, Auckland Transport seeks that its concerns as outlined in this submission are resolved.</p>
Consistency with AUP(OP) Regional Policy Statement (RPS)	Entire Plan Change	Oppose	<p>Auckland Transport considers that the scale and density of development that PPC 67 would give rise to in this location would not give effect to key transport related objectives and policies of the Regional Policy Statement (RPS) set out in the AUP(OP).</p> <p>The Mixed Housing Urban Zone is described in the AUP(OP) as “a reasonably high-intensity zone and its purpose is to enable a greater intensity of development”.<sup>3</sup> The plan change would enable residential intensification in an area that does not align with the directives of the AUP(OP) RPS. This area is serviced by limited existing public transport services and connections, and is not sufficiently supported by significant employment activities, therefore the location of this residential intensification would fail to enable and promote transport choice to meet the needs of the residents who live there and could promote the use of private vehicles. It has not been clearly demonstrated how PPC 67 would:</p>	<p>Decline PPC 67 on the basis that the proposed rezoning does not give effect to the Regional Policy Statement (RPS) under the AUP(OP).</p>

40.1

40.2

<sup>3</sup> Auckland Unitary Plan – Operative in Part - Chapter H5 Residential – Mixed Housing Urban Zone.

Issue	Relevant Precinct Provisions	Position (support / oppose)	Reason for submission	Decision / relief sought
			<p>a) be supported by transport choices and in particular public transport options to manage transport-related effects generated by the proposed plan change enabled development; and</p> <p>b) will be integrated with the existing and future transport network and services.</p> <p>PPC 67 is inconsistent with RPS objective B.3.2.1(5) as transport infrastructure planning and land use planning have not been integrated to service the proposed growth efficiently.</p> <p>The up-zoning requested would likely generate greater off-site effects if appropriate public transport cannot be provided, or if the efficiency of the services are sub-standard due to a lack of connectivity in the local roading network. The absence of transport infrastructure at the time the development is occupied will reinforce the use of private vehicles. This will lead to adverse effects on the transport network and poor outcomes that would not align with RPS objectives.</p> <p>PPC 67 does not include any expert assessment or rationale under the RPS objectives and policies to determine the suitability of this location for intensive residential development at the scale proposed. The application has not assessed the appropriateness of the proposed plan change against the AUP(OP) zoning approach set out in the regional objectives and policies.</p> <p>PPC 67 fails to address how the intensive residential development allowed for through the proposed change in zone will affect the corresponding transport patterns and movements, and whether the transport network will be able to support the proposed intensity of development, including the potentially inadequate public transport services and limited local employment opportunities.</p>	
Lack of infrastructure funding and	Entire Plan Change	Oppose	Auckland Transport is concerned that PPC 67 provides no clear indication of how transport infrastructure would be delivered or funded. PPC 67 is reliant on transport	PPC 67 be declined.



Issue	Relevant Precinct Provisions	Position (support / oppose)	Reason for submission	Decision / relief sought
delivery certainty			<p>infrastructure projects and operational services to be provided by third parties to service and support the rezoning of the precinct area.</p> <p>There is no identified or allocated funding for the provision of public transport services or additional local connections that would support the intensification of this development area.</p>	<p>If PPC 67 is not declined, then given that there is no certainty around funding and delivery for required infrastructure improvements, there is a need to consider a range of mitigation methods including the potential deferral of development or a review and implementation of land development staging to ensure co-ordination and alignment with the required transport network mitigation.</p>
Staging requirements	Entire Plan Change	Oppose	<p>PPC 67 does not address how the wider upgrades identified in the earlier transport assessments will be achieved and implemented. Nor does PPC 67 outline the required timing or triggers for those upgrades to support the proposed growth. Many of the upgrades identified in the earlier reports required works outside the applicant's land. The applicant needs to address how the transport effects will be managed beyond the site.</p> <p>Neither the proposed Precinct provisions / plans or any other mechanisms have been proposed that provide certainty for transport changes and improvements required outside the area of Sub-precinct D. For example, the provision of a connecting road between Park Estate Road and Hingaia Road to facilitate a local through-road network connection, public transport services and facilities, and the intersection upgrades within and external to Sub-precinct D which are needed in part due to the intensity of development proposed in the plan change. There is the risk of no through-road connection between Park Estate Road and Hingaia Road which</p>	<p>If PPC 67 is not declined, amend PPC 67 to include appropriate activity rules, standards, matters of discretion and assessment criteria in relation to staging requirements.</p>

40.4

Issue	Relevant Precinct Provisions	Position (support / oppose)	Reason for submission	Decision / relief sought
			<p>would cause issues for future network resilience and would lead to poor development connectivity.</p> <p>Further, the Integrated Transport Assessment has not:</p> <ul style="list-style-type: none"> <li>• modelled likely and maximum zone yields,</li> <li>• identified associated required transport upgrades, timing or triggers,</li> <li>• provided a delivery strategy, preferably within the proposed Precinct provisions or by an Infrastructure Funding Agreement.</li> </ul>	
Transport assessment assumptions and identification of mitigation requirements	Entire Plan Change	Oppose	<p>The Plan Change does not include sufficient expert assessment of the transport aspects of the actual and potential adverse effects of the proposal and mitigation required. Transport effects are discussed in broad terms in the applicant's Section 32 Assessment Report. Auckland Transport is concerned that the potential adverse transport effects have not been adequately assessed and then addressed by way of the proposed Precinct provisions. This includes understanding how the proposed zoning intensification will affect the corresponding transport patterns and movements, including effects associated with the proposed rezoning where there is a lack of significant local employment and few shops and community facilities.</p> <p>Traffic modelling has been undertaken on the basis of 2,300 dwellings, whereas the Section 32 report and Transport Assessment is based on 1,660 dwellings. The 1,660 dwellings are based on a master plan. The master plan outlines a potential scenario of what the housing yield could be, but there is no certainty that this would occur. Should more intensive housing typologies occur, which is possible, the 1,660 dwellings could be exceeded. Therefore, the findings of the Transport Assessment are flawed and cannot be relied on.</p> <p>More detailed modelling is required of the traffic impacts. Auckland Transport would expect the traffic modelling to address aspects such as: impacts on the Hingaia /</p>	<p>Further assessment of the transport effects of the enabled land use activities proposed in the PPC 67 precinct plan provisions is sought from the applicant.</p> <p>Auckland Transport requests that the traffic modelling be based on yields commensurate with the zoning envelope sought.</p> <p>The modelling should include the intersection on Hingaia Road / Beach Road corridor (including the SH1 interchange) as a network.</p> <p>Auckland Transport requests that the modelled signalised intersection at Great South Road /</p>

Issue	Relevant Precinct Provisions	Position (support / oppose)	Reason for submission	Decision / relief sought
			<p>Beach Road corridor, including intersections, for example, Hingaia / Harbourside / Beach / Hinau intersection. As noted by Commute in their RFI response dated 19 March 2021, the upgrades to this intersection differ to those that have been modelled and, therefore, the effects of the plan change have not been assessed at this intersection. As recommended in the Flow modelling report, traffic modelling should be undertaken to include the SH1 interchange, Beach Road / Elliot Road intersection and the Hingaia / Harbourside / Beach / Hinau intersection as a network, given they operate as such.</p> <p>The Flow modelling report discusses the future signalisation of the Great South Road / Park Estate Road intersection. The report states that modifications were made to a layout provided by Auckland Transport for the intersection. It is assumed these changes were necessary for the satisfactory operation of the intersection. There are currently no detailed plans for the intersection or commitment (including funding) by Auckland Transport to signalise the intersection. It should be demonstrated by the plan change requestor that the layout modelled by Flow is feasible within the road reserve and does not require third party land. Depending on this response, revised modelling should be undertaken to demonstrate that any adverse effects on this intersection can be appropriately mitigated.</p> <p>Transport mitigation measures, in addition to those already identified in the previous traffic modelling by Flow, should follow the modelling of potential impacts.</p>	<p>Park Estate Road in the Flow modelling report be demonstrated to be feasible within the existing road reserve.</p> <p>Depending on the outcome of the required further assessment, identify the transport mitigations required and the precinct mechanisms to give effect to the delivery of the mitigation measures, including locations, timing, and organisation responsible for delivery and funding.</p>
Roading requirements	Road construction standards	Oppose in part	<p>Auckland Transport seeks a consistency of approach across precinct provisions, including the use of cross sections which outline the standards to be applied to future road construction.</p> <p>Auckland Transport seeks provisions within the Precinct Plan which indicate overall minimum road reserve widths as well as the functional requirements and key design elements for street design. These should be supported by appropriate activity status,</p>	Amend PPC 67 to include provisions relating to the minimum road reserve widths and key design elements and functional requirements of new roads and existing roads which need to be upgraded to the applicable urban

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Issue	Relevant Precinct Provisions	Position (support / oppose)	Reason for submission	Decision / relief sought
			<p>matters for discretion and assessment criteria to provide for instances where these provisions are not met.</p> <p>It is noted that the Commute Transportation Assessment Report, prepared to support the Plan Change, recommended that the road reserve dimension and function designs be transferred from being standards into the restricted discretionary matters and assessment criteria. However, the Plan Change precinct provisions as notified have completely removed the road table and not created any equivalent in the restricted discretionary matters or assessment criteria.</p> <p>PPC 67 includes limited material on future road design parameters and Auckland Transport seeks that these be introduced in accordance with the above point.</p>	<p>standards, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Carriageway</li> <li>• Role and Function of Road</li> <li>• Pedestrian provision</li> <li>• Cycle facilities</li> <li>• Public Transport (agreed interim and long-term routes, dedicated lanes, geometry, bus stops etc)</li> <li>• Ancillary Zone (Parking, Public Transport stops, street trees)</li> <li>• Berm</li> <li>• Frontage</li> <li>• Building Setback</li> <li>• Design Speed (e.g. to support safe active mode movements)</li> <li>• Confirming that the proposed width of collector roads is adequate to accommodate required design elements and increase if necessary.</li> </ul> <p>Amend Activity Table 4 Minimum Road Construction Standards with required detail as listed above, for Collector, Amenity Collector, Local Road, Minor Street, Reserve Edge Link and Park Edge Road. This should still be a standard guiding the creation of new roads through subdivision,</p>

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Issue	Relevant Precinct Provisions	Position (support / oppose)	Reason for submission	Decision / relief sought
				<p>rather than restricted discretionary assessment.</p> <p>To guide developers and Council the Precinct Plan should be updated to identify the location of the various road types outlined above.</p>
Vehicle Access Restrictions – Cycle Facilities	Matters of Discretion	Oppose in part	<p>Proposed Precinct Standard I444.6.1.7 – Vehicle Access Restrictions – Cycle Facilities restricts the provision of vehicle crossings across existing or proposed cycle ways. Matters of Discretion for Integrated Residential Development (I444.8.1(3) and (4)) do not include reference to this standard. This could result in vehicle crossings conflicting with cycle ways and paths which would impact on the safety and operation of those facilities. The Matters of Discretion and relevant Assessment Criteria should include reference to I444.6.1.7.</p> <p>Matters of Discretion I444.8.1(8) for construction or use of a vehicle crossing that does not comply with Standard I444.6.1.7 refers to the standard matters of discretion in E27.8.1(12). Reliance on this standard would not necessarily address the situation where there are individual applications for vehicle crossings. It is the cumulative effect of many vehicle crossings across a cycle path that is of most concern. The matters of discretion should refer to the need to align with proposed Policy 13.</p>	<p>Amend the Matters of Discretion for Integrated Residential Development to include Standard I444.6.1.7.</p> <p>Expand the Matters of Discretion for I444.8.1(8) to include alignment with Policy 13.</p>
Indicative bus routes	Precinct Plan	Oppose	The Precinct Plan indicates roads with 'Indicative bus routes.' Auckland Transport is of the view that all Collector Roads should be capable of accommodating bus services to future proof the transport network.	Auckland Transport seeks that the indicative bus routes be removed from the proposed Precinct Plan and replaced by a column in a Road Construction Standards table (as per above submission)

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Issue	Relevant Precinct Provisions	Position (support / oppose)	Reason for submission	Decision / relief sought
				point) providing for the provision of buses on all collector roads within the Hingaia 1 Precinct.



**Submission by Firstgas Ltd**

**Plan Change 67 (Private) – Hingaia 1 Precinct**

**21 October 2021**

## Submission on Plan Change 67 – Hingaia 1 Precinct

### Submitter Details

<b>Submitter:</b>	<b>Firstgas Limited</b>
<b>Address for service of submitter:</b>	c/- Beca Limited, PO Box 264, Taranaki Mail Centre, New Plymouth 4340
<b>Telephone // Mobile:</b>	06 759 5744 // 027 463 3031
<b>Email:</b>	<a href="mailto:john.mccall@beca.com">john.mccall@beca.com</a>
<b>Contact Person:</b>	<b>John McCall</b> , Senior Planner

### Submission

- This submission relates to the rezoning of 144, 152, 158, 180 and 252 Park Estate Road, Hingaia (from Residential – Mixed Housing Suburban to Residential – Mixed Housing Urban) and the proposed changes to the Hingaia 1 Precinct (“**the Precinct**”) provisions in the Auckland Unitary Plan (Operative in Part) 2016 (“**AUP**”).
- Firstgas Ltd’s (“**Firstgas**”) high pressure gas transmission pipeline is located within 144 Park Estate Road / the Precinct.
- This submission relates to ensuring the safe, efficient and effective operation, maintenance, replacement, upgrade, removal and/or development of the existing gas network within 144 Park Estate Road – including the ability to access that network. In addition, the submission highlights the duty of care under the Health and Safety at Work Act (2015) (“**HSW Act**”) in response to the proposed residential intensification in proximity to a high-pressure transmission pipeline.

### General View

- Firstgas neither supports nor opposes the project.
- Firstgas seeks to ensure:
  - (a) That the Plan Change provides for the safe, efficient, and effective operation, maintenance, replacement, upgrade, removal and / or development of the gas transmission network (including ancillary equipment) within the Plan Change area both during construction and the longer term; and
  - (b) The protection of the gas transmission network (including ancillary equipment) from third party land use and development both during construction and the longer term.

### Decision Requested

- Firstgas seeks that if approved, a framework for both enabling and protecting the gas transmission network (including ancillary equipment) and the occupants of the proposed development within proximity to the pipeline is established.

### Public Hearing

- At this stage, and to protect its interests in the process, Firstgas would like to present its views at a public hearing.

### Trade Competition Statement

- Firstgas is not a trade competitor.



# **Firstgas Ltd: Submission Documentation (Plan Change 67)**

## **1 Introduction to Firstgas Ltd**

Following the purchase of the gas transmission network from Vector Gas Ltd on 20 April 2016, Firstgas is now the owner and operator of approximately 2500km of high-pressure natural gas transmission pipelines throughout the North Island.

Pursuant to section 167 of the Resource Management Act 1991 ('RMA') (and section 15 of the Interpretation Act 1999), the Minister for the Environment gave notice on 5 July 2016 that the Amendment of Resource Management (Approval of National Gas Corporation of New Zealand Ltd as a Requiring Authority) Notice 1994, dated 22 July 2009 has been amended by replacing "Vector Gas Limited" with "Firstgas Limited". A copy of this notice can be supplied on request.

Firstgas' below ground gas transmission pipelines, supported by ancillary above-ground infrastructure, deliver gas from production stations in Taranaki through to various towns and locations throughout the North Island.

### **1.1 General Approach to RMA Processes**

Consequently, since purchasing the gas transmission network Firstgas has become active in RMA process through submissions. The outcomes sought have generally been to:

- enable the operation, maintenance, upgrade and development and / or removal of its assets and operations, including vehicular access; and
- protect its assets and operations from others' land-use and subdivision activities (including through legal and physical vehicular access).

To assist this, Firstgas has worked on a suite of 'model provisions' specific to the gas transmission network which are sought for inclusion within district plans, the objective being to achieve North Island wide consistency and fulfil its own operating obligations under AS2885 (Australian Standard AS 2885 Pipelines – Gas and Liquid Petroleum). The relief sought in this submission draws from these provisions.

## **2 Firstgas operating standards and codes**

Firstgas has an obligation to ensure the safety of the pipeline network and the people living and working near this network. It operates under industry codes and standards which are strictly adhered to considering the nature of its assets and operations. Compliance with the technical requirements specified in these codes and standard ensures the protection and integrity of the pipeline is maintained.

Pipelines are required to meet the safety and operational requirements of the Health and Safety in Employment (Pipelines) Regulations 1999 and the operating code Standard AS2885 Pipelines – Gas and Liquid Petroleum (AS2885). In addition, Firstgas also have a number of in-house developed safety procedures that are applied to complete work that is commensurate with its' legislative requirements.

Adherence to these requirements ensures that Firstgas' maintenance and minor upgrading related activities will be undertaken safely - including for any works to relocate pipelines. Any changes to Firstgas' gas transmission network are required to be notified to Ministry of Business, Innovation & Employment under the requirements of the existing gas transmission pipeline authorisation.

Third party interference is one of the main risks to the safety and integrity of the underground pipelines. Activities which may affect the gas pipelines should take into account the location and protection requirements of the pipelines. Activities in the vicinity of gas transmission pipeline and ancillary equipment should be carried out in such a way so as not to compromise the safe and efficient operation of the gas transmission network.

The safety of its employees', contractors and the general public is of paramount importance to Firstgas.

### 3 Firstgas assets within the Plan Change area

Firstgas assets within the proposed Plan Change area include an underground gas transmission line that traverses the length of 144 Park Estate Road. The following figure illustrates the approximate location of the gas transmission line through the Plan Change and surrounding area.



Figure 1: Firstgas Gas Transmission Line (purple line) Source: Auckland GeoMaps (2021)

It is noted that this gas transmission line is not designated. Protection is afforded to this gas transmission line via an easement only.

### 4 Submission

#### 4.1 General Response

Firstgas is **supportive**, in principle, of the proposed Plan Change Request provided that the points raised in this submission area addressed as the re-zoning of **144 Park Estate Road** (alongside other properties south of Park Estate Road) would allow for increased residential intensification (and associated development) in proximity to an existing gas transmission line.

It is noted that the Plan Change Request application did not identify Firstgas Ltd (a network utility operator) as an affected party in Section 9.0 of the Request for Plan Change application.

In addition, there is no consideration of the existing gas transmission network and the associated risks within the proposed Precinct provisions. Rather, reliance for the protection of the gas transmission line is only by virtue of the existing provisions of the AUP and the existing easement.

This raises concerns for Firstgas regarding the safe, efficient, and effective operation, maintenance, replacement, upgrade, removal and / or development of the existing gas transmission line - both during future construction and development of the Plan Change area – and addressing the increased risk to people and property locating within proximity to the existing gas transmission line.

#### **4.1.1 AUP Framework – Network Utilities**

Under the existing framework of the AUP (specifically, Chapter J – Definitions), the existing gas transmission line traversing 144 Park Estate Road is considered a “network utility” - being the transmission of natural or manufactured gas petroleum by pipeline. Therefore, any land disturbance activity, in brief:

- Must not cause malfunction or result in, or create the potential for, damage to or malfunction of network utilities<sup>1</sup>; and
- Must not obstruct network utilities (unless that is necessary to undertake the works to prevent harm to the public)<sup>2</sup>

#### **4.1.2 Easement – Firstgas**

The existing gas transmission line within 144 Park Estate Road has an easement extending approximately 6m each side of the centreline of the pipeline. This easement ensures access is available to Firstgas to service the gas transmission line (including during development). However, this easement does not avoid, remedy, or mitigate any risks to people and property locating in proximity to the line.

## **4.2 Relief Sought**

This Plan Change Request process becomes the most opportune and appropriate time and process to address the concerns of Firstgas in relation to intensifying residential activity in proximity to the existing gas transmission line traversing 144 Park Estate Road. Therefore, Firstgas seeks the following outcomes in respect to the proposed Plan Change Request:

- The identification of the existing gas transmission line on the Precinct Plan to ensure visibility of the network for plan users.
- The management of any adverse effects of third-party development or activities in close proximity to the existing gas transmission line to the extent that adverse effects on the network are avoided or mitigated; and
- Firstgas is identified as an affected party in the event resource consent is required in respect of potential effects on the existing gas transmission line owned and operated by Firstgas – that is, the matters of discretion or assessment criteria include technical advice from Firstgas.

<sup>1</sup> E12.6.2.(3) Land Disturbance – District, General Standards

<sup>2</sup> E12.6.2.(4) Land Disturbance – District, General Standards

The specific relief sought by Firstgas in respect of the proposed Hingaia 1 Precinct provisions are detailed in the succeeding sections. Amendments to the proposed Precinct provision are shown as underline (for new text sought) and ~~strikethrough~~ (for deletion).

#### 4.2.1 Setback for Residential Dwellings

Firstgas seeks to include a 20m setback required for all new residential buildings from the centreline of the existing gas transmission line – recognising the duty of care responsibilities under the HSW Act. The following amendments to the precinct provisions could facilitate this setback requirement:

41.1

- A new activity in Table I444.4.1, as follows:

**Table I444.4.1 Activity Table – Land use activities**

Activity	Activity Status	Standards to be complied with
<b>Development</b>		
<u>(AX)</u>	<u>New building or structure which does not comply with Standard I444.6.1.X Gas transmission pipeline setback</u>	<u>RD</u> <u>Standard I444.6.1.X Gas transmission pipeline setback</u>

- A new standard requiring all new buildings containing habitable rooms to be setback 20m from the centreline of the existing gas transmission pipeline traversing 144 Park Estate Road, as follows:

#### **Standard I444.6.1.X Gas transmission pipeline setback**

- (1) Any new building or structure that contains a habitable room shall be setback at least 20m from the centreline of a gas transmission pipeline.

**Note:** this setback has been adopted by the development at 115 Park Estate Road immediately north of 144 Park Estate Road. For consistency, Firstgas seek the continuation of this setback of residential buildings from the centreline of the existing gas transmission line.

- A new matter of discretion for new buildings that cannot comply with proposed *Standard I444.6.1.X Gas transmission pipeline setback*, as follows:

#### **I444.8.1 Matters of discretion**

- (0) For any new building or structure that does not comply with Standard I444.6.1.X Gas transmission pipeline setback:
- (a) the extent to which the building or structure avoids or mitigates conflict with the gas transmission network, including construction related activities.
  - (b) the extent to which the building or structure may compromise, restrict or prevent legal or physical access to the gas transmission network
  - (c) risks relating to health or public safety, including the risk of property damage
  - (d) the potential for reverse sensitivity effects
  - (e) technical advice provided by the owner and operator of the gas transmission network.

#### 4.2.2 Protection of the existing gas transmission pipeline from earthworks

Firstgas seeks to include restrictions on earthworks within proximity to the existing pipeline – ensuring the safe, efficient, and effective operation of the existing gas transmission line during future development of 144 Park Estate Road. The following amendments to the precinct provisions could facilitate such protection:

- A new activity in Table I444.4.1, as follows:

**Table I444.4.1 Activity Table – Land use activities**

Activity	Activity Status	Standards to be complied with
<b>Development</b>		
(AX)	<u>Earthworks within 20m of a gas transmission pipeline</u>	<u>P</u>
		<u>Standard I444.6.1.X Earthworks within proximity to a gas transmission pipeline</u>
(AX)	<u>Earthworks that do not comply with Standard I444.6.1.X Earthworks within proximity to a gas transmission pipeline</u>	<u>RD</u>

- A new standard that sets appropriate limits for earthworks / land disturbance activities in proximity to the existing gas transmission pipeline traversing 144 Park Estate Road, as follows:

#### **Standard I444.6.1.X Earthworks within proximity to a gas transmission pipeline**

- (1) Earthworks within 20m of the centreline of a gas transmission pipeline for the purpose of the installation of driveways, utility services, post holes and cultivation / planting, provided the earthworks:
  - (a) is not associated with the planting or removal of trees within 6 metres of a gas transmission pipeline;
  - (b) does not exceed a maximum depth of 400mm within 6m of a gas transmission pipeline.
  - (c) does not involve the use of heavy vehicles or machinery, including hydraulic or air operated machine mounted rock breakers;
  - (d) does not involve vibration or compaction;
  - (e) does not compromise the stability or integrity of the gas transmission pipeline
- (2) Earthworks within 20m of the centreline of a gas transmission pipeline that exceed 400mm in depth must be undertaken in accordance with a Gas Transmission Pipeline Risk Assessment prepared by a suitable qualified person nominated by the owner of the gas transmission pipeline on behalf of a Network Utility Operator, which as a minimum:
  - (a) establishes the minimum separation distances and depths between the gas transmission pipeline and the proposed earthworks
  - (b) demonstrates compliance with applicable legislation, standards and codes of practice
  - (c) summarises the outcome of consultations with the gas transmission owner and operator; and

(d) details the management of earthworks to addresses the risk issues associated with earthworks in proximity to the gas transmission line.

Written notice of the work will need to be provided to the gas transmission pipeline owner and operator and Council at least 20 working days prior to the commencement of the earthworks.

(3) Standard I444.6.1.X(2) does not apply for:

(a) Agricultural, horticultural, or domestic cultivation activities

(b) The maintenance and repair, including sealing, of a road, footpath, driveway, or farm track.

(4) Earthworks within a gas pipeline easement must obtain a Pipeline Easement Permit from the owner and operator of the gas transmission pipeline and provide a copy of the Permit to Council at least 15 working days prior to the commencement of earthworks.

- A new matter of discretion for new buildings that cannot comply with proposed *Standard I444.6.1.X Earthworks within proximity to a gas transmission pipeline*, as follows:

#### **I444.8.1 Matters of discretion**

(0) For earthworks that do not comply with the Standard I444.6.1.X Earthworks within proximity to a gas transmission pipeline:

(a) the risk of hazards affecting public or individual safety, and the risk of property damage.

(b) the measures proposed to avoid or mitigate potential adverse effects on the gas transmission pipeline

(c) technical advice - including an assessment of the level of risk

(d) the outcome of any consultation with the owner and operator of the gas transmission pipeline

#### **4.2.3 Spatial extent of the gas transmission pipeline**

Firstgas seeks to include the existing gas transmission pipeline and proposed setback and earthworks corridor on the Precinct maps. The following amendments to the Precinct provisions are therefore proposed:

- Amend Figure I444.10.1. Hingaia 1 – Precinct Plan to include the extent of the existing gas transmission pipeline.
- Insert a new Figure that illustrates the centreline of the gas transmission pipeline and the 20m corridor either side of the centreline (to aid Plan users in the application of the proposed ‘Gas transmission pipeline setback’ and ‘earthworks within proximity to a gas transmission pipeline’ standards sought through this submission).

**Note:** Co-ordinates of the gas transmission line can be provided from Firstgas upon request.

R. D. and T.G. Davies  
63 Bayvista Drive  
Karaka Lakes  
Papakura 2113  
21/10/21

Auckland Council

Re: Plan Change 67 (Private) Hingaia 1 Precinct

Thank you for the opportunity to provide feedback on the proposed changes. We oppose the proposed changes by the developers on the following points.

#### Vehicular Access

42.1

- The plan identifies access through Hinau Rd. The road in its current state is extremely narrow, and when cars are parked on the side of the road, passing traffic needs to stop and give way to cars coming in the opposite direction due to insufficient width of the road
- Other points of access that will likely also be used by the increased number of residents travelling north will potentially include:
  - Ngakoro Rd / Kuhanui Rd.
    - The access between these two road has not yet been developed, and while Kuhanui Rd is wide enough to take extra traffic, Ngakoro Rd is very narrow, and has yellow lines on each side of the road (which I suspect may be due to insufficient room for emergency and rubbish collection vehicle if cars are parked along the road).
  - Ngakoro Rd/ Bayvista Drive.
    - Without direct access to Kuhanui Rd, traffic will divert through Bayvista Drive. Bayvista Drive is also a narrow road, and over the past 4 years the through traffic has increased.
    - It is now the norm (rather than the exception) to stop at either end of the eastern aspect of the loop, to check to see if there is oncoming traffic before proceeding, as parked cars effectively turns this into a single lane street.
    - We have both already had a number of “near misses” from cars travelling through, unaware of the space restraints since Brookside has opened
    - We are extremely concerned at the impact of higher traffic flow through a street not designed for high volume traffic.

#### Motorway Access.

- As the most direct route to the northern onramp traffic will most likely travel through Karaka Lakes to the Papakura interchange, rather than Park Estate through to the Drury Interchange.
  - Currently (outside of lockdown) even with the extra lanes opened in December 2019 R.D. needs to leave home by 6.00am to avoid the

congestion around the onramp. If leaving at 6.10am it can take 10 – 15 minutes longer just to get onto the motorway.

#### Pedestrian Access

- Higher Density housing, without off road parking, leads to more cars parked on the road, driveways and footpaths.
  - As public transport is not within walking distance, residents will need to have cars to survive – that is a reality.
  - Cars parked over the footpath on driveways (and in some cases on the footpath to decrease the space taken on the side of the road) is a major concern for people who are blind or have vision loss. ( I work at Blind Low Vision NZ, so am aware the impact this has on our clients)

42.2

#### Impact on NZ endemic and native fauna

- I am concerned that some wetlands are being replaced with pipes and natural fillers
- We have a range of endemic and native wetland birds in our area.
  - Both the NZ Grebe (Endemic - conservation status recently reclassified as “Recovering” from a previous “Vulnerable” status) and Banded Rail (Native - conservation status as “Declining”) have been identified in the Karaka Lakes area.
  - The Spotless Crake (Native - conservation status as “Declining”) has been discovered in Puharehare so the chances are that these may also be in our area
- The decrease of the wetland areas and increased population density may affect the population of these birds
- The increased sediment and run off will also affect the coastal mangrove margins

42.3

Kind Regards  
Rae and Terry Davies  
[t.davies@xtra.co.nz](mailto:t.davies@xtra.co.nz)



Auckland Council

Level 24, 135 Albert Street

Private Bag 92300

Auckland 1142

Attn.: Planning Technician

**unitaryplan@aucklandcouncil.govt.nz**

**TO: Auckland Council**  
**SUBMISSION ON: Plan Change 67 (Private) - Hingaia 1 Precinct**  
**FROM: Veolia Water Services (ANZ) Pty Ltd**  
**ADDRESS FOR SERVICE: sanjeev.morar@veolia.com**  
**DATE: 21 October 2021**

**Veolia could not gain an advantage in trade competition through this submission.**

## **1. INTRODUCTION**

### **1.1. Background**

On July 1, 1997 a 30-year franchise agreement commenced with the Papakura District Council to outsource operations of the water and wastewater networks in Papakura, Drury and Takanini to a Veolia, wholly owned subsidiary called United Water.

Around the globe, Veolia helps cities and industries to manage, optimize and make the most of their resources. The company provides an array of solutions related to water, energy and materials. Veolia's 174,000 employees are tasked with contributing directly to the sustainability performance of customers in the public and private sectors, allowing them to pursue development while protecting the environment.

- 100 million people supplied with drinking water
- 63 million people connected to wastewater systems
- 4,245 drinking water production plants managed
- 3,303 wastewater treatment plants managed<sup>[s1]</sup>

In 2011, United Water was rebranded to Veolia, its parent company's name. This brand change brought the New Zealand operations in line with Veolia's global business.

Under the existing franchise agreement, Veolia is responsible for all aspects of the water and wastewater business including:

- Meter reading, billing and collection of revenue
- Customer services
- Operations and maintenance of the water supply and wastewater collection systems
- Planning, design and construction of new infrastructure

Papakura District Council was disestablished in 2010 with the creation of the Auckland Council as a unitary authority.

Auckland Council owns Watercare - a council organisation. All the water in the Papakura district is supplied by Watercare and all wastewater is treated at Watercare's Mangere Plant.

Watercare Services Ltd owns the water and wastewater infrastructure which is operated by Veolia.

## 2. SUBMISSION

### 2.1. General

This is a submission on a change proposed by Hugh Green Limited to the Auckland Unitary Plan (Operative in Part) that was publicly notified on 26 August 2021 ("**Proposal**").

The Applicant proposes to rezone 79.7 hectares of Mixed Housing Suburban land at Hingaia 1 Precinct, to a Residential - Mixed Housing Urban ("**Plan Change Area**").

Veolia neither supports nor opposes the Proposal. The purpose of this submission is to address the technical feasibility of the proposed water and wastewater servicing arrangement to ensure that the effects on the existing and planned water and wastewater network are appropriately considered and managed in accordance with Resource Management Act 1991 ("**RMA**").

In making its submission, Veolia has considered the relevant provisions of the Auckland Plan 2050, Te Tahua Taungahuru Te Mahere Taungahuru 2018 – 2028/The 10-year Budget Long-term Plan 2018 – 2028, the Auckland Future Urban Land Supply Strategy 2015 and 2017, the Water Supply and Wastewater Network Bylaw 2015 and the Water and Wastewater Code of Practice for Land Development and Subdivision. It has also considered the relevant RMA documents including the Auckland Unitary Plan (Operative in Part) and the National Policy Statement on Urban Development Capacity 2016 which (among other

matters) requires local authorities to ensure that at any one time there is sufficient housing and business development capacity which:

- (a) in the short term, is feasible, zoned and serviced with development infrastructure (including water and wastewater);
- (b) in the medium term, is feasible, zoned and either:
  - (i) serviced with development infrastructure, or
  - (ii) the funding for the development infrastructure required to service that development capacity must be identified in a Long Term Plan required under the Local Government Act 2002; and
- (c) in the long term, is feasible, identified in relevant plans and strategies, and the development infrastructure required to service it is identified in the relevant Infrastructure Strategy required under the Local Government Act 2002.<sup>1</sup>

## **2.2. Specific parts of the Proposal**

The specific parts of the Proposal that this submission relates to are: the proposed water and wastewater servicing arrangement and the effects of the Proposal on the existing and planned water and wastewater network.

Veolia has reviewed the Proposal but it is not in a position to confirm whether, in Veolia's opinion, the proposed servicing arrangement is appropriate. Specifically:

- (a) Water Supply - Network modelling to be undertaken to determine suitability of existing infrastructure to provide for proposed demand
- (b) Wastewater Network (gravity) - Availability of capacity to be determined pending discharge location

### **2.2.1. Water supply**

#### **2.2.1.1. Water supply infrastructure**

Hingaia 1 Precinct is located on the southern side of Park Estate Road, at the western end. A Retail 450mm water supply from the Flannagan Road BSP is accessible via the southern boundary of the subject site.

#### **2.2.1.2. Water supply servicing for the Plan Change Area**

In order to adequately assess the effects of the Proposal on the existing and planned water infrastructure network, the following further information regarding the proposed water supply servicing is required:

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<sup>1</sup> National Policy Statement on Urban Development Capacity 2016, policy PA1.

- (a) network modelling of the existing network with the additional demand proposed
- (b) an assessment of the water infrastructure upgrades that might be required to service the development (if any)

The Applicant will be required to construct and fund any local network to service the Plan Change Area

For clarity, all of the water supply network (excluding the BSP) relevant to the plan change is considered local network, and is therefore required to be funded by the developer.

## **2.2.2. Wastewater**

### **2.2.2.1. Wastewater infrastructure**

Hingaia 1 Precinct is located on the southern side of Park Estate Road, at the western end. A Retail 450mm gravity wastewater pipe is located to the south of the subject site.

### **2.2.2.2. Wastewater servicing for the Plan Change Area**

It is proposed that the Plan Change Area be serviced via the existing gravity wastewater network, through to the existing Bulk Hingaia Wastewater Pump Station.

In order to adequately assess the effects of the Proposal on the existing and planned wastewater infrastructure network, the following further information regarding the proposed wastewater servicing is required:

- (a) suitable gravity network discharge location.
- (b) network modelling of the existing network with the additional demand proposed
- (c) an assessment of the wastewater infrastructure upgrades that might be required to service the development (if any)

Any required upgrades are to be reviewed and agreed with Veolia.

## **3. DECISION SOUGHT**

Veolia seeks a decision that ensures that the water and wastewater capacity and servicing requirements of the Proposal will be adequately met, such that the water and wastewater related effects are appropriately managed.

To enable that decision to be made, Veolia requests that:

- (a) Existing water infrastructure is modelled to ensure sufficient capacity. Should there be insufficient capacity, it is the responsibility of the Applicant to, at its cost, design and construct required network infrastructure upgrades. 43.1

- (b) Wastewater disposal from the Plan Change Area is required to be connected to the public wastewater network, discharging to the Hingaia Wastewater Pump Station. | 43.2
- (c) The Applicant will, at its cost, design and construct:
  - i. any wastewater infrastructure required to enable the connection of the Plan Change Area to the public wastewater disposal and collection system | 43.3
  - ii. any water infrastructure required to enable the connection of the Plan Change Area to the public retail water network
- (d) The Applicant obtains approval from Veolia for the connection points to the local network to service the Plan Change Area. | 43.4

#### 4. HEARING

Veolia wishes to be heard in support of its submission.



Sanjeev Morar  
Developments Manager

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Karine and Jason Fox

Organisation name:

Agent's full name: Jason Fox

Email address: [foxesn@gmail.com](mailto:foxesn@gmail.com)

Contact phone number:

Postal address:

6 Turua Rise

Karaka

Karaka 2113

## Submission details

**This is a submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

**My submission relates to**

Rule or rules:

Change of Zoning, Transport Corridor

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:

We oppose the zoning change In Hingaia

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

Submission date: 21 October 2021

Supporting documents

Fox KJ Submission.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.

## SUBMISSION – Proposed plan change 67 (Private) – Hingaia Precinct

Change of zoning of and creation of a transport corridor through quiet suburban residential streets.

### Zoning Change

We have some concerns as responsible citizens and community members in Karaka, including the safety of children, elderlies and animals.

1. Hugh Green Ltd operating in bad faith and putting hard working Kiwis in vulnerable circumstances | 44.1

This private zoning change request is nothing but Hugh Green Ltd (HGL) operating in bad faith by purchasing land for development and then trying to maximise its own profit by devaluing the surrounding area by building tightly packed urban dwellings in an almost rural setting. The HGL management team were fully aware when they started this development that it is a suburban area. Now they are using their deep pockets to try and change the zoning and jam as many properties as they can into this space (with no off-parking space), effectively creating a wealth transfer by devaluing surrounding owners' properties and sending this value to their bank accounts. We live in South Auckland, the lowest socioeconomic area of Auckland, and the business decision from HGL highlights the elitism and social unfairness between Kiwis trying to get on the property ladder, hard-working Kiwis who saved up to buy a property vs a wealthy land developer who only wants to get richer, with no respect for the people who live in the area. It is a shocking gesture of greed and it is disgracefully against the already hard to reach dream of Kiwis.

2. Crime and violence escalation | 44.2

Developments like this the proposed one, are too far from urban centres and based on evidence, does not bode and do well nationally and globally. Crimes and violence result from high population density, reinforcing poverty, fears and social failure, which goes against the Government's drive to have a more sustainable and fairer New Zealand for every New Zealander. Putting this many houses into a small area so far from the commercial centre in Auckland will accelerate the social gap and increase violence and crime in an area that needs community support rather than over densification.

3. Congestion and risks for our community | 44.3

We have carefully looked at other options when we considered the private request from Hugh Green and we are concerned by the Transport Corridor (Collector Road) through a quiet and family-friendly suburb of Karaka Lakes.



Karaka Lakes prides itself for being a close-knit community where everyone cares for each other, children, elderly, people in vulnerable situations and wild. We live in a lovely, diverse, well-looked and well-loved area, after development on the edge of Papakura.

Based on the lack of planning and environmental consideration from HGL, the company is now looking to use a road as a through route in Karaka to achieve its development goal, it is nothing more than an insult and sign of disrespect to the residents of this quiet suburb. HGL plans to use any road in Karaka, either Hinau Road or Kuhunui Road as a collector road for development is simply unacceptable. Consider Kuhunui Road, it is the main school route for kids on bicycles to get to school. The road is also used daily by Hingaia Peninsula School for its walking school bus for the whole school, with parents and teachers volunteering to support community engagement and play their part to decrease congestion and increase safety for everyone. In addition, Kuhunui Road is an overland crossing between two wetlands for the local native and non-native Fauna in the area. All reinforcing the New Zealand's focus on sustainability, climate change and protection of our land and life.

The layout of Karaka Lakes is not made for this volume of traffic with a projected modelling of an additional 6,900+ cars a day – safety, pollution and congestion at its worst. People would fan out into all the local streets, people looking for through routes tend to drive fast and carelessly, resulting in more dangers for young children who currently ride their bikes and scooters in the area. The smaller roads are not built to handle this extra traffic and must not be used for it. We trust that Auckland Transport Waka Kotahi will provide some insight on this dangerous proposal.

The modelling done by HGL is not accounting for people finding their way around congestion by using smaller residential roads, especially between Kuhunui Road and Hinau Road: it would present a danger to the residents and something that cannot be allowed to happen, as a duty of care for all generations. We have a civic duty to protect each other, not put each other in more danger.

In addition, the added danger and traffic flow would devalue the houses in the area, once again transferring the value to HGL balance sheet. Having investigated traffic plans, Great South Road however is built for this sort of traffic flow.

No one in Karaka Lakes want this added traffic funnelled directly through our quiet residential streets, it is a ridiculous idea to endanger the wellbeing of our residents – either physical, mental and financial wellbeing. The impacts of COVID have already been felt enough without adding unnecessary pressure and worry due to HGL development plan.

Looking at the connection to the Karaka area, the Hingaia Motorway on Ramp and off ramp already services Karaka Lakes, Harbourside, Waiau Pa, Karaka, Clarkes Beach, Kingseat and some of Glenbrook and Waiuku. These areas are also being developed which will provide additional traffic. This on ramp is already pushed to its limit in the morning peak hours. It can take 30mn at 6.30am when residents go to work. Opening an alternative route for this development would create an alternative route through a residential area to all the communities on the other side of the motorway due to the Park Estate Road Overbridge. Great South Road is built for this traffic flow, not the residential area of Karaka Lakes.

4. Waste management issues

44.4

We are concerned by the waste management of Slippery Creek catchment, which is already at capacity.

5. Conservation concerns

44.5

We are concerned by the ecologic balance and impact of HGL plans. Pollution would be detrimental to Nature and its wildlife. The tidal flow in the Slippery Creek is a low energy tidal area, All engine fluids dropped by cars will be funnelled directly into this area in the stormwater drainage, it will then accumulate and remain in the mud and sands.

6. Zoning change

44.6

We want to express our opposition to changing the zone of Karaka Lakes from suburban to urban zoning and its boundaries implications. The area is outside the main city and the change of zoning is only to serve a high-density dwelling drive without consideration for the landscaping and natural environmental focus that is Karaka. It is known for its countryside, connection to nature, and primary industries flow.

Steph Cutfield  
43 Hinau Road  
Karaka Lakes  
Ph: 0211370917

In support of submission to Park Estate Roading via Hinau Road.

Hi Dennis

Great to hear of your submission which we wholeheartedly support. I'm not sure if this makes sense - hopefully it does! Should I load it as my own or will you add to your submission?

We live at 43 Hinau Rd, Karaka Lakes and strongly object to this becoming a feeder from the mentioned development, our road is not fit for purpose for multiple reasons.

1. **No parking** - visitors have to park on the road, which essentially turns it into a one way road. This causes hold ups during the quieter time during day/weekends - however peak times it is worse and hold up large amounts of traffic. Also, as it is given the narrow road, home owners are unable to pull out safely without crossing the centre line - the proposed increase in traffic will make it near impossible to safely reverse out of our driveways

45.1

2. **Speed** - currently on a daily basis we have drivers using Hinau Rd as a drag strip, at times zooming past our house well over 60kms an hour - putting residents walking and children outside playing at risk. We have already had a car flip on the corner of Hinau & Wawatai Rd - thankfully no one was injured.

Whilst my car was parked on road a car hit and smashed off the wing mirror of my car. They were heard but not seen, drove off and left me with a \$300 repair bill. Their wingmirror was also on the road in front of my car - it was evident they were speeding.

3. **Hinau Rd/Fountain Rd roundabout** is definitely not suitable for increase volume in traffic. Currently cars coming through the dog leg from Hingaia Rd end cannot stick to their lane. I would say 99% of drivers cross the centre line coming out of the dog leg - while drivers coming the other way do not slow down and are often over the centre line themselves. Increased volume through this round about will result in accidents.

4. **Congestion** - motorway access at Papakura is a nightmare. If the weather is bad the traffic is often backed up to my house.

Cars come off Hingaia Rd either into Bridgeview Ave, or Hinau Rd lights, to try to get through lights for "quicker" motorway access, only adding to the congestion. There are also a lot of children walking to/from school and drivers gap the lights putting young people at risk regardless of the fact they have the crossing light.

5. **Development** to increase the density of the upcoming development will overall have a negative effect on our neighbourhood and environment of Karaka Lakes. The effect McDonald's across the road is evident with endless rubbish dumped on the side of road near the Bloodstock. We already have halfwits throw bottles and trash out of their car windows. Our community of young families, retirees and conscientious property owners, does not need an increase in anti social drivers and behaviour

45.2

The on ramp already services a large amount of housing and with future developments underway at Hingaia Rd, Kingseat and Clarkes Beach this volume alone will result in chaos. Park Green needs to re-consider motorway access via another route. Ideally its own on/off ramp.

Kind regards  
Steph Cutfield  
43 Hinau Rd  
Karaka Lakes  
stephcutfield@xtra.co.nz

The following customer has submitted a Unitary Plan online further submission.

## Contact details

Full name of person making a further submission: Ben Hussey

Organisation name:

Full name of your agent:

Email address: [ben.hussey@mail.com](mailto:ben.hussey@mail.com)

Contact phone number:

Postal address:  
65 Bayvista Drive  
Karaka  
Auckland 2113

## Submission details

**This is a further submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

## Original submission details

Original submitters name and address:  
Ben Hussey  
65 Bayvista Drive  
Karaka  
Auckland

Submission number: 24

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 Environment Wildlife

The reasons for my or our support or opposition are:  
The wildlife will be negatively affected by all the flora and fauna being removed  
The estuary will also be negatively impacted by run off etc as well as affecting views which are currently rural

I or we want Auckland council to make a decision to: Disallow part of the original submission

Specify the parts of the original submission you want to allow or disallow:  
The coast should be better protected with greater riparian as this is precious to the wildlife and environment

Submission date: 24 November 2021

## **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'm an affected neighbour

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.

The following customer has submitted a Unitary Plan online further submission.

### **Contact details**

Full name of person making a further submission: Vel Murugan

Organisation name:

Full name of your agent:

Email address: [vel1730@outlook.com](mailto:vel1730@outlook.com)

Contact phone number: 0224291730

Postal address:

67A

Arimu Road

Papakura

Auckland 2110

### **Submission details**

**This is a further submission to:**

Plan change number: Plan Change 67

Plan change name: PC 67 (Private): Hingaia 1 Precinct

### **Original submission details**

Original submitters name and address:

Vel

67A Arimu Road

Papakura

Auckland

Submission number: PC67

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:

Point number All

The reasons for my or our support or opposition are:

Approve the plan change without any amendments

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 24 November 2021

### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar 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:  
NA

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.

2 December 2021

Plans and Places

Auckland Council

Private Bag 92300

Auckland 1142

Attn: Planning Technician

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Re: Proposed Private Plan Change 67 Hingaia Precinct 1**

Please find attached Auckland Transport's further submission on the Proposed Private Plan Change 67 from Hugh Green Group Limited.

If you have any queries in relation to this submission, please contact Teresa George, Senior Planner at [Teresa.George@at.govt.nz](mailto:Teresa.George@at.govt.nz), or on 021 351 381.

Yours sincerely



Teresa George  
**Senior Planner, Land Use Policy and Planning**

Encl: Auckland Transport's further submission on Proposed Private Plan Change 67 – Hingaia Precinct 1



**Form 6: Further Submission by Auckland Transport on Proposed Private Plan Change 67 – Hingaia Precinct 1 under Clause 6 of Schedule 1, Resource Management Act 1991**

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142

**Further submission on:** Submissions to Proposed Private Plan Change 67 from Hugh Green Limited to re-zone parts of Hingaia 1 Precinct (within Sub-precinct D) from Residential – Mixed Housing Suburban to Residential – Mixed Housing Urban zone, adjust the Business – Neighbourhood Centre zone boundary and amend the precinct provisions, in part in relation to removing the indicative road cross-sections.

**From:** Auckland Transport  
Private Bag 92250  
Auckland 1142

**1. Introduction**

- 1.1 Auckland Transport represents a relevant aspect of the public interest and also has an interest in the proposal that is greater than the interest that the general public has. Auckland Transport's grounds for specifying this are that it is a Council-Controlled Organisation of Auckland Council ('the Council') and Road Controlling Authority for the Auckland region.
- 1.2 Auckland Transport's legislated purpose is "to contribute to an effective, efficient and safe Auckland land transport system in the public interest."

**2. Scope of Further Submission**

- 2.1 The decisions which Auckland Transport seeks from the Council in terms of allowing or disallowing submissions are also set out in **Attachment 1**.

**3. Appearance at the Hearing**

- 3.1 Auckland Transport wishes to be heard in support of this further submission.

3.2 If others make a similar further submission, Auckland Transport will consider presenting a joint case with them at the hearing.



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Signed for and on behalf of Auckland Transport

Christina Robertson  
Group Manager: Strategic Land Use and Spatial Management

2 December 2021

Address for service of further submitter:

<b>Contact person:</b>	Teresa George Senior Planner, Land Use Policy and Planning
<b>Address for service:</b>	Auckland Transport Private Bag 92250 Auckland 1142
<b>Telephone:</b>	021 351 381
<b>Email:</b>	<a href="mailto:Teresa.George@at.govt.nz">Teresa.George@at.govt.nz</a>

Attachment 1:

Submitter	Submission Point	Summary of Submission	Support or Oppose	Reason for Auckland Transport Further Submission	Decision Sought
Transpower New Zealand Limited c/- Trudi Burney	31.5  <b>FS3.1</b>	Amend 1444.6.1 land use standard to remove the 'if listed' at the end of the sentence. Land use activities listed in Table 1444.4.1 <i>Activity Table – Land use activities must comply with the standards listed in the column in Table 1444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, if listed.</i>	Support	Auckland Transport supports the inclusion of the overlay, zone and Auckland-wide standards into the land use standards even when they are not listed in the precinct provisions.  There is a standard wording used in Auckland Unitary Plan precinct provisions to ensure that overlay, zone and Auckland-wide standards apply unless specifically stated as overridden by a precinct standard: "The provisions in any relevant overlays, zone and the Auckland-wide provisions apply in this precinct unless otherwise specified below."	Auckland Transport supports the relief sought by the submitter to amend 1444.6.1 as follows:  <i>Land use activities must comply with the standards listed in the column in Table 1444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, if listed.</i>
Transpower New Zealand Limited c/- Trudi Burney	31.6  <b>FS3.2</b>	Amend 1444.6.2 Subdivision standards to:  <i>Subdivision activities listed in Table 1444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table 1444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, if listed, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:</i>	Support	Auckland Transport supports the inclusion of the overlay, zone and Auckland-wide standards into the subdivision standards even when they are not listed in the precinct provisions.  There is a standard wording used in Auckland Unitary Plan precinct provisions to ensure that overlay, zone and Auckland-wide standards apply unless specifically stated as overridden by a precinct standard: "The provisions in any relevant overlays, zone and the Auckland-wide provisions apply in this precinct unless otherwise specified below."	Auckland Transport supports the relief sought by the submitter to amend 1444.6.2 as follows:  <i>Subdivision must comply with the standards listed in the column in Table 1444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, if listed, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:</i>





**NZ TRANSPORT AGENCY**  
WAKA KOTAHI

Level 5, AON Centre  
Customs Street West  
Private Bag 106602  
Auckland 1143  
New Zealand  
T 64 9 969 9800  
F 64 9 969 9813  
[www.nzta.govt.nz](http://www.nzta.govt.nz)

02 December 2021

Auckland Council  
Plans and Places  
Private Bag 92300  
Auckland 1142  
Attn: John Duguid

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name of further submitter: The New Zealand Transport Agency (Waka Kotahi)**

This is a further submission on submissions on Private Plan Change 67 Hingaia 1 (**Plan Change**) to the Auckland Unitary Plan (operative in Part).

Waka Kotahi is a person who has an interest in the proposal that is greater than the interest of the general public. Waka Kotahi made a submission on the Plan Change dated 23 September 2021.

The specific parts of the submissions supported or opposed and the reasons for that support or opposition are set out in attachment 1. The decisions which Waka Kotahi seeks from the Council in terms of allowing or disallowing submissions are also set out in attachment 1.

**Hearings**

The Transport Agency wishes to be heard in support of its further 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 further submitter:

A handwritten signature in black ink, appearing to read 'Evan Keating'.

**Evan Keating**  
Principal Planner  
NZ Transport Agency

Address for Service of person making submission:  
NZ Transport Agency  
Contact Person: Evan Keating  
Email: [Evan.Keating@nzta.govt.nz](mailto:Evan.Keating@nzta.govt.nz)



Table 1: Waka Kotahi Further Submission Auckland Unitary Plan – Private Plan Change 67 – Hingaia 1 Precinct

Submitter #	Name	Email or Post Address	Submission point	Position	Reasons	Relief sought
31.5 <b>FS3.1</b>	Transpower New Zealand Limited c/- Trudi Burney	<a href="mailto:Environment.policy@transpower.co.nz">Environment.policy@transpower.co.nz</a>	Amend 1444.6.1 land use standard to remove the ‘if listed’ at the end of the sentence. Land use activities listed in Table 1444.4.1 <i>Activity Table – Land use activities must comply with the standards listed in the column in Table 1444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, if listed.</i>	Support	This would align with standard wording used elsewhere in the Auckland Unitary Plan	Accept submission point
31.6 <b>FS3.2</b>	Transpower New Zealand Limited c/- Trudi Burney	<a href="mailto:Environment.policy@transpower.co.nz">Environment.policy@transpower.co.nz</a>	Amend 1444.6.2 Subdivision standards to;  <i>Subdivision activities listed in Table 1444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table 1444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, if listed, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:</i>	Support	This would align with standard wording used elsewhere in the Auckland Unitary Plan	Accept submission point
32.2 <b>FS3.3</b>	Hugh Green Limited C/- CivilPlan Consultants Ltd	<a href="mailto:aaron@civilplan.co.nz">aaron@civilplan.co.nz</a>	Make changes as specified in the submission to give effect to Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill introduced to the House of Parliament on 19 October 2021.	Oppose	No assessment of potential effects on the transport system has been provided of these changes and it is premature to make them on a proposed bill.	Reject submission point
40.5 <b>FS3.4</b>	Auckland transport c/- Teresa George	<a href="mailto:teresa.george@at.govt.nz">teresa.george@at.govt.nz</a>	Further assessment of the transport effects of the enabled land use activities proposed in the PPC 67 precinct plan provisions is sought from the applicant. Auckland Transport requests that the traffic modeling be based on yields commensurate with the zoning	Support	Further assessment of the transport effects of the proposal should be	Accept submission point.

			<p>envelope sought.</p> <p>The modelling should include the intersection on Hingaia Road / Beach Road corridor (including the SH1 interchange) as a network.</p> <p>Auckland Transport requests that the modelled signalised intersection at Great South Road /Park Estate Road in the Flow modelling report be demonstrated to be feasible within the existing road reserve.</p> <p>Depending on the outcome of the required further assessment, identify the transport mitigations required and the precinct mechanisms to give effect to the delivery of the mitigation measures, including locations, timing, and organisation responsible for delivery and funding.</p>		provided to inform decisions on the it	
40.9 <b>FS3.5</b>	Auckland transport c/- Teresa George	<a href="mailto:teresa.george@at.govt.nz">teresa.george@at.govt.nz</a>	Amend the Matters of Discretion for Integrated Residential Development to include Standard I444.6.1.7.	Support	These changes would support the provision of safe access for cyclists	Accept submission point
40.10 <b>FS3.6</b>	Auckland transport c/- Teresa George	<a href="mailto:teresa.george@at.govt.nz">teresa.george@at.govt.nz</a>	Expand the Matters of Discretion for I444.8.1(8) to include alignment with Policy 13.	Support	These changes would support the provision of safe access for cyclists	Accept submission point



# Further Submission in support of, or opposition to, a notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

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

For office use only Further Submission No:
Receipt Date

## Further Submitter details

**Full Name or Name of Agent (if applicable)**

Mr/Mrs/Miss/Ms(Full Name) \_\_\_\_\_

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

**Transpower New Zealand Ltd**

**Address for service of Further Submitter**

**Trudi Burney, 31 Gilberthorpes Road, Islington, Christchurch 8042**

Telephone:

**03 5907126**

Fax/Email: **environment.policy@transpower.co.nz**

Contact Person: (Name and designation, if applicable)

## Scope of Further Submission

**This is a further submission in opposition to a submission on the following proposed plan change:**

Plan Change/Variation Number	PC 67 (Private)
Plan Change/Variation Name	Hingaia 1 Precinct

**we support:**  **Oppose**  (tick one) **the submission of:**

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

**Submission Number 32.2**

**Point-Number**

**Hugh Green Limited C/- Civil Plan Consultants Limited**

**The reasons for our opposition are:**

**Refer attached table**

(continue on a separate sheet if necessary)

We seek that: oppose the whole:

Refer attached table \_\_\_\_\_

of the original submission be **disallowed**

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



2 December 2021

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

Date

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

~~I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)~~

\_\_\_\_\_  
I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

**Transpower NZ Ltd is the owner and operator of the National Grid. The need to operate, maintain, develop and upgrade the National Grid is identified as a matter of national significance under the National Policy Statement on Electricity Transmission 2008. Transpower also has an interest as a land occupier.**

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

This is a further submission by Transpower New Zealand Limited in opposition to a submission on Proposed Plan Change 67 (Private) : Hingaia 1 Precinct

Sub #	Sub Point	Original Submitters Name	Specific Reasons for the Submission and Relief sought	Transpower supports/opposes the submission	The reasons for Transpower's support / opposition are:
32	32.2	Hugh Green Limited	<p><u>Original Submission</u>  <i>In light of the introduction of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill, the submitter supports Plan Change 67 subject to all amendments necessary in order to incorporate the Medium Density Residential Standards referred to by the Bill for those parts of the Hingaia 1 Precinct proposed to be within a residential zone. If changes are made to the Medium Density Residential Standards prior to the passing and enactment of the Bill, amendments to Plan Change 67 are to be in accordance with those changes.</i></p> <p><u>Relief sought</u>  <i>Based off the version of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill introduced to the House of Parliament on 19 October 2021, the amendments sought to the proposed Hingaia 1 Precinct text are attached.</i></p> <p>Further to submission 32.2 for full details.</p>	Oppose	<p>In its submission Transpower noted the relationship of the proposed plan change rezoning to the operative National Grid Corridor Overlay provisions within the Auckland Unitary Plan. The National Grid Corridor overlay provisions (which includes the National Grid Subdivision Corridor and National Grid Yard) would apply within the Hingaia 1 Precinct. It was understood that no changes were proposed to Chapter D Overlays and that the provisions of D26 National Grid Corridor Overlay would continue to apply to the National Grid within the site.</p> <p>The applicant has made a submission seeking that the provisions of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill (the Amendment Bill) be incorporated for those parts of the Hingaia 1 Precinct within a residential zone. Given the draft nature of the proposed provisions, the extensive number of submissions to the Amendment Bill and the potential for consequential changes, it is considered inappropriate to base proposed changes to Plan Change 67 on the Amendment Bill as it currently stands.</p> <p>Incorporation of any changes (through the submission process) as part of the private plan change could be inconsistent with any changes that the Government would make in response to submissions to the final Bill or that Council would notify to the wider Unitary Plan.</p> <p>Further, provisions of the Amendment Bill put forward in the submission do not fully address the qualifying matters or identify what Council would consider as an exclusion to applying these once changes are made to the wider AUP.</p> <p>Transpower notes the National Grid Corridor Overlay imposes specific rules to ensure the National Grid is not compromised and any development of the land within the Corridor Overlay would need to take account of these specific provisions.</p>

					Transpower opposes all proposed additional changes to the Hingaia 1 Precinct provisions that relate to the Amendment Bill. Particularly those that would result in residential permitted activities potentially applying within the National Grid Corridor Overlay.
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**APPENDIX 5**  
**RECOMMENDED CHANGES**



## REVISED HINGAIA 1 PRECINCT TEXT

### Clause 23 Response Version

#### s42A Recommendation

16 December 2021

David Wren 16/12/2021 7:29 AM

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Copy

### I444. Hingaia 1

#### I444.1. Precinct Description

The Hingaia 1 precinct is located approximately 2.4km west of Papakura and is located in the southern part of the Hingaia Peninsula, to the south of the existing 'Karakas Lakes' residential subdivision.

The whole of the Hingaia Peninsula was structure planned for growth in 2000-2002. However, only Stage 1A was re-zoned at that time. This precinct is to be developed to provide for a logical extension of the existing Hingaia urban area, and development in the precinct will be guided by the Hingaia 1 precinct plan.

The purpose of the Hingaia 1 precinct is to provide for comprehensive and integrated residential development on the Hingaia Peninsula, to increase the supply of housing, to facilitate the efficient use of land, and to co-ordinate the provision of infrastructure.

It is envisaged that future land use, development and subdivision consents will give effect to the key elements of the precinct plan and provide opportunities for pedestrian and roading connections into future development areas.

The zoning of land within this precinct is Residential – Mixed Housing Suburban, Residential – Mixed Housing Urban and Business – Neighbourhood Centre.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

#### I444.2. Objectives

- (1) Subdivision and development occurs in a co-ordinated way that implements the Hingaia 1 precinct plan, provides a logical extension to the existing urban environment, and provides for connections to future development on adjoining land.
- (2) Development achieves a high standard of amenity while ensuring there is a choice of living environments and affordability options.
- (3) The existing stream network as illustrated on the Hingaia 1 precinct plan is retained and enhanced.
- (4) Subdivision and development occurs in a manner that achieves the co-ordinated delivery of infrastructure, including transport, wastewater, and water services.
- (5) The safety of users of shared paths and dedicated cycleways is prioritised over vehicle access.

- (6) Significant adverse effects of stormwater run-off on communities, the marine receiving environment and freshwater systems are avoided to the extent practical, or otherwise mitigated using water sensitive design principles.
- (7) Subdivision and development adjoining the coast provides for enhanced amenity and avoids risks of adverse effects arising from coastal erosion.
- (8) A neighbourhood centre is developed that provides for small scale convenience retail, service and commercial activities that meet the day-to-day needs of the area, and which does not undermine the viability and role of either the Hingaia Mixed Use Town Centre or the Papakura Metropolitan Centre.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

#### **I444.3. Policies**

- (1) Require the structural elements of the Hingaia 1 precinct plan to be incorporated into all subdivision and development that results in urbanisation of the land.
- (2) Require the construction of new roads, as generally indicated on the Hingaia 1 precinct plan, to achieve integration with the existing urban area and to enable future connections to link into adjoining sites to ensure that an interconnected movement network can be achieved on the Hingaia Peninsula.
- (3) Ensure that a range of lot sizes, housing typologies and densities is enabled throughout the precinct to reflect a choice of living environments and affordability, including by enabling greater development potential for higher density residential developments and integrated residential development;
- (4) Enable a range of residential living opportunities (including a range of lot sizes) with more intensive housing encouraged in locations with close proximity to the neighbourhood centre, public transport routes or areas with high amenity (e.g. locations close to public open space).
- (5) Ensure subdivision and development, including road design, achieves a high standard of amenity, pedestrian safety and convenience, and contributes to a positive sense of place and identity.
- (6) Require subdivision and development to be staged to align with the co-ordinated provision of infrastructure, including transport, water and wastewater.
- (7) Require subdivision and development to use water sensitive design principles as the core development approach to manage stormwater run-off, water quality, and flooding and mimic the natural hydrological regime and provide baseflow to streams.
- (8) Require subdivision and development to restore and to enhance the stream network, as illustrated on the Hingaia 1 precinct plan, to achieve a natural appearance with appropriate native species and encourage restoration and enhancement of wetland areas.
- (9) Encourage walkways along stream corridors and within and around wetland areas. Where possible, walkways should integrate with existing open space areas and enable future connections to adjoining undeveloped sites.
- (10) Require the design of stormwater management devices in public areas to be integrated with the surrounding area and to contribute to multi-use benefits for public areas. Where appropriate, the devices should be natural in appearance.



- (11) Enhance the natural character of the coast and avoid adverse effects from further coastal erosion by encouraging restoration planting with eco-sourced plants where subdivision vests esplanade reserve in Council.
- (12) Promote the development and enhancement of a high amenity urban coastal character by:
- (a) managing the interface between reserves and private allotments to minimise visual dominance effects from buildings, fences and retaining walls; and
  - (b) providing for viewshafts out to the coast along roads and open space (and from the esplanade reserve back into the development).
- (13) Restrict or manage vehicle access to and from sites adjacent to shared paths or dedicated cycleways so that:
- (a) the location, number, and design of vehicle crossings and associated access provides for the efficient movement of users of the shared path or dedicated cycleway; and
  - (b) any adverse effect on the effective, efficient and safe operation of the shared paths or dedicated cycleways arising from vehicle access across these facilities is avoided or mitigated.
- (14) Provide for a neighbourhood centre as a community meeting point to that meets the local convenience needs of residents in a manner that protects and safeguards the viability and roles of the Hingaia Local Centre (and adjacent Mixed Use zone) and the Papakura Metropolitan Centre.
- (15) Encourage subdivision and development to contribute to a positive sense of place and identity through in-street landscape elements, including retaining existing landscape features, and maximising coastal vistas.

(16) Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

#### **I444.4. Activity Tables**

All relevant overlay activity tables apply unless otherwise specified below.

All other relevant Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table I444.4.1 below.

Table I444.4.1 specifies the activity status of land use and development activities in the Hingaia 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I444.4.2 specifies the activity status of subdivision activities in the Hingaia 1 Precinct pursuant to section 11 of the Resource Management Act 1991.

A blank cell in the activity status means that the activity status (and any relevant matters of control or discretion) in the relevant overlay, Auckland-wide or zone provisions applies.

David Wren 16/12/2021 8:36 AM

Comment [1]: Submission 38.10

**Table I444.4.1 Activity Table – Land use activities**

Activity		Activity Status	Standards to be complied with
<b>Transport</b>			
(A1)	Construction or use of a vehicle crossing		E27.6.4.1. Vehicle access restrictions; E27.6.4.2. Width and number of vehicle crossings; Standard I444.6.1.7 Vehicle access restrictions – Cycle facilities
<b>Residential</b>			
(A2)	Residential activities (including dwellings) not provided for below		The underlying zone standards applying to that activity; Standard I444.6.1.4 Fences and walls adjoining reserves
(A3)	Two or three dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard I444.6.1.4 Fences and walls adjoining reserves
(A4)	Four or more dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Suburban zone	RD	Standard H4.6.4 Building height; Standard; H4.6.5 Height in relation to boundary; H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard I444.6.1.4 Fences and walls adjoining reserves
(A5)	One dwelling on a front site less than 400 m <sup>2</sup> in area in the Residential – Mixed Housing Urban zone	P	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2. Building coverage for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A6)	Two or three dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A7)	Four or more dwellings per site where the site area per dwelling is less than	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard

	400 m <sup>2</sup> in the Residential – Mixed Housing Urban zone		I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A8)	Integrated Residential Development in the Residential – Mixed Housing Suburban zone	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A9)	Integrated Residential Development in the Residential – Mixed Housing Urban zone	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
<b>Commerce</b>			
(A10)	Show homes in the Residential – Mixed Housing Urban zone	P	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2. Building coverage for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone; Standard I444.6.1.6 <a href="#">Show homes.</a>
(A10a)	<del>Show homes in the Residential – Mixed Housing Suburban zone</del>	<del>P</del>	<del>The underlying zone standards applying to that activity; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.6 Show homes.</del>

David Wren 16/12/2021 8:22 AM  
**Deleted:** Show homes in the Resid ... [1]

David Wren 16/12/2021 8:28 AM  
**Comment [2]:** Submission 39.1

(A11b)	<a href="#">Individual retail tenancies not exceeding 450m2 (gross floor area) in the Business – Neighbourhood Centre Zone.</a>	P	
(A11c)	<a href="#">Individual retail tenancies not exceeding 450m2 (gross floor area) in the Business – Neighbourhood Centre Zone.</a>	NC	
<b>Development</b>			
(A11)	Internal and external alterations to buildings in residential zones	The same activity status and standards as applies to the land use activity that the building is designed to accommodate	
(A12)	Accessory buildings in residential zones	The same activity status and standards as applies to the land use activity that the building is accessory to	
(A13)	New buildings and additions to buildings in the Residential – Mixed Housing Suburban zone which do not comply with H4.6.5 Height in relation to boundary but comply with H4.6.6 Alternative height in relation to boundary	The same activity status and standards as applies in the underlying zone	
(A14)	New buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard H5.6.5 Height in relation to boundary but comply with Standard I444.6.1.5 Height in relation to boundary	P	Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone  Note: Compliance with Standard H5.6.5 Height in relation to boundary is not required.
	in the Residential – Mixed Housing Urban Zone		
(A15)	New buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary	RD	H5.6.6 Alternative height in relation to boundary  Note: Compliance with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone is not required.
(A16)	New buildings and additions to buildings in residential zones	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A17)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Suburban zone that are accessory to a residential activity listed as permitted or restricted discretionary activity in this activity table	P	Standard H4.6.14 Front, side and rear fences and walls; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves
(A18)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Suburban zone not otherwise provided for	P	Standard H4.6.8 Maximum impervious areas; Standard H4.6.10 Landscaped area; Standard H4.6.14 Front, side and rear fences and walls; Standard I444.6.1.4 Fences and walls adjoining reserves

David Wren 16/12/2021 9:27 AM

Comment [3]: Submission 38.3

(A19)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Urban zone that are accessory to a show home or a residential activity listed as permitted or restricted discretionary activity in this activity table	P	Standard H5.6.15 Front, side and rear fences and walls; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves
(A20)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Urban zone not otherwise provided for	P	Standard H5.6.9 Maximum impervious areas; Standard H5.6.11 Landscaped area; Standard H5.6.15 Front, side and rear fences and walls; Standard I444.6.1.4 Fences and walls adjoining reserves
(A21)	Structures not defined as buildings under Chapter J in the Business – Neighbourhood Centre zone	P	Standard H12.6.11 Landscaping; Standard H12.6.6. Maximum impervious area in the riparian yard; Standard I444.6.1.4 Fences and walls adjoining reserves

**Table I444.4.2 Activity Table – Subdivision activities**

Subdivision Activity	Activity Status	Standards to be complied with
(A22) Subdivision that is listed as a restricted discretionary activity in Table E38.4.1, E38.4.2, E38.4.3 or E38.4.4 and not otherwise provided for below	RD	The relevant Auckland-wide standards in sections E38.6 to E38.10; Standard I444.6.2.1 Precinct Plan; I444.6.2.3 Riparian Margins.
(A23) Vacant sites subdivision in a residential zone	RD	The standards in section E38.6 General standards for subdivision; the standards in section E38.8.1 General standards in residential zones; Standard I444.6.2.1 Precinct Plan; Standard I444.6.2.2 Vacant Sites Subdivision in Residential Zones; Standard I444.6.2.3 Riparian Margins
(A23A) Vacant lot subdivision adjoining the coast and/ or esplanade reserve of 600m2 net site area or more	RD	<a href="#">The standards in section E38.6 General standards for subdivision; the standards in section E38.8.1 General standards in residential zones; Standard I444.6.2.1 Precinct Plan; Standard I444.6.2.2 Vacant Sites Subdivision in Residential Zones; Standard I444.6.2.3 Riparian Margins</a>
(A23B) Vacant lot subdivision adjoining the coast and/ or esplanade reserve of less than 600m2 net site area.	NC	
(A24) Any subdivision that does not meet any of the standards to be complied with listed in this table	D	

David Wren 22/12/2021 9:30 AM  
**Comment [4]:** Submission 38.8

**I444.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I444.4.1 or Table I444.4.2 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).

#### **I444.6. Standards**

##### **I444.6.1. Land use standards**

Land use activities listed in Table I444.4.1 Activity Table – Land use activities must comply with the standards listed in the column in Table I444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards.

##### **I444.6.1.1. Maximum impervious areas for higher density development**

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risk;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards;
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood; and
- To provide for flexibility of built form for higher density development

- (1) The maximum impervious area must not exceed 70 per cent of the site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

##### **I444.6.1.2. Building coverage for higher density development**

Purpose:

- in the Residential – Mixed Housing Suburban zone, to manage the extent of buildings on a site to achieve the planned suburban built character of buildings;
- in the Residential – Mixed Housing Urban zone, to manage the extent of buildings on a site to achieve the planned urban built character of buildings; and
- to provide for flexibility of built form for higher density residential development.

- (1) The maximum building coverage must not exceed 50 per cent of net site area.

David Wren 16/12/2021 9:17 AM

Comment [5]: Submission 31.5

David Wren 16/12/2021 9:16 AM

Deleted: if listed

### **I444.6.1.3. Landscaped area for higher density development**

Purpose:

- in the Residential – Mixed Housing Suburban zone, to provide for quality living environments consistent with the planned suburban built character of buildings within a generally spacious setting;
- in the Residential – Mixed Housing Urban zone, to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space;
- to maintain the landscaped character of the streetscape within the zone; and
- to provide for flexibility of built form for higher density residential development.

- (1) The minimum landscaped area must be at least 30 per cent of net site area.
- (2) The front yard must comprise landscaped area of at least 40 per cent of the front yard.

### **I444.6.1.4. Fences and walls adjoining reserves**

Purpose: to enable fences and walls to be constructed on or adjacent to a site boundary adjoining a reserve vested or to be vested in Council to be a sufficient height to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the adjoining reserve; and
  - minimise visual dominance effects to the adjoining reserve;
- (1) Where a site has a boundary that adjoins either a site that is vested in Council as a local purpose (esplanade) reserve or part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as a local purpose (esplanade) reserve, then:
    - (a) no fences or walls shall be constructed on or within 1.0 m of that boundary;
    - (b) no retaining walls shall be constructed within 1.5 m of that boundary;
    - (c) within 1.5 m of that boundary, any fences must not exceed a height, measured from the ground level at the boundary, of either:
      - (i) 1.2 m; or
      - (ii) 1.6 m, if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary;
    - (d) within 1.5 m of that boundary, any fences must be a dark, recessive colour; and
    - (e) if any fence is constructed within 1.5 m of that boundary, then the area between the fence and that boundary shall be fully planted with shrubs that are maintained at a height of at least 1.0 m, except that:
      - (i) where a fence contains a gate, no planting is required between that gate and the boundary for a maximum width of 2 m.
  - (2) Where a site has a boundary that adjoins either a site that is vested in Council as a reserve or in lieu of reserves, part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as a reserve or in lieu of reserves or a site or part of a site in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open – Space Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone that Standard I444.6.1.4(1) does not apply to, then:

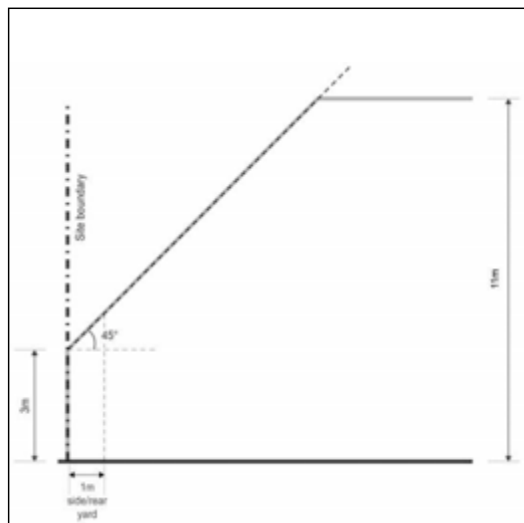
- (a) on or within 1.0 m of that boundary, fences or walls or any combination of these structures (whether separate or joined together) must not exceed a height, measured from the ground level at the boundary, of either:
- (i) 1.4 m;
  - (ii) 1.8 m for no more than 50 per cent of the length of the boundary and 1.4 m for the remainder; or
  - (iii) 1.8 m if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary.

**I444.6.1.5. Height in relation to boundary in the Residential – Mixed Housing Urban Zone**

Purpose:

- to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours; and
  - to enable the efficient use of the site by providing design flexibility at upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours
- (1) Unless otherwise specified below, buildings must not project beyond a 45 degree recession plane measured from a point 3 m vertically above ground level along side and rear boundaries, as shown in Figure I444.6.1.5.1 Height in relation to boundary below.

**Figure I444.6.1.5.1 Height in relation to boundary**

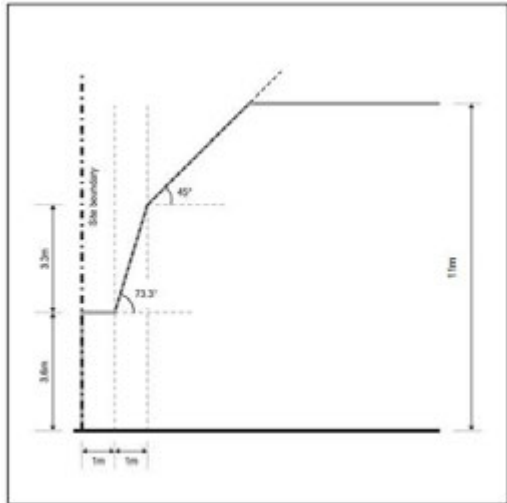


- (2) Standard I444.6.1.5(1) does not apply to any buildings or parts of buildings that comply with Standards I444.6.1.5(3) and I444.6.1.5(5) below.



- (3) Any buildings or parts of buildings on front sites within 20 m of the site frontage and more than 6 m from any rear boundary must not exceed a height of 3.6 m measured vertically above ground level at side boundaries. Thereafter, buildings must be set back 1 m and then 0.3 m for every additional metre in height (73.3 degrees) up to 6.9 m and then 1 m for every additional metre in height (45 degrees) as shown in Figure I444.6.1.5.2 Alternative Height in relation to boundary, below.

**Figure I444.6.1.5.2 Alternative Height in relation to boundary**



- (4) Standard I444.6.1.5(3) above only applies to buildings that comply with the following:
- (a) Where the site that adjoins the side boundary that the recession plane under Standard I444.6.1.5(3) is taken from contains an existing dwelling (or a dwelling that has obtained building consent), then shading caused by those parts of the building that would not comply with Standard I444.6.1.5(1) shall not result in less than four hours of sunlight between the hours of 9am and 4 pm during the equinox (22 September) over an area of at least:
    - (i) 75% of that existing dwelling's outdoor living space, if the outdoor living space has a total area of 20 m<sup>2</sup> or greater; or
    - (ii) 100% of that existing dwelling's outdoor living space, if the outdoor living space has a total area of less than 20 m<sup>2</sup>.
  - (b) The front façade of each building must contain glazing that is cumulatively at least 20 percent of the area of the front façade (excluding any garage door).
  - (c) The front yard must comprise landscaped area of at least 50 per cent of the front yard.
  - (d) The proposed building shall provide a main entrance door that is visible from the street.
  - (e) Pedestrian access between the main entrance door of the building and the street must not cross any areas for the parking or manoeuvring of vehicles.

- (f) Any garage doors facing the street must:
- (i) Be set back at least 5 m from the front boundary; and
  - (ii) Must not project forward of the front façade of the building.
- (g) Any balconies, decks or any similar outdoor living spaces above ground floor level must not be visible from any side boundary (when viewing perpendicular to that boundary), unless the structure (including any balustrades) does not intrude the recession planes specified in Standard I444.6.1.5(1).
- (h) Those parts of the building that would not comply with Standard I444.6.1.5(1) must not include any glazing that faces a side boundary unless at least one of the following applies:
- (i) The glazing is opaque; or
  - (ii) The window sill height is at least 1.6 m above the room's floor level.
- (5) Standards I444.6.1.5(1) and I444.6.1.5(3) above do not apply to a boundary or part of a boundary adjoining any of the following sites:
- (a) Any site in the Business – Neighbourhood Centre Zone;
  - (b) Any site within the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Sports and Active Recreation Zone, Open Space – Civic Spaces Zone or the Open Space – Community Zone:
    - (i) that are greater than 2,000 m<sup>2</sup> in area,
    - (ii) where the part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
    - (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone may be treated as a single site for the purpose of applying this standard.

David Wren 16/12/2021 8:11 AM

Comment [6]: Submission 38.17

David Wren 16/12/2021 8:07 AM

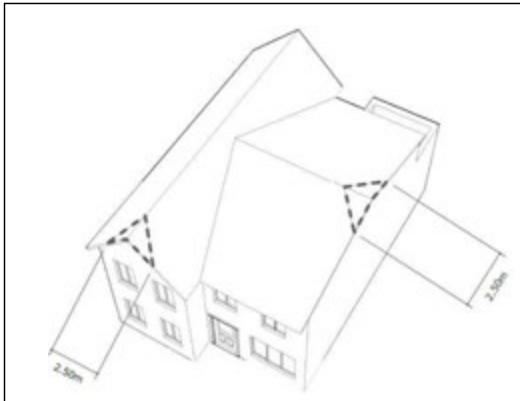
**Deleted:** that are greater than 2,000 m<sup>2</sup> in area, subject to the following

David Wren 16/12/2021 8:08 AM

**Deleted:** <#>A site vested in Council as reserve or in lieu of reserve or a site shown on an approved subdivision consent scheme plan to be vested in Council as reserve or in lieu of reserve where: ... [2]

- (6) Unless otherwise specified below, buildings must not project beyond a 45 degree recession plane measured from a point 2.5 m vertically above ground level along any boundary adjoining any of the following sites:
- (a) Any site in the Residential – Mixed Housing Suburban Zone; or
  - (b) Any site within the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Sports and Active Recreation Zone, Open Space – Civic Spaces Zone or the Open Space – Community Zone not covered by Standard I444.6.1.5(5)(b) above.
- (7) Standards I444.6.1.5(1), I444.6.1.5(3) and I444.6.1.5(6) do not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (8) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the applicable recession plane in Standard I444.6.1.5(1), I444.6.1.5(3) or I444.6.1.5(6) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (9) A gable end, former or roof may project beyond the applicable recession plane in Standard I444.6.1.5(1), I444.6.1.5(3) or I444.6.1.5(7) where that portion beyond the recession plane is:
- (a) no greater than 1.5 m<sup>2</sup> in area and no greater than 1 m in height; and
  - (b) no greater than 2.5 m cumulatively in length measured along the edge of the roof as shown in Figure I444.6.1.5.3 Exceptions for gable ends, dormers and roof projections and dormers below

**Figure I444.6.1.5.3 Exceptions for gable ends, dormers and roof projections and dormers**



- (10) No more than two gable end, dormer or roof projections enabled under I444.6.1.5(10) above are allowed for every 6 m length of site boundary.
- (11) The recession planes in Standards I444.6.1.5(1), I444.6.1.5(3) and I444.6.1.5(7) do not apply to existing or proposed internal boundaries within a site.

#### I444.6.1.6. Show homes

Purpose: to avoid, remedy and mitigate adverse effects on residential amenity resulting from show homes, including in relation to noise and traffic.

- (1) The show home shall be treated as a dwelling for the purpose of compliance with all other standards listed in the column in Table I444.4.1 called Standards to be complied with.
- (2) The show home shall not operate outside the hours of 9:00 am and 5:00 pm on any day.
- (3) The show home shall cease to operate five years after approval of code compliance certificate for that show home. From that date, the show home shall be deemed to be a dwelling.

#### I444.6.1.7. Vehicle access restrictions – Cycle facilities

- (1) In addition to the requirements of Standard E27.6.4.1, new vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which has frontage to an existing or proposed shared path or dedicated cycle way, including where shown on Figure I444.10.1. Hingaia 1 - Precinct Plan. For the avoidance of doubt, this relates only to allotments fronting that side of the road where the shared path or dedicated cycle way exists or is proposed.
- (2) Standard I444.6.1.7(1) above applies in any of the following circumstances:
  - (a) a new vehicle crossing is proposed;
  - (b) a new activity is established on a site;
  - (c) there is a change of type of activity; or
  - (d) a building(s) is constructed, or additions to buildings that are not permitted activities in Table H12.4.1 Activity table, except that this does not apply in the case of a dwelling where the reconstruction, alteration or addition does not increase the number of dwellings on a site.

(3) Standards I444.6.1.7(1) and I444.6.1.7(2) above do not apply to:

- (a) the use of a vehicle crossing that exists on [legal effect date] that serves no more than one dwelling per site; and
- (b) the construction or use of a vehicle crossing that has been shown on the plans of a subdivision consent approved prior to [legal effect date] that will serve no more than one dwelling per existing or approved site.

#### I444.6.2. Subdivision standards

Subdivision activities listed in Table I444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table I444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards.

David Wren 16/12/2021 8:24 AM

Comment [7]: Submission 39.1

David Wren 16/12/2021 8:23 AM

Deleted: in the Residential – Mixed Housing Urban zone

David Wren 16/12/2021 7:51 AM

Comment [8]: Sub 32.1

David Wren 16/12/2021 9:18 AM

Comment [9]: Submission 31.6

David Wren 16/12/2021 9:02 AM

Comment [10]: Submission 38.14

David Wren 16/12/2021 9:17 AM

Deleted: , if listed, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:   
E38.8.1.1. Site shape factor in residential zones; ... [3]

David Wren 16/12/2021 9:02 AM  
 Deleted: E38.8.1.1. Site shape factor residential zones; ... [4]

**I444.6.2.1. Precinct Plan**

- (1) Vacant sites subdivision shall provide for the following structural elements shown on Figure I444.10.1. Hingaia 1 - Precinct Plan, unless they are shown on the precinct plan to be within any proposed allotment 4 ha or greater in area:
  - (a) Collector roads;
  - (b) Shared paths or dedicated cycle ways (excluding the shared path along the Southern Motorway);
  - (c) Parks, in the locations shown on the precinct plan.
- (2) Where the structural elements shown on Figure I444.10.1. Hingaia 1 - Precinct Plan are required within any proposed allotment that is 4 ha or greater in area, it shall be demonstrated that the proposed subdivision does not preclude the provision of these elements under future subdivisions of that allotment.

**I444.6.2.2. Vacant Sites Subdivision in Residential Zones**

- (1) Where subdivision is of a parent site less than 1 ha, each vacant site must comply with the minimum net site area of 300 m<sup>2</sup>.
- (2) Where subdivision is of a parent site 1 ha or greater in area:
  - (a) Each vacant site within residential zones must comply with the minimum net site area in Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.

**Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater**

Zone	Minimum Net Site Area	Minimum Average Net Site Area	Maximum Average Net Site Area
Residential – Mixed Housing Suburban Zone	240m <sup>2</sup>	300m <sup>2</sup>	480m <sup>2</sup>
Residential – Mixed Housing Urban Zone	240m <sup>2</sup>	300m <sup>2</sup>	360m <sup>2</sup>

- (b) The minimum average net site area calculated over the total of all sites created must comply with Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.
 

When calculating the minimum average net site area for the purpose of this standard, any proposed site with a net site area greater than the maximum average net site area specified for the applicable zone in Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater must be included in the averaging calculation at the figure specified as the maximum average net site area for the applicable zone.

- (3) Where 30 or more vacant sites are proposed, the total number of rear sites must not exceed five per cent of the total number of proposed sites.

#### **I444.6.2.3. Riparian Margins**

- (1) Where a permanent or intermittent stream is shown on Figure I444.10.1. Hingaia 1 - Precinct Plan within or adjoining a road or an allotment less than 4 ha in area, riparian margins shall be established either side of the banks of the stream (or on one side where the opposite side adjoins an allotment 4 ha or more in area) to a minimum width of 10m measured from the bank of the stream, where the location of the bank can be physically identified by ground survey, or from the centreline of the stream where the bank cannot be physically identified by ground survey. Those margins shall be planted in native vegetation and shall be offered to Council for vesting as local purpose (drainage) reserves where not required by Standard E38.7.3.2 Subdivision establishing an esplanade reserve to be vested as local purpose (esplanade) reserve.

#### **I444.7. Assessment – controlled activities**

There are no controlled activities in this precinct

#### **I444.8. Assessment – Restricted Discretionary Activities**

##### **I444.8.1. Matters of discretion**

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

- (1) for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone:
- (a) the matters listed in H4.8.1(2)(a) and H4.8.1(2)(c); and
  - (b) all of the following standards:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard H4.6.11 Outlook space;
    - (v) Standard H4.6.12 Daylight;
    - (vi) Standard H4.6.13 Outdoor living space;
    - (vii) Standard H4.6.14 Front, side and rear fences and walls; and
    - (viii) Standard H4.6.15 Minimum dwelling size.

- (2) for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone:
- (a) the matters listed in H5.8.1(2)(a) and H5.8.1(2)(c); and
  - (b) all of the following standards:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard H5.6.12 Outlook space;
    - (v) Standard H5.6.13 Daylight;
    - (vi) Standard H5.6.14 Outdoor living space;
    - (vii) Standard H5.6.15 Front, side and rear fences and walls; and
    - (viii) Standard H5.6.16 Minimum dwelling size.
- (3) for Integrated Residential Development in the Residential – Mixed Housing Suburban zone:
- (a) the matters listed in H4.8.1(3)(a) and H4.8.1(3)(c); and
  - (b) all of the following standards:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard I444.6.1.4 Fences and walls adjoining reserves;
    - (v) Standard H4.6.11 Outlook space;
    - (vi) Standard H4.6.12 Daylight;
    - (vii) Standard H4.6.13 Outdoor living space;
    - (viii) Standard H4.6.14 Front, side and rear fences and walls; and
    - (ix) Standard H4.6.15 Minimum dwelling size.
- (4) for Integrated Residential Development in the Residential – Mixed Housing Urban zone:
- (a) The matters listed in H5.8.1(3)(a) and H5.8.1(3)(c); and
  - (b) all of the following standards:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;

- (ii) Standard I444.6.1.2 Building coverage for higher density development;
  - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
  - (iv) Standard I444.6.1.4 Fences and walls adjoining reserves;
  - (v) Standard H5.6.12 Outlook space;
  - (vi) Standard H5.6.13 Daylight;
  - (vii) Standard H5.6.14 Outdoor living space;
  - (viii) Standard H5.6.15 Front, side and rear fences and walls; and
  - (ix) Standard H5.6.16 Minimum dwelling size.
- (5) for development that does not comply with Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2 Building coverage for higher density development; Standard I444.6.1.3 Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone:
- (a) any precinct or zone policy which is relevant to the standard;
  - (b) the purpose of the standard;
  - (c) the effects of the infringement of the standard;
  - (d) in the Residential – Mixed Housing Suburban zone, the effects on the suburban built character of the zone;
  - (e) in the Residential – Mixed Housing Urban zone, the effects on the urban built character of the zone;
  - (f) the effects on the amenity of neighbouring sites;
  - (g) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (h) the characteristics of the development;
  - (i) any other matters specifically listed for the standard; and
  - (j) where more than one standard will be infringed (including standards in the underlying zone), the effects of all infringements.
- (6) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary:
- (a) the matters listed in H5.8.1(5).
- (7) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone that does not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone where Standard H5.6.6 Alternative height in relation to boundary is either not applicable or infringed:



- (a) any precinct or zone policy which is relevant to the standard;
  - (b) the purpose of the standard;
  - (c) the effects of the infringement of the standard;
  - (d) the effects on the urban built character of the zone;
  - (e) the effects on the amenity of neighbouring sites;
  - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (g) the characteristics of the development;
  - (h) any other matters specifically listed for the standard; and
  - (i) where other standards will be infringed (including standards in the underlying zone), the effects of all infringements.
- (8) for construction or use of a vehicle crossing that does not comply with Standard I444.6.1.7. Vehicle access restrictions – Cycle facilities:

(a) the matters listed in E27.8.1(12); and

(b) the matters listed in Policy I444.3(13).

- (9) for subdivision listed as a restricted discretionary activity in Activity Table I444.4.2:

(a) the relevant matters listed in section E38.12.1, and

(b) the subdivision's consistency with Figure I444.10.1. Hingaia 1 - Precinct Plan;

(c) consistency with Standard I444.6.1.7 Vehicle access restrictions – Cycle facilities for any proposed or future vehicle crossings required to access proposed or existing allotments;

(d) any applicable on-site stormwater management requirements for lots less than 4 ha in area;

David Wren 16/12/2021 7:57 AM

**Comment [11]:** Submission 40.10

David Wren 16/12/2021 8:43 AM

**Comment [12]:** Submission 38.14

David Wren 16/12/2021 8:42 AM

**Deleted:** except that the matters listed in the following sections should not apply to proposed allotments 4 ha or greater in area ... [5]

- (e) the management of effects of stormwater from any proposed roads; and
- (f) enabling viewshafts out to the coast.

#### **I444.8.2. Assessment Criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities from the list below.

- (1) for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Suburban zone:
  - (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard H4.6.11 Outlook space;
    - (v) Standard H4.6.12 Daylight;
    - (vi) Standard H4.6.13 Outdoor living space;
    - (vii) Standard H4.6.14 Front, side and rear fences and walls; and
    - (viii) Standard H4.6.15 Minimum dwelling size.
  - (b) the criteria listed in H4.8.2(2)(b) to H4.8.2(2)(i).
- (2) for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> in the Residential – Mixed Housing Urban zone:
  - (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2. Building coverage for higher density development;
    - (iii) Standard I444.6.1.3. Landscaped area for higher density development;
    - (iv) Standard H5.6.12. Outlook space;
    - (v) Standard H5.6.13. Daylight;

- (vi) Standard H5.6.14. Outdoor living space;
  - (vii) Standard H5.6.15. Front, side and rear fences and walls; and
  - (viii) Standard H5.6.16. Minimum dwelling size.
- (b) the criteria listed in H5.8.2(2)(b) to H5.8.2(2)(h).
- (3) for integrated residential development in the Residential – Mixed Housing Suburban zone:
- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
- (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
  - (ii) Standard I444.6.1.2 Building coverage for higher density development;
  - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
  - (iv) Standard I444.6.1.4 Fences and walls adjoining reserves
  - (v) Standard H4.6.11 Outlook space;
  - (vi) Standard H4.6.12 Daylight;
  - (vii) Standard H4.6.13 Outdoor living space;
  - (viii) Standard H4.6.14 Front, side and rear fences and walls; and
  - (ix) Standard H4.6.15 Minimum dwelling size.
- (b) the criteria listed in H4.8.2(3)(b) to H4.8.2(3)(k).
- (4) for integrated residential development in the Residential – Mixed Housing Urban zone:
- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
- (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
  - (ii) Standard I444.6.1.2. Building coverage for higher density development;
  - (iii) Standard I444.6.1.3. Landscaped area for higher density development;
  - (iv) Standard I444.6.1.4 Fences and walls adjoining reserves
  - (v) Standard H5.6.12. Outlook space;
  - (vi) Standard H5.6.13. Daylight;
  - (vii) Standard H5.6.14. Outdoor living space;
  - (viii) Standard H5.6.15. Front, side and rear fences and walls; and
  - (ix) Standard H5.6.16. Minimum dwelling size.

- (b) the criteria listed in H5.8.2(3)(b) to H3.8.2(3)(k).
- (5) for development that does not comply with Standard I444.6.1.1 Maximum impervious areas for higher density development:
- (a) refer Policies I444.3(3) and I444.3(4).
  - (b) in the Residential – Mixed Housing Suburban zone, the criteria listed in H4.8.2(9).
  - (c) in the Residential – Mixed Housing Urban zone, the criteria listed in H5.8.2(10).
- (6) for buildings that do not comply with Standard I444.6.1.2 Building coverage for higher density development:
- (a) refer Policies I444.3(3) and I444.3(4).
  - (b) in the Residential – Mixed Housing Suburban zone, the criteria listed in H4.8.2(10).
  - (c) in the Residential – Mixed Housing Urban zone, the criteria listed in H5.8.2(11).
- (7) for development that does not comply with Standard I444.6.1.3 Landscaped area for higher density development:
- (a) refer Policies I444.3(3) and I444.3(4).
  - (b) in the Residential – Mixed Housing Suburban zone, the criteria listed in H4.8.2(11).
  - (c) in the Residential – Mixed Housing Urban zone, the criteria listed in H5.8.2(12).
- (8) for development that does not comply with Standard I444.6.1.4 Fences and walls adjoining reserves:
- (a) refer Policies I444.3(5) and I444.3(12).
- (9) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary:
- (a) the criteria listed in H5.8.2(5).
- (10) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone that does not comply with Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone where Standard H5.6.6 Alternative height in relation to boundary is either not applicable or infringed:
- (a) refer Policies I444.3(3) and I444.3(4).
  - (b) the criteria listed in H5.8.2(6) and H5.8.2(7).
- (11) for development that does not comply with Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone:
- (a) refer Policy H5.8.2(8).
- (12) for construction or use of a vehicle crossing that does not comply with Standard I444.6.1.7. Vehicle access restrictions – Cycle facilities:

- (a) the criteria listed in E27.8.2(11).
- (13) for subdivision listed as a restricted discretionary activity in Activity Table I444.4.2:
- (a) the relevant criteria listed in section E38.12.2, except that the criteria listed in the following sections should not apply to proposed allotments 4 ha or greater in area:
    - (i) E38.12.2(1) subdivision of a site within the one per cent annual exceedance probability floodplain;
    - (ii) E38.12.2(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;
    - (iii) E38.12.2(3) subdivision of a site in the coastal erosion hazard area;
    - (iv) E38.12.2(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment;
    - (v) E38.12.2(7) all other restricted discretionary activity subdivisions; and
    - (vi) E38.12.2(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.
  - (b) whether the structural elements shown in Figure I444.10.1. Hingaia 1 - Precinct Plan (including roads and stream corridors) are incorporated into the subdivision design (other than where proposed sites are 4 ha or greater in area);
  - (c) whether the proposed staging of development promotes efficient development of the structural elements shown in Figure I444.10.1. Hingaia 1 - Precinct Plan.
  - (d) whether the subdivision is consistent with the Hingaia 1 precinct objectives and policies.
  - (e) whether lots adjoining an existing or proposed shared path or dedicated cycle way, including where shown on Figure I444.10.1. Hingaia 1 - Precinct Plan, are provided with access from an alternative road so that infringement of Standard I444.6.1.7 Vehicle access restrictions – Cycle facilities (including future infringements by land use activities on the proposed allotments) can be avoided or minimised..
  - (f) whether on-going compliance with the on-site stormwater management requirements contained in any relevant Stormwater Management Plan will be achieved.
  - (g) whether the management of stormwater runoff from any proposed road is consistent with the requirements of any relevant Stormwater Management Plan.
  - (h) the extent to which viewshafts from roads and open spaces out to the coast are provided for.

#### **I444.9. Special Information Requirements**

There are no special information requirements in this section.

**I444.10. Precinct Plan**

**Recommended Changes to Plan if Approved (Subject to additional information) .**

1. Zone land purchased by Auckland Council for reserve to Open Space Zone.
2. Apply the SMAF 1 control to land within the Precinct.
3. Show additional coastal pedestrian and cycle linkages.
4. Show the esplanade layer on the Precinct Map following ecological assessment.
5. Update streams and wetlands following additional assessment.

**Figure I444.10.1. Hingaia 1 - Precinct Plan**



- David Wren 16/12/2021 8:01 AM
- Comment [13]:** Submission 38.15
- David Wren 16/12/2021 8:38 AM
- Comment [14]:** Submission 38.13
- David Wren 22/12/2021 9:42 AM
- Comment [15]:** Submission 38.16
- David Wren 22/12/2021 9:42 AM
- Comment [16]:** Submission 38.9
- David Wren 22/12/2021 9:46 AM
- Comment [17]:** Submissions 42.3, 44.5, 45.1

**APPENDIX 6**  
**SPECIALIST TECHNICAL MEMOS**





# Memo (technical specialist report to contribute towards Council's section 42A hearing report)

**To:** David Wren, Planning Consultant OBO Central South, Plans and Places, Auckland Council

**From:** Andrew Temperley, Traffic Planning Consultants Ltd

**Date:** 03 December 2021

**Subject:** **Proposed Plan Change 67, Park Estate Road, Hingaia – Transportation Assessment**

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## 1.0 Introduction

- 1.1 We have undertaken a review of the proposed Private Plan Change (PPC) at the above location, on behalf of Auckland Council in relation to traffic and transportation effects.
- 1.2 In writing this memo, I have reviewed submissions from 44 individuals and parties, from which submissions of the following 25 individuals and parties are noted to include comments relating to transportation issues associated with the PPC:
- Submitter 02: Dean Bruce Cunningham
  - Submitter 04: Paul Brian Magill
  - Submitter 05: Lovejit Kaur
  - Submitter 07: Sunjay malik
  - Submitter 09: Andre Gil
  - Submitter 11: Cassie Ju
  - Submitter 12: Jason Deng
  - Submitter 14: James Han
  - Submitter 15: Kelly Guo
  - Submitter 16: Yusuf Jariwala
  - Submitter 17: Maria Taka
  - Submitter 18: Wenjing Qin
  - Submitter 20: Waka Kotahi
  - Submitter 22: Mackenzie Schultze
  - Submitter 23: Paul Dawkins
  - Submitter 29: Jarrod Raill
  - Submitter 30: Dennis Greenman
  - Submitter 32: Hugh Green Ltd (*also applicant of the PPC*)
  - Submitter 34: Roseanne Heather Hosken
  - Submitter 36: Logan Billing
  - Submitter 37: Sue Billing
  - Submitter 38: Auckland Council
  - Submitter 40: Auckland Transport (AT)

- Submitter 42: Rae and Terry Davies
  - Submitter 44: Karine and Jason Fox
- 1.3 By way of summary of the submissions received, 22 of the 44 submissions oppose the PPC on grounds which include transportation related matters, while a further 3 of the submissions which support the PPC include comments on Transport, upon which we have provided comment in this report.
  - 1.4 Of particular prominence amongst the submitters who raise matters relating to transportation and who have a vested interest in transport matters, are Waka Kotahi, Auckland Transport and Auckland Council. While Waka Kotahi support the PPC in principle, the submissions of Auckland Transport (AT) and Auckland Council opposed the PPC.
  - 1.5 Other submissions received do not include comments which specifically refer to transportation aspects of the PPC.
  - 1.6 The PPC area forms part of the Hingaia 1 Precinct, which comprises a land area of approximately 185ha for future residential development, to the southwest of Papakura. The Hingaia 1 Precinct will also include a business – Neighbourhood Centre of some 8,000 sqm.
  - 1.7 Under the proposed new Residential – Mixed Housing *Urban* zoning, the land area included within the PPC would be expected to yield around 1,660 dwellings over an area of 79ha, compared to some 1,300 dwellings under the current Residential – Mixed Housing *Suburban* Zoning.
  - 1.8 Overall, we concur with the views of AT and Auckland Council that insufficient information has been provided by the applicant in relation to the trigger points, funding and delivery for future transport provisions across the adjoining road network. We support the Decisions and ‘relief sought’ in AT’s submission, to ensure the acceptability of the PPC with regards to its transportation effects. Subject to resolving issues in relation to funding, timing and deliverability of transport improvements on the adjoining road network, we consider that the transport effects of the PPC could be demonstrated to be acceptable.

## 2.0 Key Transportation Issues

- 2.1 The applicant proposes the PPC to enable the development of around 1,650 new dwellings at the above location, through rezoning from Residential Mixed Housing Suburban to Residential – Mixed Housing Urban. This rezoning will provide opportunity for higher density residential development than that currently permitted. The plan change also includes the relocation of the proposed neighbourhood zone eastwards.
- 2.2 While Park Estate Road is at present the only access point to the Hingaia 1 Precinct, future development of the precinct will include new collector road connections to the north, via the Karaka Lakes development. This will allow traffic generated by the PPC area to additionally gain access to the adjoining strategic road network via the following two route routes to the north:
  - **Hingaia Road**, which currently intersects with Hingaia Road at its northern end and would be extended southwards to link to Park Estate Road at a point opposite the proposed Neighbourhood Centre.

- **Kuhanui Road / Nakoro Road**, which also intersects with Hingaia Road at the northern end of Kuhanui Road and would also be extended southwards to link with Park Estate Road at a point around the north-western end of the PPC area.
- 2.3 The TA cross-references previous transportation assessment work undertaken for the Hingaia Precinct area, by Flow, Opus and Jacobs, which previously identified trip generation potential and distribution resulting from development of the precinct and upgrades required to the adjoining road network to resolve key capacity issues.
- 2.4 The development proposal associated with the PPC is at a relatively high level and does not include detailed parking and access layouts within the site. Assessment of these arrangements against the requirements of the Auckland Unitary Plan Transport Chapter (E27) would thus be expected to take place at a later stage in the development of the proposal.

### 3.0 Applicant's assessment

- 3.1 The scope of assessment of the applicant's Transport Assessment Report (TA), dated November 2020, covered background context, Existing and Proposed Precinct Plans, Proposed Zone Changes and assessment against Auckland Unitary Plan provisions for road and cycleway cross sections.
- 3.2 The TA makes the following conclusions:
- The increased development yield which would result from the proposed Plan Change has been taken into account in previous traffic modelling work undertaken, which included triggers for various transport network improvements.
  - The traffic effects associated with the relocated neighbourhood zone have already been assessed and consented, and the proposed relocation is considered to be acceptable.
  - Proposed changes to objectives, policies and rules with regards to vehicle access over cycle / shared path facilities realign the content of the Plan with current Auckland Transport codes of Practice and provide an improved outcome for users over that achieved by the current version of the precinct plan.
  - The proposed new assessment criteria to replace the roading standards rules for the precinct are considered to be acceptable, to enable suitable assessment of roading networks but retain the same general approach as the previous roading standards.
  - The PPC aligns with developments within the area that are already consented and will integrate with ongoing development that is already taking place.
- 3.3 Following review of the TA, TPC considered the scope of the applicant's transportation assessment to be lacking in key areas, most notably in relation to strategic context, the timing and delivery of previously identified transport improvements across the wider network and their ability to address key capacity issues in a timely manner. These issues were hence included in a request for further information from the applicant, as discussed in more detail in the next section of this report.

## 4.0 Assessment of Transportation effects and management methods

4.1 Following review of the applicant's TA, TPC recommended requesting the following further information in December 2020, to enable key transportation effects and acceptability of the PPC to be fully assessed:

- **Transport Assessment Strategic Context** – Further Information was requested in relation to key regional initiatives such as 'Supporting Growth' and the Auckland Transport Alignment Project, to confirm that the PPC remained consistent with sub-regional strategies and associated future transport proposals.

*While further such information was provided by the applicant, this confirmed that the PPC area lies outside identified new growth areas and structure plan areas and is not immediately on or adjacent to strategic road or public transport routes.*

- **Zoning / Staging** – Clarification was requested in relation to previously identified transport improvements to support the phased development within the precinct, and in particular, key trigger points for improvements, based on previous work undertaken.

*Further information and clarity was provided by the applicant accordingly, relating to previous work undertaken, including triggers for transport improvements based on dwelling numbers. However, this response did not consider wider aspects relating to deliverability of improvements, such as funding commitments and timing.*

- **Capacity Issues on Adjoining Road Network** – Further information was requested in relation to mitigating traffic effects resulting from capacity issues identified at key intersections through traffic modelling evidence available.

*Further information and clarity was provided by the applicant accordingly, which highlighted some poor future levels of service at key intersections on the adjoining road network, raising concerns which were relayed back to the applicant.*

- **Safety Assessment** – Further information was requested in relation to the impact of the proposed plan change upon safety across the wider road network, as a result of increased traffic volumes.

*Further information and clarity was provided by the applicant accordingly to the satisfaction of TPC.*

- **Traffic volumes on local roads** – Further information was requested in relation to expected traffic flows on local roads serving the Hignaia Precinct area.

*Further information and clarity was provided by the applicant accordingly to the satisfaction of TPC.*

4.2 As noted above, following TPC's assessment of the further information provided by the applicant, concerns remained in relation to adverse traffic effects on the wider traffic network and the

deliverability of appropriate mitigation measures, particularly along the corridor of Hingaia Road / Beach Road. Following discussions with AT, further information was requested from the applicant in relation to assessing traffic effects on the wider network, with particular concerns highlighted in relation to the traffic impact upon the network to the north of the precinct area, along the Hingaia Road / Beach Road corridor. However, no such further analysis was presented by the applicant.

## 5.0 Submissions

Key matters raised in the submissions from local residents are summarised below:

Submitter	Position	Transportation related issues	TPC Comments
#02 Dean Bruce Cunningham	Opposition	<i>This Hinau is already to busy at times ,in the morning the queue to get out of all exits is allready Crazy , at night the road is busy all night .IF jointing more subdivison to it will turn sub division into a motorway ,Why does nt park estate make they own road south to bremmer rd Duruy ?</i>	<p>As part of the long-term growth within the Hingaia Precinct, new roading connections are to be provided to connect the new residential areas to the adjoining arterial road network. In addition to the Hinau Road north-south corridor, the completed route of Kuhanui Drive / Ngakoro Road will also cater for north-south travel demand and both routes will provide onward access to Park Estate Road, which provides another access route to the wider road network.</p> <p>While access to Bremmer Road would benefit connectivity of the Precinct, such a connection would fall outside the geographical scope of the precinct and be a significant infrastructure expense, necessitating a structure over the Ngakoroa Stream.</p>
#04 PAUL BRIAN MAGILL	Support	<i>The zone in Rosehill between and including Sunnypark drive. Should all be zoned Residential Mixed Housing Urban. As it is close to facilities, town, school, and motorway and transport.</i>	<p>As concluded in this report, TPC may be prepared to support the PPC re-zoning to Mixed Housing Urban, subject to resolving issues relating to the timing and deliverability of key transport improvements on the wider adjoining road network.</p>
#05 Lovejit Kaur	Opposition	<i>There will be too much traffic heading through our road [Kuhanui Drive]. Our house already sits on a bus stop marking. Only 1 carpark available outside our property. Getting in &amp; out at peak times will become very difficult.</i>	<p>Kuhanui Drive is designed to fulfil the future function of a collector road, to both cater for through traffic movements and allow for local access. Correspondingly, the route form affords sufficient width to cater for through traffic whilst allowing for some on-street parking and residential property access.</p> <p>Based on traffic modelling data, traffic levels on Kuhanui Drive are not expected to result in any adverse effects on the capacity and operation of the road network.</p>

<b>Submitter</b>	<b>Position</b>	<b>Transportation related issues</b>	<b>TPC Comments</b>
#07 Sunjay malik	Opposition	<i>Massive increase in vehicle traffic. Reduced security. Negative impact on property value.</i>	<p>Based on a review of traffic modelling undertaken, while new through road connections will be provided through the precinct, with Hinau Road and Kuhanui Drive / Ngakoro Road supplementing Park Estate Road in providing key links to the adjoining road network, future capacity issues are forecast at the following locations:</p> <ul style="list-style-type: none"> <li>• Hinau Road / Hingaia Road / Harbourside Drive</li> <li>• Beach Road / Chichester Drive / Elliot Street</li> <li>• Great South Road / Park Estate Road</li> </ul> <p>As concluded in our review, further work would be required to fully understand these traffic effects and delivery of appropriate mitigation measures.</p>
#09 Andre Gil	Opposition	<i>Traffic congestion - whether they feed onto the motorway at Drury, Park Estate or Papakura this area is so congested 7 days a week - even on a Sunday afternoon! Please think of peoples quality of life, mental health and not being stuck in traffic all the time!</i>	
#11 Cassie Ju	Opposition	<i>There are already suburban lots in the area and the land size is very small and number of houses are increasing rapidly, traffic is getting a lot worse and obviously the capacity of the road is not enough, it is already very busy in the neighborhood, the new road will cross kuhanui road and the residents from bay-vista dr will be having trouble getting out from the round about.</i>	
#12 Jason Deng	Opposition	<i>The current road capacity is not enough, Kuhanui roundabout will be very busy and the residents inside will have real trouble just to get out from that roundabout.</i>	
#14 James Han	Opposition	<i>We do not want to change plan at all. The road capacity is not enough to meet the need of more population. we want to keep current traffic condition of Kuhanui drive.</i>	
#15 Kelly Guo	Opposition	<i>I don't agree with the plan (plan 67) change at all. This plan change (suburban zone to urban zone) means more houses built and residents grow in the community in the future. Single houses are welcomed but no apartments or terrace houses, as roadside parking, public transportation are all problems. The current traffic is already busy at peak times (especially Hingaia road), I don't want it to be any worse.</i>	

<b>Submitter</b>	<b>Position</b>	<b>Transportation related issues</b>	<b>TPC Comments</b>
#16 Yusuf Jariwala	Opposition	<i>Because it will create intense urban environment that will have tremendous effect on existing amenities as well traffic there is no major public transport and current width of road is not sufficient specially during school days; so strongly oppose it</i>	Public Transport is due to serve the Hingaia Precinct in due course and will become more viable with continued residential development and additional roading connections, particularly via Hinau Road and Kuhanui Drive / Ngakoro Road to the north.
#17 Maria Taka	Opposition	<i>Increase at the intersection of Park Estate and Gt Sth Road. – There are developments happening on Gatland Road Drury and just before the Drury School so yes there will be increases to not only the traffic on Great South Road but also along Chichester Drive which will impact us</i>	Signalisation of the intersection of Park Estate Road / Great South Road is identified as a required upgrade to be triggered by future growth of the Hingaia Precinct.  In addition, new roading connections to the north of the precinct will take some traffic pressure off this intersection.
#18 Wenjing Qin	Opposition	<i>Limited routes to access other parts of Auckland. The motorway is not sufficient to ease traffic around peak hours, especially if the population is to continuously grow as a result of fast-tracking southern housing developments. The extent of the traffic congestion on the motorway also extends into nearby suburbs creating unnecessary travel stress and dangerous driving behaviours.</i>	As noted above, new roading connections to the north of the precinct will serve to improve connectivity to the wider road network.  However as identified by TPC, AT and Council, further work is needed to assess transport effects across the wider network and confirm the deliverability of proposed improvements.
#22 Mackenzie Schultze	Opposition	<i>Reducing value of my property Traffic congestion Increased load on infrastructure Increased noise</i>	While there will be an increase in traffic in the area, other factors that may serve to benefit property values in the area include improved road connectivity and improved local amenities.



<b>Submitter</b>	<b>Position</b>	<b>Transportation related issues</b>	<b>TPC Comments</b>
#23 Paul Dawkins	Opposition	<i>The access to the Southern motorway at Karaka from Karaka Lakes side of Hingaia will be severely affected by the increased housing density proposed.</i>	Refer to comments under Submitter #18.
#29 Jarrod Raill	Opposition	<p><i>Without a new on ramp/off ramp for Park Estate Road, further strain will be put on an already congested roads. Hingaia Road and Karaka Road are extremely busy by 6am in the morning, where it can take upwards of 30mins just get onto the motorway.</i></p> <p><i>The adverse effect of increased traffic from additional residential housing will; decrease liveability, increase pollution and decrease safety of the roads of the surrounding suburbs with the increased amount of traffic. As it is in the Karaka Lakes roads are not designed as a thoroughfare for high traffic volumes. They are narrow residential streets and even with one car parked on the road side it narrows the road down to a single lane. Auckland Transport buses have to carefully navigate these roads as it is to supply a public transport service to the area. The roads in the area a frequently used by families for cycling and exercise. Increased traffic in the area will make this less safe and less enjoyable for all.</i></p>	<p>The provision of direct interchange ramps between the SH1 Southern Motorway and Park Estate Road would be unlikely to be supported by Waka Kotahi, as it would not be consistent with the function of the Southern Motorway as a strategic route with limited access points.</p> <p>Refer also to comments in response to submitters #15 to #22.</p>

Submitter	Position	Transportation related issues	TPC Comments
#30 Dennis Greenman	Opposition	<p><i>Reason for objection: Northern traffic flow onto Hinau Road Karaka and then onto Hingaia Road or through any neighbouring streets in Karaka Lake side Estate.</i></p> <p><b>1. Hinau Road while wide ... where it flows onto Hingaia Road it narrows considerably after the roundabout at the junction of Fountain Ave.</b></p> <p><b>2. Altered traffic flow:</b></p> <p><i>A. It would increase the volume of traffic in peak hours exiting Hinau Road onto Hingaia Road and the Northern Bound Lane of the Southern Motorway.</i></p> <p><i>B. At peak times at the moment it can take up to 10 minutes to get out of Hinau Road onto Hingaia Road, then a further 15 minutes to get onto the Northern Lanes of the Southern Motorway.</i></p> <p><i>C. Traffic is banked up and down Hinau Road past the round about, and on Fountain Ave to the intersection of Anchorage Drive.</i></p> <p><i>D. The roads were designed as suburban residential roads and were not designed as major throughfares.</i></p> <p><b>3. Existing problems with the flow section of Hinau road.</b></p> <p><i>A. A long straight section of road to roundabout – this has become a good drag strip for boy racers.</i></p> <p><i>B. Residents have already had problems with damage to cars due to speeding vehicle's. ... Residents would like to see some form of traffic control put into place.</i></p> <p><i>4. Traffic flow on Hinau Road: the effects of the new 120 bed Hinau Road Hilton have yet to be evaluated by local residence.</i></p> <p><i>5. Traffic flows on Hingaia Road with new subdivision further down the road at Strathallan and further on out toward Kingseat are already putting a strain on the intersection of Harbourside Road, Hinau Road and Hingaia Road.</i></p> <p><i>6. If there is any major incident in the area, all traffic will come to a standstill as there is no other viable option to get onto the motorway to go north. This effects access to both Northern and Southern motorway's.</i></p>	<p>The eventual extension of Hinau Road to Park Estate Road will include an upgrade to ensure consistency of the cross-section along its length, in line with its future function as a collector road. This will include sufficient width to safely cater for through traffic movements, public transport, on-street parking and access to residential properties.</p> <p>As noted above, TPC, AT and Council have identified the need for further work to assess transport effects across the wider network and confirm the deliverability of proposed improvements.</p>

Submitter	Position	Transportation related issues	TPC Comments
<p>#32 Hugh Green Ltd (Applicant of the PPC)</p>	<p>Support</p>	<p><i>While the submitter (the PPC applicant) supports the proposal in full, their submission specifically relates to a sought amendment to a new standard proposed to apply in the Hingaia 1 Precinct, being Standard I444.6.1.7. Vehicle access restrictions – Cycle facilities.</i></p> <p><i>The proposed standard will have an unintended impact on the use of sites with existing vehicle crossings across shared paths and the construction of dwellings on vacant sites served by vehicle crossings across shared paths. In the case of the latter, the current provisions do not contain any land use rules controlling this and so the assessment of effects of these vehicle crossings have been determined through subdivision consent approvals instead.</i></p> <p><i>The following amendments are sought to [the above proposed Standard]:</i></p> <ul style="list-style-type: none"> <li><i>• In addition to the requirements of Standard E27.6.4.1, new vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which has frontage to an existing or proposed shared path or dedicated cycle way, including where shown on Figure I444.10.1. Hingaia 1 - Precinct Plan. For the avoidance of doubt, this relates only to allotments fronting that side of the road where the shared path or dedicated cycle way exists or is proposed.</i></li> <li><i>• Standard I444.6.1.7(1) above applies in any of the following circumstances:</i> <ul style="list-style-type: none"> <li><i>(a) a new vehicle crossing is proposed;</i></li> <li><i>(b) a new activity is established on a site;</i></li> <li><i>(c) there is a change of type of activity; or</i></li> <li><i>(d) a building(s) is constructed, or additions to buildings that are not permitted activities in Table H12.4.1 Activity table, except that this does not apply in the case of a dwelling where the reconstruction, alteration or addition does not increase the number of dwellings on a site.</i></li> </ul> </li> <li><i>• Standards I444.6.1.7(1) and I444.6.1.7(2) above do not apply to:</i> <ul style="list-style-type: none"> <li><i>(a) the use of a vehicle crossing that exists on [legal effect date] that serves no more than one dwelling per site; and</i></li> </ul> </li> </ul>	<p>TPC support the assessment of Vehicle Access Restrictions relating to Cycle facilities, based on the proposed amendments.</p>

		<i>(b) the construction or use of a vehicle crossing that has been shown on the plans of an approved subdivision consent that will serve no more than one dwelling per existing or approved site.</i>	
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<b>Submitter</b>	<b>Position</b>	<b>Transportation related issues</b>	<b>TPC Comments</b>
#34 Roseanne Heather Hosken	Opposition	<p><i>Concern over future proposals to connect Park Estate Road to Hinau Road, enabling residents to exit the entire Hingaia 1 precinct via Hinau Road.</i></p> <p><i>During “normal” traffic flow times, i.e. when Covid lockdown levels are not in place, the traffic around Karaka Lakes is already unacceptable due to congestion on Hingaia Road, primarily from Linwood Road in the West via Hingaia Road leading to the motorway exchange.</i></p> <p><i>When the motorway is busy, which is at least 5 days a week, there is a delay with vehicles getting onto the north bound onramp at the motorway exchange. This traffic causes issues for Karaka Lakes residents exiting their suburb at Hinau Road, Bridgeview Road, or Kuhanui Drive. It also causes issues for Karaka Harbourside residents exiting either Harbourside Drive or Pararekau Road. To further exacerbate the issue of the traffic in Karaka Lakes, there are a number of cars in the line of traffic on Hingaia Road who have discovered if they turn right from Hingaia Road into Karaka Lakes, they can join a smaller queue of traffic exiting Karaka Lakes at Hinau Road intersection, and turn right towards the motorway exchange with the assistance of lights. Unfortunately, this compounds the issues for Karaka Lakes residents, and often traffic is backed up further South than the roundabout on Hinau Road, creating immense frustration with residents unable to vacate their suburb in a timely manner.</i></p> <p><i>The traffic flow from Linwood Road and Hingaia Road, including the intersecting roads Hinau and Harbourside MUST be sorted before adding additional traffic to the mix by opening Hinau Road to the whole of Hingaia 1 Precinct.</i></p>	Refer to comments in response to Submitters #18 and #30.

<b>Submitter</b>	<b>Position</b>	<b>Transportation related issues</b>	<b>TPC Comments</b>
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#36 Logan Billing	Opposition	<i>Property values will drop. Traffic congestion, Road maintenance, Speeding vehicles, Traffic noise, Extra people and cars that the area was not designed for. Security, break-ins to houses and cars. Graffiti and extra rubbish which we do not need.</i>	Refer to comments in response to submitters #15 to #22.
#37 Sue Billing	Opposition	<i>CHANGING HOUSE ZONING FROM SUBURBAN TO URBAN THIS IS A NO, NO. USING LOCAL ROADS TO CONNECT TO PARK GREEN</i>  <i>Totally against the zoning change it will affect house prices in the area. Our road network was nor designed to have the numbers of extra vehicles on it. The noise and safety to our area along with the environment, this does not stack up. Plus all the other problems that this change brings security, pollution ,safety .</i>	

Submitter	Position	Transportation related issues	TPC Comments
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#42 Rae and Terry Davies	Opposition	<p><b>Vehicular Access</b>  <i>The plan identifies access through Hinau Rd. The road in its current state is extremely narrow, and when cars are parked on the side of the road, passing traffic needs to stop and give way to cars coming in the opposite direction due to insufficient width of the road</i></p> <p><i>Other points of access that will likely also be used by the increased number of residents travelling north will potentially include:</i></p> <p><i>o Ngakoro Rd / Kuhanui Rd. ▪ The access between these two road has not yet been developed, and while Kuhanui Rd is wide enough to take extra traffic, Ngakoro Rd is very narrow, and has yellow lines on each side of the road (which I suspect may be due to insufficient room for emergency and rubbish collection vehicle if cars are parked along the road).</i></p> <p><i>o Ngakoro Rd/ Bayvista Drive. Without direct access to Kuhanui Rd, traffic will divert through Bayvista Drive. Bayvista Drive is also a narrow road, and over the past 4 years the through traffic has increased.</i></p> <p><b>Motorway Access</b>  <i>As the most direct route to the northern onramp traffic will most likely travel through Karaka Lakes to the Papakura interchange, rather than Park Estate through to the Drury Interchange.</i></p> <p><i>o Currently (outside of lockdown) even with the extra lanes opened in December 2019 R.D. needs to leave home by 6.00am to avoid the congestion around the onramp. If leaving at 6.10am it can take 10 – 15 minutes longer just to get onto the motorway.</i></p> <p><b>Pedestrian Access</b>  <ul style="list-style-type: none"> <li><i>• Higher Density housing, without off road parking, leads to more cars parked on the road, driveways and footpaths. o As public transport is not within walking distance, residents will need to have cars to survive – that is a reality.</i></li> </ul> <p><i>o Cars parked over the footpath on driveways (and in some cases on the footpath to decrease</i></p> </p>	<p>Refer to comments in response to submitters #02, #18 and #30</p> <p>New road connections within the precinct will be added as continued growth occurs, including the completion of Hinau Road and Kuhanui Drive / Nagkoro Road as the two key collector road corridors between Hingaia Road and Park Estate Road.</p>
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		<i>the space taken on the side of the road) is a major concern for people who are blind or have vision loss. ( I work at Blind Low Vision NZ, so am aware the impact this has on our clients)</i>	
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<b>Submitter</b>	<b>Position</b>	<b>Transportation related issues</b>	<b>TPC Comments</b>
#44 Karine and Jason Fox	Opposition	<p><i>3. Congestion and risks for our community</i></p> <p><i>We have carefully looked at other options when we considered the private request from Hugh Green and we are concerned by the Transport Corridor (Collector Road) through a quiet and family-friendly suburb of Karaka Lakes.</i></p> <p><i>HGL plans to use any road in Karaka, either Hinau Road or Kuhunui Road as a collector road for development is simply unacceptable. Consider Kuhunui Road, it is the main school route for kids on bicycles to get to school. The road is also used daily by Hingaia Peninsula School for its walking school bus for the whole school, with parents and teachers volunteering to support community engagement and play their part to decrease congestion and increase safety for everyone. In addition, Kuhunui Road is an overland crossing between two wetlands for the local native and non-native Fauna in the area. All reinforcing the New Zealand’s focus on sustainability, climate change and protection of our land and life.</i></p> <p><i>The layout of Karaka Lakes is not made for this volume of traffic with a projected modelling of an additional 6,900+ cars a day – safety, pollution and congestion at its worst.</i></p> <p><i>The modelling done by HGL is not accounting for people finding their way around congestion by using smaller residential roads, especially between Kuhunui Road and Hinau Road...</i></p> <p><i>In addition, the added danger and traffic flow would devalue the houses in the area. Having investigated traffic plans, Great South Road however is built for this sort of traffic flow. No one in Karaka Lakes want this added traffic funnelled directly through our quiet residential streets.</i></p>	Refer to comments in response to Submitters #18 and #30.

		<p><i>Looking at the connection to the Karaka area, the Hingaia Motorway on Ramp and off ramp already services Karaka Lakes, Harbourside, Waiau Pa, Karaka, Clarkes Beach, Kingseat and some of Glenbrook and Waiuku. These areas are also being developed which will provide additional traffic. This on ramp is already pushed to its limit in the morning peak hours. Opening an alternative route for this development would create an alternative route through a residential area to all the communities on the other side of the motorway due to the Park Estate Road Overbridge.</i></p>	
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Key matters raised by Waka Kotahi were as follows:

<b>Submitter</b>	<b>Position</b>	<b>Transportation related issues</b>	<b>TPC Comments</b>
Waka Kotahi	Support	<p><i>WK Supports the zoning in principle but seeks amendments and / or further information to provide greater certainty around the effects of the development and to ensure the health and wellbeing of future residents are protected.</i></p> <p><i>At present, the Transportation Assessment Report does not provide information to assess the effects of the development on the strategic transport network, including the Papakura Interchange on State Highway 1 (SH1).</i></p> <p><i>The precinct was zoned on the basis of an overlay to protect residents from noise effects and Waka Kotahi from reverse sensitivity effects. Although this overlay no longer exists, the issue the policy was seeking to address remains, and the applicant retains an obligation to achieve similar outcomes.</i></p>	<p>TPC supports key elements of WK's response and comments in relation to further assessment and mitigation against transport effects, including those at the Papakura Interchange on State Highway 1, are consistent with comments raised by TPC and AT.</p>

Key matters raised in Auckland Council's submission are summarised as follows:



Submitter	Position	Transportation related issues	TPC Comments
Auckland Council	Opposition	<p><i>The Council seeks the following decision:</i></p> <ul style="list-style-type: none"> <li>- <i>That the plan change be declined.</i></li> <li>- <i>In the alternative, any other such relief that would mitigate effects on the wider transport/ infrastructure network from the urbanisation proposed by plan change request.</i></li> </ul> <p><b><i>Transport Infrastructure not sufficiently addressed</i></b>  <i>The Plan Change is inconsistent with the RPS objective and policies related to transport because it has not demonstrated how the effects of growth on the network will be integrated with the proposed land use and development.</i></p> <p><i>Hingaia is not a Spatial Priority Area for Council. ... Spatial Priority Areas have significant funding provided by both Crown and Council to facilitate housing and employment outcomes. Hingaia has very little infrastructure funding set aside in Council's LTP apart from parks provision and nothing in the RLTP. This means that the applicant needs to demonstrate how bulk and local infrastructure that it is relying on for growth will be delivered in the absence of Council investment.</i></p> <p><i>The applicant's projected yield of 1660 dwellings across 79ha of Mixed Housing Urban and approximately 15ha of Neighbourhood Centre zone appears to be low and there is nothing in the precinct provisions controlling the final yield or managing off-site effects from traffic movements. The precinct is therefore inconsistent with the AUP RPS objectives and policies.</i></p> <p><i>The main transport effects arising from the urbanisation proposed will be non-local private motor vehicle movements and cumulative effects on the wider strategic transport network, including SH1. The proposed Plan Change does not address a) how the wider upgrades identified in the Hingaia FLOW report will be achieved, and b) the required timing or triggers for those upgrades that may affect how many additional dwellings may be built in this precinct before certain upgrades are constructed. Many of the upgrades identified in the FLOW and OPUS reports required works outside the applicant's land. If the applicant is seeking a more permissive development</i></p>	Council's comments on Transport related matters are consistent with TPC's review and previous engagement with council.

		<p><i>regime, then it needs to address how the transport effects beyond their site will be managed successfully.</i></p> <p><i>The ITA should indicate the upgrades required related to the land use outcomes identified in the Plan Change so that discussions between the road controlling authority and applicant could occur in a timely way. Those ‘without prejudice’ discussions may canvas who would be responsible for delivering specific upgrades, cost and timing. An Infrastructure Funding Agreement could then be drafted if required. In its current format, there is no certainty that the effects of the plan change on the wider strategic transport network are able to be mitigated and how the upgrades will be delivered.</i></p> <p><i>AT does not have an identified line item in its RLTP to fund the operational expenditure required to operate the proposed bus route that the applicant is relying on as a basis for up-zoning. This means that the up zoning requested would be likely to generate greater off-site effects if public transport cannot be provided.</i></p>	
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Key matters raised in AT’s submission are summarised as follows:

<b>Submitter</b>	<b>Position</b>	<b>Transportation related issues</b>	<b>TPC Comments</b>
Auckland Transport	Opposition	<p><i>AT is concerned that the adverse transport effects of PPC 67, have not been adequately mitigated, including cumulative effects.</i></p> <p><i>AT considers that that the scale and density of development that PPC 67 would give rise to in this location would not give effect to key transport related objectives and policies of the Regional Policy Statement (RPS) set out in the AUP(OP).</i></p> <p><i>The [proposed] Mixed Housing Urban Zone is described in the AUP(OP) as “a reasonably high-intensity zone... This area is serviced by limited existing public transport services and connections, and is not sufficiently supported by significant employment activities, therefore the location of this residential intensification would fail to enable and promote transport choice to meet the needs of the residents who live there and could promote the use of private vehicles.</i></p>	<p>TPC agree with AT’s comments, some of which have been the subject of discussion between the two parties following the applicant’s Clause 23 Response.</p>

		<p><i>Auckland Transport is concerned that PPC 67 provides no clear indication of how transport infrastructure would be delivered or funded. PPC 67 is reliant on transport infrastructure projects and operational services to be provided by third parties to service and support the rezoning of the precinct area.</i></p> <p><i>There is no identified or allocated funding for the provision of public transport services or additional local connections that would support the intensification of this development area.</i></p> <p><i>PPC 67 does not address how the wider upgrades identified in the earlier transport assessments will be achieved and implemented. Nor does PPC 67 outline the required timing or triggers for those upgrades to support the proposed growth.</i></p> <p><i>Neither the proposed Precinct provisions / plans or any other mechanisms have been proposed that provide certainty for transport changes and improvements required outside the area of Sub-precinct D.</i></p> <p><i>More detailed modelling is required of the traffic impacts. Auckland Transport would expect the traffic modelling to address aspects such as: impacts on the Hingaia / Beach Road corridor, including intersections, for example, Hingaia / Harbourside / Beach / Hinau intersection.</i></p> <p><i>Auckland Transport seeks a consistency of approach across precinct provisions, including the use of cross sections which outline the standards to be applied to future road construction, such as minimum road reserve widths and provisions for pedestrians, cyclists and public transport.</i></p> <p><i>Amend the matters of Discretion for Integrated Residential Development to include Standard I444.6.1.7 – Vehicle Access Restrictions – Cycle Facilities, which restricts the provision of vehicle crossings across existing or proposed cycle ways. [The current lack of inclusion of this standard] could result in vehicle crossings conflicting with cycle ways and paths which would impact on the safety and operation of those facilities. The Matters of Discretion and relevant Assessment Criteria should include reference to I444.6.1.7.</i></p>	
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		<i>The Precinct Plan indicates roads with 'Indicative bus routes.' Auckland Transport is of the view that all Collector Roads should be capable of accommodating bus services to future proof the transport network.</i>	
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## 6.0 Conclusions and Recommendations

- 6.1 Overall, TPC concur with the views of Auckland Council and AT, that insufficient information has been provided by the applicant to demonstrate the acceptability of the PPC with regards to the ability for its transportation effects upon the adjoining road network to be managed effectively.
- 6.2 Waka Kotahi's submission similarly supports the need for the PPC to assess transport effects on the adjoining State Highway network.
- 6.3 Half of the 44 submissions received (22) oppose the PPC on grounds which include transportation related matters, which can be summarised thus:
- 10 referred to traffic congestion concerns in general terms
  - 11 Raised specific concerns in relation to the two future collector road corridors to the north of the PPC area, namely Hinau Road and Kuhanui Drive / Ngakoro Road, which following completions of their respective extensions would serve to ease pressure from Park Estate Road, as the only route currently connecting the PPC area to the wider road network. Concerns included existing and future traffic levels and the adequacy of the road form for future traffic, public transport and parking demands
  - Another submitter raised a specific concern in relation to traffic congestion at the intersection of Park Estate Road / Great South Road.
- 6.4 Of the remaining 22 submissions, 3 included comments in overall support of the PPC, while other submissions did not include specific comments relating to transportation concerns.

13 December 2021

To: David Wren – Planning Consultant  
From: Trent Sunich, Consultant Stormwater Technical Specialist

**Subject: Private Plan Change – PC67 – Hingaia– Stormwater Assessment**

## 1.0 Introduction

1.1 I have undertaken a review of the proposed private plan change, on behalf of Auckland Council in relation to stormwater effects.

I hold a Bachelor of Technology (Environmental) which I obtained from the Unitec Institute of Technology in 2001. I have approximately 20 years' experience in the field of natural resource planning and environmental engineering. My expertise is in integrated catchment management planning, stormwater quality management, and assessing associated development related effects where previously I have held roles with the Auckland Regional Council and URS New Zealand Limited. I am currently employed by 4Sight Consulting as a Principal Environmental Consultant.

1.2 In writing this memo, I have reviewed the following documents:

- High Green Limited, Request for Change to the Auckland Unitary Plan Operative in Part, Hingaia 1 Precinct, prepared by Civil Plan Consultants, May 2021.
- Hugh Green Limited, Engineering Report to Support the Request for Change to the Auckland Unitary Plan Operative in Part Hingaia 1 Precinct, prepared by Civil Plan Consultants, July 2019, November 2020.
- 144 -252 Park Estate Road, Hingaia Stormwater Management Plan, prepared by Civil Plan Consultants, July 2019.

## 2.0 Key Stormwater Management Issues

### Stormwater Precinct Provisions

The proposed private plan change relates to the properties within the existing Hingaia 1 Precinct being 144, 152, 158, 180, 200, 202 and 252 Park Estate Road which are owned/managed by the applicant. The proposed change in land zoning is as follows totalling approximately 97ha:

	Existing Zone	Proposed Zone
Mixed Housing Suburban (MHS)	79.7ha	0ha
Mixed Housing Urban (MHU)	16.45ha	96.2ha
Neighbourhood Centre (NC)	0.8ha	0.75ha

In operative Hingaia 1 Precinct (6.31 Hingaia 1 Precinct) chapter of the Auckland Unitary Plan (AUP), there are a selection of existing stormwater related objectives, policies and development controls. These are listed as follows and are included in the applicant’s proposed changes (~~strike through~~ and **additions**):

#### Objectives

4. Subdivision and development occurs in a manner that achieves the co-ordinated delivery of infrastructure, including transport, wastewater, and water services. ~~Stormwater management approaches should promote the use of water sensitive design options.~~
6. Significant adverse effects of stormwater run-off on communities, the marine receiving environment and freshwater systems are avoided to the extent practical, or otherwise mitigated using water sensitive design principles.

7. ~~Major overland flowpaths are retained or provided for in the site layout to manage risks from flood events up to the 1 percent AEP, taking account of maximum probable development in the upstream catchment.~~

#### Policies

8. ~~Require~~ **Subdivision and development should to use water sensitive design principles as the core development approach to manage stormwater run-off, water quality, and flooding and mimic the natural hydrological regime and provide baseflow to streams.**
10. ~~Require the design of~~ **Stormwater retention management devices in public areas are designed to be integrated with the surrounding area and to contribute to multi-use benefits for public areas. Where appropriate, the devices should be natural in appearance.**
11. ~~Stormwater infrastructure and devices are designed and sized to incorporate projected climate change.~~

#### I444.6. Standards

##### **I444.6.1.1. ~~4.1.1~~ Maximum impervious areas, building coverage and landscaping for higher density development**

###### Purpose:

- **to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risk;**
- **to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;**
- **to reinforce the building coverage and landscaped area standards;**
- **to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood; and**
- To provide for flexibility of built form for higher density development.

#### I444.8. 6. Assessment - Restricted Discretionary Activities

##### I444.8.1. 6.1 Matters for of discretion

#### **9. for subdivision listed as a restricted discretionary activity in Activity Table I444.4.2:**

- a) **the relevant matters listed in section E38.12.1(7), except that the matters listed in the following sections should not apply to proposed allotments 4 ha or greater in area:**
- (i) **E38.12.1(1) subdivision of a site within the one per cent annual exceedance probability floodplain;**
  - (ii) **E38.12.1(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;**
  - (iii) **E38.12.1(3) subdivision of a site in the coastal erosion hazard area;**
  - (iv) **E38.12.1(4) subdivision of a site subject to land instability including those areas defined in the Plan as "land which may be subject to land instability", or other unstable soils as identified through a specific site assessment;**
  - (v) **E38.12.1(7) all other restricted discretionary activity subdivisions; and**
  - (vi) **E38.12.1(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.**
- d) **any applicable on-site stormwater management requirements for lots less than 4 ha in area; and**
- e) **the management of effects of stormwater from any proposed roads; and.**

#### 13. for subdivision listed as a restricted discretionary activity in Activity Table I444.4.2

- f) ~~whether~~ **Con-going** compliance with the on-site stormwater management ~~solutions requirements~~ contained in the ~~any~~ relevant approved Stormwater Management Plan ~~will be achieved.~~
- g) **whether the management of stormwater runoff from any proposed road is consistent with the requirements of any relevant Stormwater Management Plan.**

#### Development Controls

#### 4.5 On-site Stormwater Management — new impervious surfaces

1. ~~In catchments draining to intermittent or permanent streams (as indicated on Hingaia 1— Precinct Map) all new impervious surfaces of 50m<sup>2</sup> and over are to be designed to achieve the following:~~
  - a. ~~Provide retention (volume reduction) of at least 5mm of run-off depth for the impervious area for which hydrology mitigation is required;~~
  - b. ~~Provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 90th percentile, 24 hour rainfall event minus the 5mm retention volume (11.5mm) or any greater retention volume that is achieved over the impervious area for which hydrology mitigation is required.~~
2. ~~In all other catchments (catchments draining to the coast) all new impervious surfaces of 50m<sup>2</sup> and over are to be designed to achieve the following:~~
  - a. ~~Provide retention (volume reduction) of at least 5mm of runoff depth for the impervious area, alternatively the equivalent of the retention component can be met by filtration devices or a first flush diverter.~~
3. ~~Stormwater run-off must be directed to an on-site device designed and sized to accommodate stormwater runoff from the areas described in clause 1 and 2 above.~~
4. ~~Stormwater device/s on private land:~~
  - a. ~~Must be maintained by the site owner in perpetuity.~~
  - b. ~~If rainwater tanks are proposed for a dwelling to achieve the retention requirements of (a), the rainwater tank must be dual plumbed to non-potable uses such as the toilet as a minimum.~~
5. ~~Compliance shall be demonstrated to the Council in conjunction with any application for building consent, or by way of certificate of compliance or at the time of subdivision.~~

#### Stormwater Management Plan

Accompanying the plan change request is a Stormwater Management Plan (SMP) document which was prepared in 2019 to guide the management of stormwater runoff (contaminants, hydrology, flood hazards) as development progresses. The SMP document has been approved by the Auckland Council's Healthy Waters department for implementation under the stormwater network discharge consent for the Hingaia 1 Precinct. Developments proposed in accordance with SMP, can avoid the need for developers to seek individual stormwater discharge consents under Chapter E8 of the AUP.

### 3.0 Applicant's assessment

As is discussed in the applicant's Engineering Report, hydrology mitigation (retention and detention) is to be provided for roads and future development where the reticulated stormwater network drains to a wetland or stream. The purpose of hydrology mitigation is to provide for post development stormwater volume control to remove stormwater volume discharging to the receiving environment (retention) and slow the stormwater flow rates to minimise stream channel erosion (detention). In accordance with the SMP discussed above, retention is to be provided for the first 5 mm runoff depth from impervious areas, and detention storage has been calculated considering a runoff depth of 11.5 mm, to be discharged into the primary stormwater network over a period of 24 hours.

The Engineering Report notes that the hydrology mitigation requirements outlined in the SMP do not align with the current requirements of Hingaia 1 Precinct Development Control 4.5 in the Auckland Unitary Plan Operative in Part. In particular, retention is not proposed to be provided in catchments draining to the coast given there would be no benefit in achieving volume reduction discharging to the coastal receiving environment. Currently, land use consent is required for all roads and future impervious areas on the proposed allotments that drain to the coast to account for this. Subsequently, changes to the Hingaia 1 Precinct provisions have been requested in the private plan change application to only require on-site stormwater management requirements specified by the SMP, thereby avoiding any inconsistencies. Subsequently the Development Control 4.5 stipulating the various hydrology mitigation requirements has been deleted in the proposed plan change.

Other notable changes to the current precinct provisions with associated reasoning by the applicant is discussed in the Plan Change Request report are as follows:

#### Deletion of Objective 7

*'Objective 7 is not necessary as this generally replicates Objective E36.2(5) of the AUP ("Subdivision, use and development including redevelopment, is managed to safely maintain the conveyance function of floodplains and overland flow paths"), which remains relevant to any activity affecting overland flow paths'*

#### Deletion of Policy 11 and text edits to Policies 7 and 10

*'Some of the Hingaia 1 Precinct provisions are considered to be poorly drafted. This includes objectives and policies that go beyond the scope of the purpose of those provisions (including by specifying methods) and do not specify the necessary weight to be given to those provisions'*

### **4.0 Assessment of stormwater effects and management methods**

In the AUP, the stormwater management objectives and policies are detailed in Chapters B7, E1 and E36. Consistent themes throughout the objective and policy frameworks relate to minimising the discharge of contaminants and adverse effects on freshwater and coastal receiving environments. Consistent with the NPSFM 2020 the E1 chapter also details stormwater management policies and introduces the integrated stormwater management approach seeking retention of natural hydrological features, reduction of stormwater flows and contaminants and land use integration to minimise adverse effects on receiving environments. Minimisation of flood hazard, including floodplains and overland flow paths during subdivision use and development is managed through the E36 objective, policy and rule set.

In reviewing the applicable objectives and policies in the regional policy statement and regional plan of the AUP, the proposed stormwater management methodology outlined in the SMP document and the objectives and policies in the proposed plan change, overall at a high level there is alignment in seeking to achieve suitable receiving environment outcomes associated with the development. In brief there are:

- Proposed integrated management of land use and freshwater systems by providing stormwater infrastructure implemented with assistance of catchment planning (B7.3);
- Minimisation of the discharge of contaminants in stormwater runoff through stormwater quality treatment devices (B7.4);
- Implementation of hydrology mitigation to minimise or mitigate new adverse effects associated with stormwater running off impervious surfaces (E1(9)); and
- Avoiding the creation of flood risk (E1(11)).

In accordance with current practice for the management of stormwater runoff associated with green field development in the Auckland Region, the applicant has developed an SMP document to provide a road map for the construction and operation of a reticulated stormwater system responding to receiving environment attributes with a suite of devices and methods to be designed in accordance with best practice stipulated in GD01<sup>1</sup>. In summary this is:

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<sup>1</sup> Stormwater Management Devices in the Auckland Region December 2017 Guideline Document 2017/001



- Water quality treatment of contaminant generating impervious surfaces (e.g. roads, car parks, access ways);
- Hydrology mitigation to manage post development stormwater volumes seeking to minimise stream bank erosion; and
- Maintenance of overland flow paths and containment of flood flows within the open space/green infrastructure corridor.

Notwithstanding this assessment, some improvements could be made to the precinct objective and policy framework and is discussed as follows. Further analysis of the objectives and policies is also included in the section below responding to submissions.

In terms of the stormwater management related objectives, policies and methods in the proposed precinct chapter, given the role of the SMP in development of the catchment, in my opinion, it would be appropriate to include a reference to that document and consistency with any relevant stormwater network discharge consent. This would be consistent with other precincts in the region and although adoption of SMPs and their implementation as development progresses is a function of Healthy Waters (as the holder on the NDC), this would nonetheless provide a linkage to assist in achieving the specific outcomes sought by the precinct (or should the ultimate landowner/developer seek their own discharge consent). Suggested wording of a policy is as follows:

New Policy:

*Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan.*

## 5.0 Submissions

Assessment of stormwater management related submissions and further submissions is as follows:

### 38 Auckland Council

#### Submission

The applicant's Stormwater Management Plan (SMP) lodged in support of this Plan Change was approved by Healthy Waters as Network Utility Operator in August 2019. The region wide Network Discharge Consent (NDC) has since become operative. Given that this plan change seeks to increase impervious area, it is appropriate to update the SMP to reflect intended development prior to adopting the SMP into the NDC.

Relief Sought:

If the Plan Change is approved, amend the precinct to add objectives, policies and rules to develop in accordance with an updated Stormwater Management Plan that addresses the greater site coverage proposed.

#### Assessment

- The submission to update the SMP document is supported to reflect the change in land use zoning. This is a process which sits with Healthy Waters and implementation of the Regional Stormwater Network Discharge Consent.
- Edits to the objectives and policies have been made in the proposed plan change to improve consistency with wider AUP stormwater related provisions.
- In principal the proposed type of stormwater management proposed in the SMP document can respond to the greater site coverage proposed. This will be subject to updating that document in due course by the applicant.

#### Submission

The existence of a Stormwater Management Plan and region wide Network Discharge Consent does not replace the need for precinct provisions managing stormwater effects.

Relief Sought:

- If the Plan Change is approved, amend to include precinct provisions to support implementation of stormwater management rules.
- Amend the precinct to include specific provisions to manage flood risk and climate change impacts, water quality and hydrology mitigation.
- In the alternative, any other such relief that would give effect to the updated stormwater management plan.

### **Assessment**

- It is unclear from this submission what stormwater rules are being referenced, however there is a stormwater management rule framework elsewhere in the AUP such as the E9 and E10 (refer to commentary below regarding SMAF outcomes) rule sets. Through the implementation of the SMP document, there is also the regulatory framework of the regional stormwater network discharge consent. Therefore this submission is rejected.
- Refer to commentary below regarding climate change and hydrology mitigation.

### **Submission**

Deletion of Policy 11:

This policy should be retained. The plan change area land will be impacted by climate change effects, particularly increased rainfall depths due to temperature increases and coastal inundation. The precinct provisions have not adequately addressed climate change impacts.

Relief Sought:

- If the Plan Change is accepted, amend to retain policy 11 and introduce rules to give effect to it.
- In the alternative, any such other relief that would address climate change effects.

### **Assessment**

This submission is rejected. In my opinion, design to accommodate climate change sits better in the the Auckland Council's Stormwater Code of Practice and GD01 documents where the expectations are covered in more detail. The E36 Chapter of the AUP also addresses development response to climate change in some detail through that objective, policy and rule framework.

### **Submission**

Hydrology Mitigation:

The removal of stormwater controls in the precinct is not supported. For hydrology mitigation the SMAF1 control should be applied or alternatively, the bespoke hydrology mitigation provisions be retained.

Relief sought:

- If the Plan Change is accepted, apply the SMAF1 control to the precinct, or
- Retain bespoke hydrology mitigation requirement. In the alternative, any such other relief that would achieve hydrology mitigation.

### **Assessment:**

This submission is accepted in part. The precinct would benefit from the application of a Stormwater Management Area Flow (SMAF) overlay over the entire precinct and this approach would align with other precinct plan changes currently being considered by the Council (e.g. Plan Changes 48-51). The applicant's concern around triggering unnecessary land use consents for coastal discharges directly to the coast would be addressed as these activities are permitted under Table E10.4.1(A1). I do not agree bespoke hydrology mitigation provisions be retained as the existing E10 rule set is being implemented throughout the region consistently.

### **Submission**

Removal of E38 Standards:

The precinct proposes to exclude some subdivision standards for lots greater than 4ha. Two of those standards relate to the management of risks that are likely to be present in the area of 4ha lots namely flood plain and coastal erosion – those standards are:

- E38.7.3.3 Subdivision of a site within the one per cent annual exceedance probability floodplain
- E38.7.3.4 Subdivision of land in the coastal erosion hazard area or the coastal erosion hazard area; or
- the coastal storm inundation 1% annual exceedance probability area.
- These standards ensure that buildings are clear from hazards and are applied in the Auckland-wide rules. Removal of those rules would undermine the integrity of the plan and potentially expose people and property to flooding, coastal erosion and hazards.

Relief Sought:

If the Plan Change is accepted, retain the reference to E38 rules.

### **Assessment**

This submission is accepted. It is acknowledged that lot sizes greater than 4ha may be subject to further subdivision (and the application of E38), however it is sensible in my opinion to retain references to existing E38 standards regardless of the proposed lot size to enable consistency of application of the natural hazard related provisions throughout the region.

### **44 Karine and Jason Fox**

#### **Submission**

We are concerned by the ecologic balance and impact of HGL plans. Pollution would be detrimental to Nature and its wildlife. The tidal flow in the Slippery Creek is a low energy tidal area, all engine fluids dropped by cars will be funnelled directly into this area in the stormwater drainage, it will then accumulate and remain in the mud and sands.

Relief Sought:

Decline the plan change.

#### **Assessment**

The objective and policy framework for the precinct stipulates the expectations for stormwater management including the management of stormwater discharge quality. Stormwater management requirements are further detailed in the Stormwater Management Plan for the precinct.

## **6.0 Conclusions and recommendations**

The applicant is proposing to rezone the subject sites within the Hingaia 1 Precinct along with associated amendments to the precinct provisions.

In order to support the proposed development and enable future construction and operation of the associated stormwater network, a SMP accompanies the plan change application with associated stormwater related objectives and policies amendments in the proposed precinct chapter. Broadly the two documents are consistent with the stormwater related objectives and policies in the regional policy statement and the regional plan requirements stipulated in E1.

At the time of writing this memorandum, the SMP was approved by Healthy Waters in 2019 and its findings and assumptions are based on the current operative land use zone types. In submissions by the Auckland Council, relief has been sought for this document to be updated to reflect the proposed land use in the plan change. In my assessment I agree with this relief sought

and note revision to the SMP and associated review by the Healthy Waters as holder of the Stormwater NDC sits outside consideration of the proposed plan change process. Notwithstanding this, I consider the current SMP which has been approved by Healthy Waters is sufficient to understand the quantum of stormwater runoff effects and associated mitigation types as development of the subject sites progresses.

Various submissions have raised additions and deletions to the precinct objectives and policies and my recommendations to adopt or reject the relief sought are discussed in the section above. It is noted the edits and new additions are aimed at strengthening the existing objective and policy framework and associated implementation of the SMP and it is unlikely significant adverse effects would result if the matters were not addressed. The recommended changes are summarised as follows:

- SMAF Overlay

In considering the Auckland Council submission, I recommend a SMAF overlay be applied over the subject sites. This will provide a clear pathway to implement the hydrology mitigation requirements by applying Chapter E10 of the AUP. It also provides a permitted activity pathway for sites discharging directly to the coast (and/or below RL1.7), thereby serving to avoid land use consent under the current precinct framework which serve limited stormwater management outcomes. The current SMP document stipulates SMAF 2 hydrology mitigation be applied to the precinct. Typically for greenfield development throughout the region the more conservative SMAF 1 hydrology mitigation is applied. I recommend this more conservative approach be adopted in this case.

- New Policy

*Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan.*

Taking these matters into account, my recommendation is to support the proposed plan change and stormwater related provisions.

## **Memo (technical specialist report to contribute towards Council's section 42A hearing report)**

6 December 2021

To: David Wren – Planning Consultant

From: Matt Riley – Urban Design Consultant

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**Subject: Private Plan Change – PC67 – Hingaia– Urban Design Assessment**

### **1.0 Introduction**

- 1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to urban design effects.
- 1.2 I am a qualified urban design and planner with 21 years' experience. I have worked for local authorities (Auckland City Council and Auckland Council) and private urban design and planning consultancies. I am a certificate holder of the Ministry for the Environment's Making Good Decisions Programme.
- 1.3 I am currently employed as a Senior Principal Urban Designer at Boffa Miskell. My work regularly involves me providing urban design input and peer review services to private plan change applications for urban intensification for both applicants and on behalf of local authorities.
- 1.4 In writing this memo, I have reviewed the following documents:
- Planning report by Civil Plan, November 2020;
  - Urban Design Assessment by Nick Rae of Transurban, November 2020;
  - Lodgement version of proposed changes to Hingaia 1 Precinct provisions;
  - 31 March 2021 Response to Clause 23 request letter by Civil Plan, including appendices – specifically: Appendices 2-5 being the updated track changes to the proposed Hingaia 1 Precinct provisions, including the updated replacement Hingaia 1 Precinct Plan; the Appendix 16 Transurban RFI Response; Appendix 21 Additional Urban Design Drawings; and Appendix 28 3D Modelling; and
  - 25 May 2021 Response to Clause 23 request letter by Civil Plan, including appendices – specifically: Appendix 1 Response to Additional Clause 23 Further Information Request Table.
- 1.5 I confirm I have visited the site as part of my assessment of the potential urban design effects of the proposed plan change.
- 1.6 The now proposed plan change provisions differ from those which were lodged with Auckland Council. Where I refer to the proposed plan change provisions, unless stated otherwise, this is with reference to the 22 March 2021 version of the provisions, as contained in Appendices 2-4 of the 31 March 2021 Clause 23 response. Where I have referred to number of proposed provisions, that is with reference to the numbering used in Appendix 4 – the 'Clean Copy' of provisions.

## **2.0 Key Urban Design Issues**

2.1 The key urban design issues of the plan change result from the potential residential character and residential amenity effects of proposed changes to the operative Hingaia 1 Precinct in the Auckland Unitary Plan – Operative in Part. Relevant changes include:

- i. An increase in the area of land with Residential – Mixed Housing Urban ('MHU') zoning;
- ii. Relocation of the Neighbourhood Centre;
- iii. Proposed new Precinct plan;
- iv. Deletion of 600m<sup>2</sup> minimum size for lots adjoining the coast;
- v. Residential character and amenity effects of introduction of more liberal Height in Relation to Boundary, Building coverage and Landscaped Area standards;
- vi. Deletion of streetscape interface / residential character standards: Dwellings fronting the street; Maximum Building length, Fencing and Garages standards; and
- vii. Deletion of Landscaping for Coastal Retaining Walls standard and introduction of a Fences and walls adjoining reserves standard.

## **3.0 Applicant's assessment**

3.1 The Urban Design Assessment ('UDA') by Nick Rae Transurban sets out the context of the site and surrounding area and undertakes an analysis of the potential urban design effects of the plan change provisions based on a methodology stated at section 5.0 of the report.

3.2 The UDA is supported by further information from Mr Rae attached to Civil Plan's 31 March 2021 further information response letter. This includes:

- Additional site and context plans (Appendix 21); and
- 3D modelling of potential built form and shading effects of the proposed bulk and location controls (Appendix 28).

3.3 I consider the analysis of the site and its characteristics to be thorough and the methodology for assessment used by Mr Rae to be comprehensive and consistent with good urban design practice.

3.4 The assessment of potential urban design effects is structured under an assessment of each of the main proposed plan change provisions. The assessment is clearly underpinned by the stated methodology. The assessment is robust and objective, providing commentary on both potential positive and adverse urban design effects of the proposed provisions.

3.5 Except to the extent that I express a different view in section 5.0 below, I generally accept Mr Rae's assessment of potential effects and the conclusions of the UDA and further information memos.

## **4.0 Existing environment**

4.1 The existing environment is comprehensively described in the application documents. I make the following summary comments:

- The site is a large area of predominantly greenfield land directly to the west of the Southern Motorway, to the south of the Karaka Lakes subdivision and to the north-east

of the Drury Creek tributary to the Manukau Harbour. Access to the majority of the site is currently limited to Park Estate Road.

- That area of the site around Park Estate Road is largely flat, with the land sloping down to the coastal edge. It is currently undergoing land modification for bulk earthworks. Roding directly to the south of Park Estate Road has been constructed.
- A new primary school is currently under construction on Park Estate Road.
- The site offers views to the south and west over Drury Creek, offering the potential to contribute to future residential amenity.

## **5.0 Assessment of urban design effects and management methods**

### Neighbourhood character effects of increase in size of MHU zone

- 5.1 The Plan Change proposes to replace operative MHS zoning south of Park Estate Road with MHU zoning. The MHU zone enables buildings of greater bulk than the MHS zone – notably, being a predominantly three storey as opposed to two storey zone.
- 5.2 The MHU zone currently extends a maximum of 330m from the edge of the Precinct's Neighbourhood Centre. The proposed change would extend the distance of some parts of MHU zoned land from the Centre significantly – up to 1,400m to the southern end of the Precinct.
- 5.3 The potential built form resulting from the operative provisions would be predominantly three storey housing around the Centre and two storey housing everywhere else. The proposed change would enable three storey housing throughout that part of the Precinct south of Park Estate Road.
- 5.4 The potential character effects of this are that an urban character would prevail through the wider area south of Park Estate Road and there would be no transition from the Centre through to urban and then suburban residential character.
- 5.5 Traditionally, there is a concept of increased building bulk and scale closer to a centre, with that bulk and scale reducing with distance from that centre. This is seen to visually reinforce the sense of urban character closer to the centre.
- 5.6 I consider a transition in building scales, with higher height around a centre, can be a desirable urban design outcome, as it can increase the visual legibility of the wider neighbourhood and of the centre itself.
- 5.7 Applying MHU zoning to the entire area south of Park Estate Road may make less clear the sense of transition from suburban to urban character around the Centre. The transition, however, is only between two and three storeys. I do not consider this to be marked and therefore, in my view, the change would not have a significant effect on neighbourhood character.

### Residential character effects of modifications to MHU zone dwelling bulk and location standards

- 5.8 The Plan change proposes a number of modifications to underlying MHU zone standards for dwellings that manage bulk and location related effects as applied to the Precinct.<sup>1</sup> These include:

<sup>1</sup> It is possible that these proposed standards, in particular the proposal to make the MHU zone's AHIRB recession plane a permitted standard, may be seen to have 'plan integrity' consequences. This is a broader planning issue which is outside my area of expertise on which to comment.

- I444.6.1.1: An increase in maximum impervious area from 60 per cent to 70 per cent;
- I444.6.1.2: An increase in maximum building coverage from 45 per cent to 50 per cent;
- I444.6.1.3: A reduction in minimum landscaped area from 35 per cent to 30 per cent; and
- I444.6.1.4: Changing the permitted Height in relation to Boundary ('HIRB') from 3m height + a 45 degree recession plane to the MHU zone's current Alternative Height in relation to Boundary ('AHIRB') of 3.6m, then a setback of 1m then a recession plane of 73.3 degrees for the first 20m depth of the site (subject to compliance with a number of requirements).

5.9 These 'higher density development' standards apply:

- As a permitted activity to one dwelling on a front site less than 400m<sup>2</sup> in area in the MHU zone (Proposed Activity A5);
- As a restricted discretionary activity to two or three dwellings per site where the site area per dwelling is less than 400m<sup>2</sup> in the MHU zone that do not comply with the H5.6.9, H5.6.10 and H5.6.11, with I444.6.1.1, I444.6.1.2 and I444.6.1.3 becoming matters of discretion, rather than standards to be complied with (Proposed Activity A6); and
- As a restricted discretionary activity to four or more dwellings per site where the site area per dwelling is less than 400m<sup>2</sup> in the MHU zone, with I444.6.1.1, I444.6.1.2 and I444.6.1.3 becoming matters of discretion, rather than standards to be complied with (Proposed Activity A7);

5.10 The proposed standards would enable buildings of greater bulk and scale than in the underlying MHU zone. While a single dwelling can use the standards as part of a permitted activity status, two or more dwellings may only use the standards by way of restricted discretionary activity status, with discretion being restricted to matters including effects on residential character, residential amenity, safety and the surrounding residential area.<sup>2</sup>

5.11 The general residential character effect of the proposed changes would be a more urban residential character. I understand Mr Rae's view to be that this change in potential character is not necessarily a negative effect, it is simply a different character.<sup>3</sup>

5.12 I agree with Mr Rae. The proposed changes would result in a denser urban form. A denser urban form does not necessarily equate to an adverse effect – it is rather a matter of how any potential adverse effects resulting from that denser urban form are managed.

5.13 For two or more dwellings where the site area per dwelling is less than 400m<sup>2</sup>, Council would retain the discretion through a resource consent process to assess the residential character effects of the proposal. Given contemporary residential development practices and trends to multi-unit developments, it is likely that a number of houses would require consent through this pathway. This is an appropriate mechanism, in my view, to manage potential residential character effects, allowing Council to assess potential effects of building intensity, scale, location, form and appearance of these developments.

5.14 A potential residential character matter on which clarification was sought from Mr Rae was in regard to the AHIRB becoming a permitted standard and therefore Council no longer having the ability through a restricted discretionary process to consider Attractiveness and safety of the street. In the MHU zone, Attractiveness and safety of the street is a discretion reserved to Council in assessing the effects of applications that use the AHIRB.<sup>4</sup> Assessment criteria

<sup>2</sup> Via I444.8.1(1)(a), which refers to H5.8.1(2)(a).

<sup>3</sup> Page 14 of the Transurban UDA.

<sup>4</sup> H5.8.1(5)(b).



listed at H5.8.2(5)(b) under the heading of Attractiveness and safety of the street for use of the AHIRB are:

- (c) *The extent to which those parts of the buildings located closest to the front boundary achieve attractive and safe streets by:*
  - (i) *providing doors, windows and balconies facing the street;*
  - (ii) *optimising front yard landscaping;*
  - (iii) *providing safe pedestrian access to buildings from the street; and*
  - (iv) *minimising the visual dominance of garage doors as viewed from the street.*

5.15 This matter is a pertinent question, given that one dwelling on a front site less than 400m<sup>2</sup> in the Precinct's MHU zone may use the AHIRB, which has been encapsulated in proposed standard I444.6.1.4, as a permitted activity. In response to these queries, the applicant has made changes to the lodgement version of I444.6.1.4 in the 22 March 2021 set of provisions which introduce into the standard a number of requirements which relate to those criteria listed under H5.8.2(5)(b). These are:

*(4) Standard I444.6.1.5(3) above only applies to buildings that comply with the following:*

- (a) ...
- (b) *The front façade of each building must contain glazing that is cumulatively at least 20 percent of the area of the front façade (excluding any garage door).*
- (c) *The front yard must comprise landscaped area of at least 50 per cent of the front yard.*
- (d) *The proposed building shall provide a main entrance door that is visible from the street.*
- (e) *Pedestrian access between the main entrance door of the building and the street must not cross any areas for the parking or manoeuvring of vehicles.*
- (f) *Any garage doors facing the street must:*
  - (i) *Be set back at least 5 m from the front boundary; and*
  - (ii) *Must not project forward of the front façade of the building.*

5.16 I have reviewed these requirements and consider they are generally consistent with the matters covered in H5.8.2(5)(b) relating to Attractiveness and safety of the street for use of the MHU zone's AHIRB. Overall, I consider they are an appropriate mechanism to manage residential character effects of making the MHU zone's AHIRB a permitted standard.

#### Residential amenity effects on neighbours of proposed standard I444.6.1.4

5.17 As discussed above, proposed standard I444.6.1.4 makes the MHU zone's AHIRB recession plane, which requires restricted discretionary consent, a permitted rule. A matter on which clarification was sought from Mr Rae was how would potential sunlight, privacy and overlooking and visual dominance effects on neighbouring sites be appropriately managed through permitted use of the AHIRB, noting that Council currently has discretion reserved to it on these matters through the restricted discretionary process.

5.18 In response to these concerns, Mr Rae provided built form and shading analysis showing potential shading effects of use of the AHIRB.<sup>5</sup> The following amendments were also made in the 22 March 2021 provision set to the lodgement version of I444.6.1.4:

(4) *Standard I444.6.1.5(3) above only applies to buildings that comply with the following:*

- (a) *Where the site that adjoins the side boundary that the recession plane under Standard I444.6.1.5(3) is taken from contains an existing dwelling (or a dwelling that has obtained building consent), then shading caused by those parts of the building that would not comply with Standard I444.6.1.5(1) shall not result in less than four hours of sunlight between the hours of 9am and 4 pm during the equinox (22 September) over an area of at least:
  - (i) *75% of that existing dwelling's outdoor living space, if the outdoor living space has a total area of 20 m<sup>2</sup> or greater; or*
  - (ii) *100% of that existing dwelling's outdoor living space, if the outdoor living space has a total area of less than 20 m<sup>2</sup>.**
- (g) *Any balconies, decks or any similar outdoor living spaces above ground floor level must not be visible from any side boundary (when viewing perpendicular to that boundary), unless the structure (including any balustrades) does not intrude the recession planes specified in Standard I444.6.1.5(1).*
- (h) *Those parts of the building that would not comply with Standard I444.6.1.5(1) must not include any glazing that faces a side boundary unless at least one of the following applies:
  - (i) *The glazing is opaque; or*
  - (ii) *The window sill height is at least 1.6 m above the room's floor level.**

5.19 In his 24 March 2021 memo which accompanied the 31 March 2021 Civix further information response,<sup>6</sup> Mr Rae gives a detailed assessment of potential sunlight effects on neighbouring sites of permitted use of the AHIRB. At page 11 of his memo, he states:

*'The proposed change to MHU zone will inherently result in the potential reduction of sun access to lots due to the higher HIRB standard being 3m+45° of the MHU zone verses 2.5m+45° for the MHS zone and the greater height limit of the MHU zone verse the MHS zone. This slightly higher building coverage could have an impact but this depends on where it is located.*

*This potential reduction in sun access has been accepted as an impact on development within the MHU zone across the city as a consequence of a slightly greater built form outcome.*

*The potential to use the AHIRB without further assessment will result in a further reduction in sun access but the model suggests that at least 4 hrs of sun can be achieved to 75% of an open space area bigger than 20m<sup>2</sup>.*

*The benefit of encouraging the use of the AHIRB is that more people will likely use this provision as they will not need to apply for resource consent, but more importantly better enable the development to achieve the objective H5.2(2) which seeks an urban built character of predominantly three storey buildings.*

<sup>5</sup> Appendix 28 to the 31 March 2021 Civix further information response letter.

<sup>6</sup> Appendix 16 of the 31 March 2021 response.

...

*The proposed standard addresses the issue of ensuring an amount of sunlight to an existing neighbouring outdoor space, especially where there is no existing dwelling or outdoor space adjacent.*

*This will still work on a first come first served basis, requiring the neighbour to design to the existing situation (including buildings that have obtained building consent) to ensure that design provides for sun light. The AHIRB modelling suggests this standard provides for sun access, however the design of the receiving environment is important.'*

- 5.20 I concur with Mr Rae's analysis on sunlight access effects on neighbouring sites of making the AHIRB recession plane a permitted standard. There would be some reduction in sunlight access compared to use of the 3m + 45 degree recession plane, however a reasonable amount of sunlight access is likely to be retained.
- 5.21 I consider proposed clauses (g) and (h) sufficient to address potential privacy and overlooking effects on neighbouring sites of making the MHU zone's AHIRB recession plane a permitted standard.
- 5.22 I consider there may be some potential visual dominance effects on neighbouring sites from making use of the MHU zone's AHIRB recession plane a permitted standard. However, I do not consider these to be significant, noting its use is limited to the first 20m depth of the site. Furthermore, that for two or more dwellings on MHU zone sites where the site area per dwelling is less than 400m<sup>2</sup>, use of the recession plane would be a 'non-core' standard and part of an overall restricted discretionary assessment process. This would allow a consideration of the effects of use of the recession plane on the neighbouring site against the purpose of the standard. The purpose includes the following statement:

*'to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours' [underlining added]*

- 5.23 In summary, I consider that the proposed provisions introduce techniques to adequately manage potential adverse amenity effects on neighbouring sites of making the MHU zone's AHIRB a permitted standard.

Residential character effects of deletion of operative standards 6.31.4.2 - 6.31.4.4 and 6.31.4.6

- 5.24 The plan change proposes to delete operative standards 6.31.4.2 Dwellings fronting the Street, 6.31.4.3 Maximum building length, 6.31.4.4 Fencing and 6.31.4.6 Garages.
- 5.25 The operative rules relating to Dwellings fronting the Street, Maximum building length and Garages reflect wording in the notified version of the MHU zone which have been removed from the Operative in Part version of the Unitary Plan.
- 5.26 The removal of 6.31.4.4 would mean that the Fencing standard H5.6.15 in the underlying MHU zone would apply to MHU zoned land in the Precinct.
- 5.27 I consider that any potential effects with the proposed removal of these standards is something generally contemplated by the Unitary Plan, noting that such standards do not apply in the underlying MHU zone. In my view, there are no special characteristics of the plan change area that would require potential effects which associated with the matters which these provisions seek to manage to be controlled in a different way from other MHU zoned land. I therefore support their removal.

### Residential character effects of deletion of minimum 600m<sup>2</sup> size for lots adjoining the coast

- 5.28 The plan change proposes to remove the current rule that the minimum size of lots adjoining the coast be 600m<sup>2</sup>. I am not opposed to this change. MHS and MHU zoning is common in Auckland in coastal areas with, as Mr Rae notes in his UDA, examples where there is no such restriction to a minimum 600m<sup>2</sup> size.<sup>7</sup>
- 5.29 The deletion of this minimum lot size would enable more intensive built form on lots adjoining the coast than is enabled under the operative provisions. This would be no different from many other coastal areas of Auckland. In my view, there are no particularly unique qualities of the coastal area of the Precinct which would require built form adjoining it to be managed in a different manner from other urban coastal locations.

### Relocation of the Neighbourhood Centre

- 5.30 The plan change proposes to move the location of the Neighbourhood Centre from its current position on both sides of Park Green Avenue further to the east. This results in the Centre being one contiguous block.
- 5.31 There is often merit in having a centre on two sides of a road, as it can help visually frame the road – contributing to neighbourhood legibility – and it tends to create reciprocal activity on both sides of the road.
- 5.32 For smaller centres such as Neighbourhood Centres, however, there is also practical merit in having the Centre in one block, rather than two blocks – as occurs when the Centre is either side of a road. A one block form can allow more cohesive and integrated design responses.
- 5.33 From my visit to the site, I note that the primary school buildings which are currently under construction on the corner of Park Estate Road and Park Green Avenue provide a strong built edge to that corner. It is likely through the restricted discretionary consent process required for any new building in the proposed position of the Neighbourhood Centre on the opposite side of Park Green Avenue that a similarly strong built edge could be achieved on that side of the Avenue.
- 5.34 Park Green Avenue is a primary road and visual connection into the Precinct south of Park Estate Road and visual framing of the road at its northern end by built form is desirable. This, as noted, has been achieved on one side of Park Green Avenue and Council would have it within its discretion to ensure that the relocated neighbourhood Centre achieves this outcome on the other side of the Avenue.
- 5.35 For this reason, I consider that there are no adverse urban design effects of any significance of the proposed relocation of the Neighbourhood Centre.

### Proposed Precinct Plan

- 5.36 The proposed replacement Precinct Plan updates the operative Precinct Plan consistent with what I understand is the applicant's masterplan for the area.
- 5.37 In commenting on the proposed Precinct Plan, Mr Rae states at page 12 of his UDA:

*'One suggested recommendation is to include a "shared paths or dedicated cycleways" notation along the southern portion of Park Green Avenue to connect the neighbourhood centre and school to the southern coast. It would complete this map, however consent has been applied in the Stage 2 application (BUN60363825) to establish this connection regardless.'*

<sup>7</sup> Mr Rae refers at page 16 of his UDA to Waiata Shores and Conifer Grove which have MHU zoning adjoining the coast but have no 600m<sup>2</sup> minimum lot size.

- 5.38 I agree with Mr Rae. There is a strong desire line from Park Estate Road south along Park Green Avenue to the coast. The 'shared path or dedicated cycleways' notation on Park Green Avenue, however, currently stops at Parkmore Drive.
- 5.39 I understand from Mr Rae's comments that the applicant has sought consent via application BUN60363825 to create a shared path/cycleway south along Park Green Avenue to the coast. I am not aware of the current state of the application, whether consent has been granted to it and, if so, if the applicant still intends to construct a shared path/cycleway along this southern part of Park Green Avenue.
- 5.40 It would be helpful if the applicant could provide comment on this matter at the hearing. Regardless, like Mr Rae, I consider it would be desirable that the Precinct Plan show this shared path/cycle connection on Park Green Avenue south of Parkmore Dive through to the coast.
- 5.41 Besides the comments above, I otherwise consider the proposed Precinct Plan shows key physical structuring elements that would contribute to the delivery of a high-quality neighbourhood.

Changes to fencing standards to esplanades and reserves

- 5.42 The plan change proposes to delete operative standard 6.31.4.7 Landscaping for coastal retaining walls and replace it with a new standard Fences and walls adjoining reserves.
- 5.43 The operative provision manages the effects of retaining walls adjoining coastal esplanades by requiring them to be screened by landscaping. The proposed provision adopts a stronger approach of discouraging retaining walls from adjoining coastal esplanades. I understand that this approach is consistent with the design approach that the applicant has used in consented development.
- 5.44 The provisions also introduce restrictions on the height of fencing adjoining reserves.
- 5.45 The overall approach is robust in my view and will result in improved interface conditions to coastal esplanades and reserves. I support the changes.

**6.0 Submissions**

- 6.1 I have read all submissions received on the notified plan change. Below, I consider matters raised in submissions that are of potential relevance to an urban design assessment.

Proposed zoning pattern

- 6.2 A submission from Auckland Council states that the proposed zoning pattern is considered inconsistent with the more spacious, landscaped lots and treed boulevards developed to the north of Park Estate Road in the Mixed Housing Suburban zone.

*Comment*

- 6.3 As discussed in this memo, I consider that there are differences in the residential character of the MHS and MHU zones. At its most general level, the MHS zone has a more suburban character of predominantly two storey houses and the MHU zone has a more urban character of predominantly three storey houses. These differences would be accentuated by the plan change's proposed changes to MHU zone provisions as they would apply in the Precinct, which would enable bulkier buildings.
- 6.4 This would, over time, likely result in a different residential character for the entire Precinct south of Park Estate Road, where the MHU zone as modified by the proposed plan change provisions is proposed to apply, as compared to north of Park Estate Road where the MHS zone would be retained.
- 6.5 As discussed earlier in this memo, this change may result in a less clear transition from suburban to urban character as one approaches the Centre. I generally support the concept

of a transition of building scale around a centre as it can increase the visual legibility of the centre within the wider neighbourhood.

- 6.6 In my view, this concept of a transition in scales is of greater importance around higher order centres, such as Town and Metropolitan Centre. Given the importance of those centres in the centres hierarchy, increased building height and scale around the centres can be a desirable quality to reinforce a change in character from suburban to urban. The same broad concept applies around the Hingaia 1 Precinct centre. However, in my view, as a Neighbourhood Centre, the imperative for reinforcing visual legibility through increased surrounding building scale is less.
- 6.7 In summary, while the zoning pattern proposed by the applicant will have an effect on wider neighbourhood character, I do not consider that effect to be significant.

#### Walking and cycling access along the coast

- 6.8 A submission from Auckland Council states that the plan change does not adequately secure quality walking and cycling access to the open space land and the coast. It requests that changes are made, including to precinct diagrams, to demonstrate how walking and cycling along the coast would be achieved.

#### *Comment*

- 6.9 As discussed earlier in my memo, I agree with the applicant's urban designer Mr Rae that the proposed Precinct Plan should be modified to show a shared path/cycle way south of Parkmore Drive along Park Green Avenue through to the coast. This would enhance connectivity for walking and cycling from the Neighbourhood Centre through to the coast.

#### Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill

- 6.10 A submission from Hugh Green Limited, who is the applicant, requests that the plan change provisions be amended to incorporate the Medium Density Residential Standards referred to by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill for those parts of the Hingaia 1 Precinct proposed to be within a residential zone. Furthermore, that if changes are made to the Medium Density Residential Standards prior to the passing and enactment of the Bill, amendments to Plan Change 67 are to be in accordance with those changes.

#### *Comment*

- 6.11 The Bill, as originally proposed, contained rules including a 6m + 60 degree recession plane, a 3m deep outlook space from principal living rooms and a 15m<sup>2</sup> minimum outdoor living area of minimum 3m depth.
- 6.12 In my view, these rules have the potential for significant adverse residential amenity effects in terms of access to sunlight, visual dominance, privacy and functionality of outdoor living spaces. I understand that the Bill, as now proposed by the Select Committee, recommends changing the HIRB to 5m + 60 degrees and increasing the minimum size of outdoor living to 20m<sup>2</sup> and its minimum dimension to 4m. These are an improvement, in terms of the amenity offered, from the originally proposed rules.
- 6.13 No analysis has been provided by the applicant of the standards other than a reference to the current legislative process and, given the state of flux of the Medium Density Residential Standards, I am yet to gain a full understanding of the amenity effects of their possible introduction.

#### Quality of higher density housing

- 6.14 Submissions from Lovejit Kaur (#5) and Andre Gil (#9) request that the plan change be declined because the quality of the houses resulting from the proposed provisions will be average and will not be visually pleasant.

*Comment*

- 6.15 I consider there are reasonable controls in place in the proposed provisions to manage the quality of proposed houses. Two or more houses in the MHU zone where the site area per dwelling is less than 400m<sup>2</sup> will go through a restricted discretionary assessment process, allowing consideration of a range of matters including residential character and amenity. While a single house in the MHU zone on a front site less than 400m<sup>2</sup> is a permitted activity and may make use of the more generous 'higher density' development standards, proposed controls for use of the more enabling HIRB, including minimum glazing and a front door to the street, would adequately manage streetscape interfaces.

Plan integrity matters

- 6.16 Submissions from Auckland Council state the proposed zoning pattern is inconsistent with the Unitary Plan's centres hierarchy and challenges residential zone integrity.

*Comment*

- 6.17 I consider this to be an issue of wider planning concern and therefore make no comment on this matter.

**7.0 Conclusions and recommendations**

- 7.1 For the reasons stated within this memo, I consider that the applicant has adequately addressed the potential urban design effects of the proposed plan change provisions.
- 7.2 I am able to support the plan change, subject to a shared path/cycle way being identified on the proposed precinct plan along Park Green Avenue between Parkmore Drive and the coast.

29 Nov 2021

To: David Wren – Planning Consultant  
From: Fiona Davies – Associate Director, AECOM NZ

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**Subject: Private Plan Change – PC67 – Hingaia– Ecology (freshwater, wetland and terrestrial) Assessment**

## **1.0 Introduction**

- 1.1 I have undertaken a review of the private plan change (PC67) (herein referred to as the Plan Change), on behalf of Auckland Council in relation to freshwater, wetland and terrestrial effects.
- 1.2 The Plan Change seeks to update an existing Precinct (Hingaia 1 Precinct – relating to properties 144 – 252 Park Estate Road, Hingaia) within the Unitary Plan.
- 1.3 I have a Master of Science (Hon) in Biology and a Bachelor of Science in Biology, both obtained from the University of Auckland. I recently completed a post graduate paper in Aquatic Ecological Assessments at the University of Auckland. I am a Certified Environmental Practitioner, with a specialism in Ecology, from the Environmental Institute of Australia and New Zealand.
- 1.4 I am an Associate Director – Environment and Team Leader of the Natural Resources team at AECOM NZ. I have over 18 years' experience assessing and managing environmental and ecological issues on large scale infrastructure and development projects in New Zealand (NZ) and the UK.
- 1.5 I have undertaken a review of the Plan Change, on behalf of Auckland Council, in relation to freshwater, wetland and terrestrial ecology effects.
- 1.6 In writing this memo, I have reviewed the following documents:
  - Freshwater Solutions and Mitchell Partnerships Limited, July 2015, Park Estate SHA Ecological Assessment
  - Wildlands, August 2018, Ecological Assessment of a Proposed Urban Development at 144-252 Park Estate Road, Hingaia
  - Wildlands, Nov 2018, Ecological management Plan for 144-252 Park Estate Road, Hingaia: Phase 1
  - Wildlands, May 2019, Assessment of Ecological Effects of a Proposed urban Development at 144-252 Park Estate Road, Hingaia (Phase 2 work)
  - Wildlands, May 2019, Ecological management Plan for 144-252 Park Estate Road, Hingaia: Phase 2
  - CiviiPlan Consultants, July 2019, 144-252 Park Estate Road, Hingaia, Stormwater management Plan
  - Auckland Council, 30 August 2019, Auckland Council Letter - Network Utility Operator Approval for the 144-252 Park Estate Road Stormwater Management Plan, to be authorised by the Hingaia Network Discharge Consent (Permit R/REG/2014/4245)
  - CiviiPlan Consultants, 31<sup>st</sup> March 2021, Response to Clause 23 Further Information Request Table (Response #11)
  - CiviiPlan Consultants, 25<sup>th</sup> May 2021, Appendix 1: Response to Additional Clause 23 Further Information Request Table (Response #3, 11a, 11b)

## **2.0 Key freshwater, wetland and terrestrial ecology Issues**

The Plan Change provision updates that are relevant to ecology are summarised below:

- 2.1 All relevant AUP overlay, Auckland-wide and zone objectives, policies and provisions apply in the precinct unless otherwise specified below.



- 2.2 The proposed precinct plan change will rezone the majority of the area from Residential - Mixed housing suburban to Residential – Mixed housing urban. This equates to an increase of 160 dwellings (approximately 10%) above that previously considered by the existing Precinct Plan. This will result in an increase in impervious surfaces (as it relates to stormwater run off) along with urban intensification disturbance effects on coastal habitats/wading birds.
- 2.3 Coastal and Reserve Interface Provisions (as they relate to effects on coastal habitats/wading birds)
- Removing Precinct provisions that require larger site sizes to be provided along the coast.
  - Removing Precinct on development control for landscaping for coastal retaining walls and instead inserting precinct provisions that restrict buildings, fences and retaining walls within a site's interface with the coast and reserves.
  - Providing Precinct provisions an exemption to height in relation to boundary for boundaries with reserves or sites subject to protective covenants (for streams and wetlands).
- 2.4 Any new stormwater discharges resulting from development within Hingaia 1 Precinct will be required to be in accordance with an authorised Stormwater Management Plan<sup>1</sup> (as per Council's Hingaia NDC or Auckland-wide NDC) or otherwise in accordance with the provisions in section E8 of the AUP. The provisions in section E9 of the AUP (related to stormwater treatment) also apply. Land use standards requiring the retention of stormwater in coastal catchments has been removed and is not considered by the applicant to have any notable effect on contaminants, given that Council has already approved (through an SMP and land use consents) the removal of retention requirements on the basis that the best practicable option for stormwater management is achieved.
- 2.5 The Precinct plan has been amended so that the positions of streams do not contradict the ecological features confirmed at Hugh Green Limited's sites during the processing of resource consents BUN60325204 and BUN60339982 (updated on the Hingaia 1 Precinct plan). The streams that are shown on the Precinct plan do not appear to align with the remaining or restored streams that are shown on the Wildlands ecological report (phase 2). Wetlands are not shown at all on the Precinct plan.
- 2.6 All streams, wetlands and associated vegetation remain subject to the rules in sections E3 and E15 of the AUP and the National Environmental Standards for Freshwater Management (NES-FM). These provisions will continue to apply regardless of the proposed rezoning and adjusted precinct provisions.
- 2.7 Subdivision standard - I444.6.2.3. 5.4 Riparian Margins – permanent or intermittent streams shown on Hingaia 1 – Precinct Plan (less than 4ha), riparian margins established either side of stream banks to minimum width of 10m.
- 2.8 Policies relating to coastal character and streams and wetlands have been updated
- Requirement for large site size removed
  - Providing for ecological corridors through Hingaia has been removed
  - Encouraging restoration planting with eco sourced plants where subdivision vests esplanade reserve in Council (Policy 11)
  - Require subdivision and development to restore and to enhance the stream network, as illustrated on the Hingaia 1 precinct plan, to achieve a natural appearance with appropriate native species and encourage restoration and enhancement of wetland areas.

### 3.0 Applicant's assessment

<sup>1</sup> Noting that the approval applies only to the authorisation under the Network Discharge Consent [R/REG/2014/4245] and relies on the technical information and effects assessment you provided as referenced above. Any changes to the design as described in these referenced documents must be reviewed and accepted again by the Healthy Waters department for this approval to remain valid. It should also be noted that this approval does not represent Auckland Council agreement for the design of the private stormwater system, ultimate vesting of any device or infrastructure, nor provision of any Council funding. These approvals are subject to separate engineering reviews and other processes that are not covered by the network discharge consent

- 3.1 The Ecological Assessment (freshwater, wetland and terrestrial) for the original plan change was undertaken in July 2015 by Freshwater Solutions et al. The survey methodology included a number of site walkovers and the use of presence/absence of hydrophytic plants (specifically *Carex* and *Ranunculus*) to describe the extent of the wetland within the site. Historical photos were also reviewed to assess wetland extent. Streams were classified in accordance with PAUP criteria.
- 3.2 Key ecological issues identified by Freshwater Solutions et al (2015) relating to the proposed precinct plan included:
- Stream and wetland effects (within site only), with opportunities to enhance identified
  - Effects of the development on native wading birds (including Threatened or At Risk (TAR) species):
    - Three TAR species were observed during surveys including New Zealand pipit (*Anthus novaeseelandiae*) in open pasture and black shag (*Phalacrocorax carbo*) and little black shag (*Phalacrocorax sulcirostris*) flying or roosting near the adjacent estuary. Banded rail (*Rallus philipensis*) and other TAR bird species also likely to occur within adjacent estuary
    - The Manukau Harbour (together with the Firth of Thames) form the most important wintering grounds for wading birds in the Southwest Pacific (McEwen 1987). The Manukau Harbour is considered to be of international significance and has been identified as a Site of Special Wildlife Interest of 'Outstanding' significance.
  - Effects on native lizards
  - Effects on fish, including potential inanga spawning habitat with streams
  - Opportunities to enhance coastal margin.
- 3.3 Ecological Assessments (freshwater, wetland and terrestrial) were undertaken by Wildlands in 2018 and 2019 to support resource applications for the Phase 1 and Phase 2 earthworks within the precinct area. These consents have since been granted (BUN60325204 and BUN60339982). Survey methodologies included a site walkover, Stream Ecological Valuation (SEV) surveys and a description of a habitat types, which informed wetland type and extent (within the site only). Additional wetlands were mapped within this area that had not been described in 2015 by Freshwater Solutions et al.
- 3.4 Key ecological issues identified by Wildlands (2018a, 2019a) relating to the site development included:
- Loss of stream and wetland habitat, with on site stream and wetland compensation identified
  - Effects of domestic pets on native wading birds (including TAR species)
  - Loss of habitat/mortality to native bats within mature exotic vegetation on site – *subsequently discounted after trees were removed as a permitted activity*
  - Effects on native lizards – *subsequently discounted after surveys in 2019 did not detect any native lizards (only plague skink (Lampropholis delicata))*
  - Effects of stormwater on aquatic and marine habitats
  - Sedimentation to aquatic and marine habitats
  - Effects on native fish
  - Opportunities to restore coastal margin
- 3.5 Regarding the proposed plan change (which is the subject of this memo), no additional ecology surveys or assessments have been undertaken. The applicant has stated that the basis for this is that *'the requested changes are not considered to affect any ecological matters further to the effects approved under those resource consents and no changes to the provisions of the AUP related to ecological matters are requested, ecological reports are not provided as part of this plan change request.'*

#### 4.0

- 4.1 The National Policy Statement for Freshwater Management (NPS-FM) and National Environmental Standards for Freshwater Management (NES-FM) became operative in 2020. To support the implementation of this policy and standard the Wetland Delineation Protocols (MFE, 2020) are relevant (NPS-FM, Section 3.23 (3)...*have regard to the Wetland*

*delineation protocols*) as a survey method to use to identify and map the extent of wetlands (including those wetlands that are within the Coastal Marine Area)<sup>2</sup>. The protocol uses three criteria for identifying and delineating wetlands: vegetation, soil and hydrology.

- 4.2 The Wetland Delineation Protocols (MFE, 2020) or any earlier wetland delineation methods (Clarkson, 2013 or 2018), were not used to map wetlands on the site and as such it is likely that the full extent of wetlands within the site have not been mapped.
- 4.3 Streams have been classified using the AUP:OIP definitions of intermittent and permanent streams and surveyed using the SEV. Ephemeral streams were not surveyed. Given the change in knowledge regarding wetland ecosystems, and from reviewing site photos, it is likely that some of the ephemeral streams on site may represent wetlands.
- 4.4 However, it is acknowledged that resource consent has already been obtained for stream and wetland reclamation and compensation within the precinct area as related to earthworks and the site development. Resource consents (BUN60325204 and BUN60339982) were obtained prior to the NES-FM being gazetted, and wetland survey methodologies were considered to be appropriate at that time.
- 4.5 The AUP Sections E3, E11, E12 and E15 continue to apply in relation to streams and wetlands, alongside the requirements of the NES-FM.
- 4.6 If the stormwater management plan and network discharge consent require renewing then further wetland assessment may be required in relation to the effects of stormwater discharge on wetlands in line with the NES-FM (including coastal wetland with the CMA<sup>2</sup>).
- 4.7 The plan change will result in additional urban intensification (more houses across the precinct, that are higher (three stories), with more houses along the coastline), including at the edge of the CMA where there is high value coastal habitat for avifauna.
- 4.8 Increased urban intensification will lead to an increase in pets and also more disturbance from noise and light pollution from houses and local roads. The plan change may lead to potentially increased effects from predation from pets and also increased disturbance effects on avifauna utilising the adjacent coastal habitat, potentially for breeding. I would expect an assessment (desktop and/or field surveys) to be undertaken to determine what bird species are utilising the adjacent coastal habitat and whether it is being utilised as breeding habitat.

## **5.0 Assessment of ecological effects and management methods**

- 5.1 The applicability of the NPS-FM and NES-FM have not been assessed regarding stormwater effects within 100m of a wetland<sup>2</sup>. I consider the effects of this urban intensification to include a change (increase) to stormwater flows, resulting in potential effects to receiving environments such as the coastal and marine habitats and associated wetlands. It is acknowledged that resource consents have been obtained for stream and wetland loss (and subsequent compensation) prior to these documents being gazetted.
- 5.2 Stormwater Management Plan – should be reviewed and updated to account for change in design and increased impervious surfaces (related to zone change and increased houses) and in relation to the adequacy of protection of NPS Natural Wetlands (as per NES-FM) and also the high value of coastal habitat. The Stormwater Management Plan and Network Discharge Consent should be updated to take account of this, and additional NES-FM consents obtained as necessary.
- 5.3 Objectives and policies within the Precinct Plan should be updated to ensure restoration planting adjacent to coastal corridors, streams and wetland areas are mandatory, not just 'encouraged'. Subdivision standard - I444.6.2.3. 5.4 Riparian Margins should be updated to address planting of coastal corridors and wetlands.
- 5.4 Clarification is required as to what streams and wetlands are applicable under the Objectives and Policies and Subdivision standard I444.6.2.3. 5.4 Riparian Margins, that are not already part of the Ecological Management Plan to be restored (5m buffer planting for

<sup>2</sup> Refer the recent High Court decision *Minister of Conservation v Mangawhai Harbour Restoration Society Inc* [2021] NZHC 3113. This follows on from an Environment Court decision earlier this year on Proposed Northland Regional Plan with respect to mangrove removal, an issue arose as to whether the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 apply to wetlands in the CMA. The High Court in its decision have quashed the Environment Court declaration and made a declaration that the NES does apply to natural wetlands in the CMA.

wetlands and 10m riparian planting either side of stream) as part of compensation for stream or wetland loss.

- 5.5 The Precinct Plan should include all remaining streams, wetlands and coastal corridors. It is not clear if the streams that are shown on the Precinct plan align with the remaining or restored streams that are shown on the Wildlands ecological report (phase 2). Wetlands are not shown at all on the Precinct Plan. The Precinct Plan will need to be updated.
- 5.6 The high value of adjacent habitat (including breeding) for wading birds has not been assessed by the applicant nor provided for in the Precinct provisions. The precinct is adjacent to a number of marine (and one terrestrial) SEA's:
- **SEA-M2-29w1** - Wading bird habitat including important area for pied stilt (see 29a below)
  - **SEA-M2-29a** - Intertidal habitat; ranging from sandy mud flats, to current-exposed rocky reefs and a variety of saline vegetation. Wading bird roosting area, including important area for pied stilt.
  - **SEA-M2-29b** - A wetland system within the upper tidal reaches of Drury Creek; which grades from freshwater vegetation, through rush-dominated saltmarshes to mangrove habitat; forming an important migration pathway for many native freshwater fish species.
  - **SEA-T-530** - Terrestrial coastal and riparian edge vegetation along the inner Drury Creek and Ngakoroa Stream mouth. The remnant coastal scrub includes records for threatened plant species, including mingimingi and native oxtongue, and declining fish species Inanga.
- 5.7 Precinct provisions to mitigate effects on wading birds might include provisions relating to the use of the esplanade reserve to mitigate effects. Provisions should consider buffer planting excluding public access from coastal (breeding) habitat for wading birds, dog control (leashed), a cat ban and ecologically sensitive lighting design. These measures will aim to mitigate urban intensification effects (noise, light etc).

## 6.0 Submissions

- 6.1 Submissions have been received on the Plan Change. I have reviewed the submissions relevant to the ecological matters considered in this assessment.
- 6.2 The submissions can be summarised into the following themes:
- Various submitters - concern over effects of the development on the ecological values of the precinct due to pollution, including pollution of the wetlands and the adjacent coastal habitats and marine environments.
  - Auckland Council - update the approved Stormwater Management Plan (SMP) to account for increased impervious surfaces. Update precinct objectives, policies and rules in accordance with updated SMP. Include precinct specific rules relating to stormwater to manage... water quality and hydrology mitigation.
- 6.3 The majority of submissions were general in their concerns on ecological values and I consider these have been addressed in this Technical Assessment.
- 6.4 I have commented in Paragraph 5 of this assessment that the SMP should be updated due to further urban intensification/increased impervious surfaces/wetland effects and this addresses the Auckland Council submission.

## 7.0 Conclusions and recommendations

My conclusion and recommendations in regards to the Plan Change application include:

- The applicant has not provided an additional ecological effects report or assessment in relation to the Plan Change. I do not consider that the effects of the plan change have been adequately addressed in relation to the development for the following:
  - Stormwater effects to wetlands
  - Urban intensification effects to adjacent coastal habitat for high value wading birds

- I am currently unable to support the private plan change in current form. The following changes would be required for this position to change:
  - Updated Stormwater Management Plan and Network Discharge Consent and assessment of development (and possible consents) against NES-FM regarding stormwater discharge.
  - Mapping and assessment of coastal wading bird habitat and additional precinct provisions in relation to managing effects.
  - Updating of objectives and precinct provisions to ensure buffer planting of coastal corridors along with any remaining stream and wetlands (that aren't subject to restoration as a compensation site under the Phase 2 Ecological Management Plan). Update to Precinct Plan to accurately show streams, wetlands and coastal areas.

**Memo (technical specialist report to contribute towards Council’s section 42A hearing report)**

30 November 2021

To: David Wren – Planning Consultant

From: Lea van Heerden, Senior Parks Planner, Auckland Council

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**Subject: Private Plan Change – PC67 – Hingaia – Parks, Sports and Recreation Assessment**

**1.0 Introduction**

1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to Parks Sport and Recreation (PSR) effects.

1.2 I hold the qualifications of Bachelor of Planning Practice (hons) from the University of Pretoria. I have 7 years’ professional planning experience, including 5 years in resource management, open space planning and policy analysis in public and private sector roles and two years in transport planning.

1.3 I have not been able to undertake a site visit prior to preparing my report as a result of Covid but have a good understanding of the area and have relied on aerial photos and the application material to understand the environment present.

1.4 In writing this memo, I have reviewed the following documents:

- Request for Change to the Auckland Unitary Plan Operative in Part, prepared by Hugh Green Limited, dated May 2021.
- Appendix 1 List of Properties subject to Plan Change Request
- Appendix 2 Locality Diagram
- Appendix 4 Existing and Proposed Zoning Plans
- Appendix 5 Proposed changes to Hingaia 1 Precinct Text
- Appendix 6 Replacement Precinct Plan
- Appendix 7 ‘Clean copy’ of updated Hingaia 1 Precinct Text
- Appendix 10 “Proposed Private Plan Change – Area Covered by Hingaia 1 Precinct – Urban Design Assessment”, dated 10 November 2020.
- Appendix 12 Transport Assessment

1.5 Auckland Council documents referred to include:

- Papakura Greenways: September 2016
- Papakura Open Space Network Plan 2019
- National Policy Statement on Urban Development 2020
- Regional and District Plan Provisions, Plan Change 36
- Auckland Plan 2050
- Parks and Open space Acquisition Policy 2013
- Open Space Provision Policy 2016

## 2.0 Key Parks, Open Space, Sports and Recreation Issues

### General

2.1 This assessment covers the open space provision of the Hingaia 1 Precinct Plan Change that may vest in Council with regards to local neighbourhood and suburb park provisions, esplanade/riparian reserves to support greenways and to address public and private interface and integration.

2.2 The plan change proposes the rezoning, amendments to, and elimination of some development restrictions under the existing Hingaia 1 Precinct Variation 1 from Mixed Housing Suburban Zone to Mixed Housing Urban Zone. The purpose is to provide for increases in residential building intensity on sites south of Park Estate Road while amending the Hingaia 1 Precinct text to match the current formatting of the Auckland Unitary Plan and create consistency with the Auckland-wide and underlying zone provisions.

2.3 Changes of the precinct only relates to approximately 114ha of land, (Request for Change Application, p12).

- *“Changes to the text of the Hingaia 1 Precinct; and*
- *The zoning of the properties at 144, 152, 158, 180, 200, 202 and 252 Park Estate Road (or any future sites resulting from subdivision of these properties).”*

2.4 The scope purposely excludes any changes to, (Request for Change Application, p12):

- *“The boundaries of the Hingaia 1 Precinct*
- *The zoning of other properties within Hingaia 1 Precinct not listed above.*
- *Any changes to overlays or controls as shown on the AUP planning maps.”*

2.5 The proposal is to rezone the above properties to establish medium and high-density residential development and business use.

2.6 The applicant seeks retain the open space and recreation outcomes anticipated by the current AUP provisions, including resource consent requirements for wetland areas to be protected in perpetuity.

2.7 Proposed open space within the PC 67 area consists of the following:

- 158A Park Estate Road which was subsequently zoned Open Space – Informal Recreation through Plan Change 36. This land is approximate 7ha.
- The possible removal of proposed park within 144 Park Estate Road which was anticipated as part of Hingaia 1 Precinct Plan Variation 1.
- 9.7ha of on-site wetlands as compensation for the loss of 3.5ha of wetland under approved resource consents (BUN60325204 and BUN60339982).
- Esplanade and recreation reserves will be created subject to standard subdivision requirements and created in accordance with the Objectives and policies under Residential Mixed Housing Urban Zone.

2.8 Proposed technical rule changes that may affect the bulk, dominance, amenity and safety of people utilising open space include:

- not providing park edge roads along water bodies and along the coastal edge between an esplanade reserve and new lot creations.
- Higher density housing that can apply alternative height in relation to boundary with an increase in building height.
- the provision of a standard rule for boundary treatment, including fences, walls and retaining walls located adjacent open spaces to avoid consent notices.

### **3.0 Provision of Open Space Networks, safety and amenity management methods**

3.1 The regulatory framework for open space assessment is set out within the below regulatory mechanisms, with key points noted:

#### Esplanade Reserve provision

3.2 The Resource Management Act 1991, under s229 and 230 requires the provision of esplanade reserves for the purposes of protecting conservation values and enabling public access and recreational use to or along any sea, river, or lake.

#### National Policy Statement on Urban Development 2020

3.3 The National Policy Statement Urban Development (NPSUD) 2020 under Policy 2.2, requires urban environments to have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport. This policy statement requires at 3.5 that Local Authorities must be satisfied that the additional infrastructure (including public open space) to service the proposed development capacity will be available. This application fails to demonstrate that necessary community infrastructure will be provided in relation to greenways and open space provision.

#### National Policy Statement for Freshwater Management (NPSFM)

3.4 The National Policy Statement for Freshwater Management (NPSFM) which, at Policies 6 and 7 require that there is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted, and the loss of river extent and values is avoided to the extent practicable.

#### Auckland Unitary Plan: Auckland Regional Policy Statement and Objectives and Policies

3.5 The Auckland Regional Policy Statement, which at B2.7 Open space and recreation facilities has the following Objectives and Policies:

##### B2.7.1. Objectives

(1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.

(2) Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.



(3) Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.

#### B2.7.2. Policies

(1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.

(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.

(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.

(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.

(5) Enable the development and use of existing and new major recreation facilities.

(6) Encourage major recreation facilities in locations that are convenient and accessible to people and communities by a range of transportation modes.

(7) Avoid, remedy or mitigate significant adverse effects of land use or development on open spaces and recreation facilities.

(8) Avoid, remedy or mitigate significant adverse effects from the use of open spaces and recreational facilities on nearby residents and communities.

(9) Enable public access to lakes, rivers, streams, wetlands and the coastal marine area by enabling public facilities and by seeking agreements with private landowners where appropriate.

(10) Limit public access to and along the coastal marine area, lakes, rivers, streams and wetlands by esplanade reserves, esplanade strips or other legal mechanisms where necessary for health, safety or security reasons or to protect significant natural or physical resources.

#### The Auckland Unitary Plan framework, in particular:

3.6 Open Space Zone – Objective H7.2.(1) Recreational needs are met through the provision of a range of quality open space areas that provide for both passive and active activities and (2) The adverse effects of use and development of open space areas on residents, communities and the environment are avoided, remedied or mitigated.

3.7 Subdivision Urban - Objective E38.2.3 Land is vested to provide for esplanades reserves, roads, stormwater, infrastructure and other purposes.

3.8 Subdivision Urban - Policy E38.3(18) which requires that subdivision provides for the recreation and amenity needs of residents by providing for open spaces that are prominent, and appropriately sized to cater for future residents and enable pedestrian or cycle linkages.

#### Structure Plans

3.9 In addition to this, the Structure Plan sets out to holistically address the open space aspects of the environment. This includes a 'Blue-Green Network Map' that identifies an indicative distribution of neighbourhood and suburb parks and a network of natural environment green corridors alighted with streams.

3.10 Structure Plans includes the following outcomes surrounding high-density residential areas:

- provide for community and social infrastructure
- protect and enhance the blue-green network that supports the area including through water sensitive design, tree planting, parks, greenways and riparian enhancement margins.

#### **4.0 Applicant's assessment relevant to open space.**

4.1 The applicant states in their purpose and reasons for the plan change under Section 3.21 that at the time that Plan Variation was introduced, and the Hingaia 1 Precinct was considered, the amount of developable land was significantly reduced as a result of:

- Wetlands
- Council acquiring parkland for the provision of open space
- Crown acquiring land for education purposes
- Further restoration of wetlands as a result of the loss of wetlands
- the widening of the southern Motorway between Papakura and Drury

4.2 The applicant considers that the current zoning is no longer suitable as it was zoned prior to the Auckland Unitary Plan (AUP) and Regional Policy statement being operative. The Plan Variation is inconsistent with many of the definitions stated in the AUP and wider underlying development standards restrict higher density development at subdivision stage.

#### Open Space provision

4.3 Under section 2<sup>2</sup> of the plan change request, the applicant identifies the location and provision of two parks:

- 144 Park Estate Road on the eastern side of the National Grid Corridor overlay. According to the applicant this would enable the park to connect with the open space provided for under the National Grid transmission lines. It was council's preference to move this park further east. According to the applicant, the park will no longer be provided, although the applicant identifies that this has not been discussed with Council.
- 58A Park Estate Road being Council Owned land acquired from Watercare Services Limited on 24 January 2018, to become a suburb park. This land has subsequently been

<sup>1</sup> Section 3.2 Purpose and reasons for the Plan change, p13 of the Plan Change Request

<sup>2</sup> Section 2.3 Parks, p8 of the plan Change Request

zoned Open Space – Informal Recreation by the Council-initiated Plan Change 36 to the AUP.

4.4 The applicant seeks to amend the following provision of open space:

- *“Amending the Hingaia 1 Precinct plan to relocate the Indicative Parks to the positions most recently agreed to with Council.”<sup>3</sup>*
- Possibly remove the park located at 144 Park Estate as a result of Council acquiring an open space located 158 Park Estate Road.
- *“Amending the Hingaia 1 Precinct plan to ensure that the positions of streams and wetlands match do not contradict the ecological features confirmed at Hugh Green Limited’s sites during the processing of resource consents BUN60325204 and BUN60339982.”<sup>4</sup>* The applicant confirms that the site is subject to a fair number of open spaces due to the remaining extent of streams and wetlands requiring on-going protection by granted resource consents BUN60325204 and BUN60339982. <sup>5</sup>

4.5 Esplanade and recreation reserves will be zoned through the design process therefore relying on the underlying zone to establish the open space during subdivision applications.<sup>6</sup>

#### Coastal and Reserve Interface with regards to yards and Hight in Relation to Boundary

4.6 The applicant seeks to amend the following provision for coastal and reserve interfaces:

- *“Removing Hingaia 1 Precinct provisions that require larger site sizes to be provided along the coast.”<sup>7</sup>*
- *“Removing the Hingaia 1 Precinct development control for landscaping for coastal retaining walls and instead inserting Hingaia 1 precinct provisions that restricts buildings, fences and retaining walls within a site’s interface with the coast and reserves.”<sup>8</sup>*
- *“Providing in the Hingaia 1 Precinct provisions an exemption to height in relation to boundary for boundaries with reserves or sites subject to protective covenants (for streams and wetlands).”*

4.7 According to Mr Rae, subdivisions to create non-complying vacant lots of less than 600m<sup>2</sup> net site area that abut open space is to avoid erosion at the coastal edge and contribute to the amenity<sup>9</sup>. He continues to question if “amenity” is referring to both the reserve and the development. The setback to mitigate the erosion hazard falls within 20m of an esplanade requirement which has been addressed by a Coastal Hazards Assessment prepared by 4

<sup>3</sup> Point 26, Appendix 5, p.3 Consistency with Hugh Green Limited’s Resource Consent Master Planning Exercise

<sup>4</sup> Point 30, Appendix 5, p.3 Consistency with Hugh Green Limited’s Resource Consent Master Planning Exercise

<sup>5</sup> Section 3.2.1, p14 of the plan Change Request, Theme 1.

<sup>6</sup> Section 2.3 The Vision Proposal, Urban Design Report, p.6.

<sup>7</sup> Point 9, Appendix 5, p.1 Coastal and Reserve Interfaces

<sup>8</sup> Point 10, Appendix 5, p.1 Coastal and Reserve Interfaces

<sup>9</sup> Section 7.2, p24. Coastal and Reserve interfaces, Urban Design Report.

Sight consultants<sup>10</sup>. According to Mr Rae, amenity is addressed or mitigated by proposing a road between the coast and the proposed development but cannot always be achieved as a result of topography.

4.8 Retaining wall and fence standard are contrary to the AUP provisions for sites abutting reserves but does not similarly control or mitigate adverse effects appropriately. These standards can't rely on the provision of a 2m fence under Residential Mixed Housing Urban Zone and needs to be addressed under the new precinct plan. In the Request for Change report, p58, the applicant suggest the current plan promotes the built of retaining walls next to reserves. According to Mr Rae, and I quote:

*"It is important that development around these open spaces contribute to the safety of the area, while maintaining a level of privacy for the rear yards and ensuring a well-designed outcome that integrates with the open space, rather than turns its back on it. Fences that are 2m high and solid are not generally appropriate in these circumstances. The proposed standard 1444.6.1.4(2), set out a clear and achievable outcome that will result in an appropriate interface. This is a standard for permitted activities and there are opportunities for other solutions via a resource consent. It is different to that applying to the esplanade reserve as there is the potential that these open spaces may have less people in them, or lot boundaries might relate to a part of the open space where the interaction with people will be limited.*

*We agree that the application of consent notices is not the most effective way of managing this issue, and the opportunity to address this in the plan change is supported.*<sup>11</sup>

4.9 The applicant is proposing to change the alternative height in relation to boundary under the Residential Mixed Housing Urban, specifically abutting reserves and other open spaces, from a restricted to a permitted activity. According to Mr Rae, and I quote:

*"The alternative height in relation to boundary to be used as a permitted activity would mean that people would need to undertake a more complicated assessment as to the outcome that is expected by this standard due to the stepped offset shape.*

*Currently, the MHU zone provides this opportunity as an RD activity where the effects of this form can be assessed. In a greenfield development, this is potentially not so much of a concern as development of a dwelling should respond to its current context and if there is a building constructed next door using this standard, the dwelling to be constructed would hopefully be designed in response to this.*

*One other benefit of this is that buildings of height would more likely be located towards the front of the site as the standard applies to the first 20m. If there was a 10m wide by 30m long site, this would mean that the back 10m of the site would need to comply with the standard 3m+45degree restriction."*

*"The proposal to allow the AHIRB opportunity to be used as a permitted activity would mean that people would need to accept the potential greater bulk and sunlight reduction. It could also have greater privacy issues as the location of windows in proximity to the boundary or the neighbour is not controlled".<sup>12</sup>*

<sup>10</sup> Section 7.2, p.24. Urban Design Report

<sup>11</sup> Section 7.2.3, p25. Urban Design Report

<sup>12</sup> Section 7.14, p20. Urban Design Report

#### 4.10 Mr Rae continues by saying:

*“Standard H5.6.5 requires buildings to comply with the 3m + 45-degree HIRB recession line from side and rear boundaries. It exempts this from applying to sites that abut the listed business zones and listed open space zones including the Open Space – Conservation zone and Open Space – informal recreation zone. The conservation zone normally applies to esplanade reserves and the informal recreation zone applies to stream environments.*

*For the majority of the site, the esplanade reserve does not exist currently nor is it zoned Open Space, rather it is a residential zone. Likewise, the stream and wetland environments are not zoned open space.*

*If they were, and the intention is that once the land is developed the exact reserves will be rezoned, then the exemption would apply and the current restriction on development of land adjacent would be removed. This is an issue of timing for the development of greenfield land and Council rezoning program.*

*The AUP provides an expectation that for reserve areas of 2,000m<sup>2</sup> or larger, development on adjacent residential sites shall not be restricted by a recession plane, resulting in the potential for a positive built form to interact with the reserve. This assists with a good utilisation of the land resource and good open space containment opportunities with urban forms. The size of the reserve is considered to be important as smaller reserves could suffer from lack of sun light for example.*

*We agree that the exemptions should apply to lots (where ultimately, they would apply) at the time the lot is developed. The proposal to add land to vest with council that has resource consent appears to be a good mechanism for achieving this. We note that this issue is Auckland wide and should be addressed comprehensively, but in the meantime resolving it for Park Green and other land to the north covered by the Hingaia 1 precinct is appropriate given the scope of the plan change.”<sup>13</sup>*

4.11 Based on the applicant assessment in the Plan Change Request, p.58, all the above results in enhanced open space amenity with greater passive surveillance opportunities and provide a consistent certainty for developments adjacent reserves and prior to subdivision.

## **5.0 Assessment of open space provision effects and bulk, dominance, and amenity effects.**

### Open space provision (Parks)

5.1 The existing Hingaia 1 Precinct Variation 1 plan identifies a park within 144 Park Estate Road. The master plan presented in the urban design report prepared by Transurban Limited, fails to include the provision of this open space as a result of the Council acquired land on 158A Park Estate Road. This was zoned Open Space – Informal Recreation through Plan Change 36. In the ‘Request for Change Application’, p8, the author acknowledge that the loss of other parks has not been discussed with the Council Parks Planning team.

<sup>13</sup> Section 7.2.4, p25-26. Urban Design Report

- 5.2 The applicant is relying on retaining open space located at 158 Park estate Road, the coastal esplanades and wetlands, but excludes further esplanade requirements along streams.
- 5.3 There are no other indicative open spaces shown in the applicant's proposed precinct plan but is shown on indicative location of the master plan. Parks do not have scope to comment or consider the use or effects on wetlands apart from Blue-Green Networks within appropriate Structure Plans. Wetlands have its own purpose and function and should not be considered as providing the same recreational, connectivity and amenity function including appropriate landscape of a neighbourhood, suburban park or that of esplanades to support greenway connections. Other parks and reserves will be zoned through the resource consent process. This is not unusual to see, open spaces like suburban parks are proposed during a resource content application and conditioned to vest as land in lieu of a reserve or fall to a balance lot should council reconsider acquisitions.
- 5.4 However, by not providing indicative locations of open spaces results in the under provision of green infrastructure and a variety of open space which is contrary to the NPS. By not including reference to indicative open space networks on the precinct plans will not give effect to the master plan as when it comes to implementation, the proposed master plan will not have weight or be able to be referenced. Both the Precinct Plan and the Master Plan fails to show all the indicative locations of open space.
- 5.5 The description of neighbourhood parks in Auckland Council's 'Open Space Provision Policy 2016' is that their function is to offer a range of informal recreation and social opportunities within a short walk of surrounding residential areas. Provision targets for neighbourhood parks are that they are available within 400m walking distance (with a radial distance proxy of 300m) to residents in high and medium density areas. If this remained a lower density, neighbourhood parks would only be required within 600m walking distance. Therefore, this is considered inconsistent with Council's open space policy which indicates the potential for more neighbourhood parks (size 0.3-0.5Ha).
- 5.6 For suburb parks in high and medium density areas, the walking distance is 1000m with a radial distance proxy of 750m. This is considered consistent with Council's open space policy given the location of the Suburb Park located at 158 Park Estate Road. However, a connected open space network is key in this policy, and directives include to 'Create a connected network of parks, open spaces and streets that delivers a variety of recreation, ecological, transport, stormwater, landscape and health benefits', and that open spaces are linked together so that 'Open space' is core infrastructure that people use to get around their community'. The diagram in Figure 1 demonstrates that a neighbourhood park is required within 144 Park Estate Road based on Auckland Council Open Space Provision Matrix.
- 5.7 The change from Residential Mixed Housing Suburban to Residential Mixed Housing Urban is not a big difference when you compare what is permitted. However, Mixed Housing Urban is the Zone before Terrace Housing and Apartment Zone which allows for a significant increase in densities. The lack of local and neighbourhood parks on any precinct plan means that there is an under provision of public recreational open space in areas that will experience an increase of densities. The applicant has not provided designated open spaces zones, specifically for recreation purposes as part of the zoning plan change and it is only through the application process subject to resource consents that parks and other recreation spaces are proposed as part of the future development.

- 5.8 The lack of providing the neighbourhood park located at 144 Park Estate Road is inconsistent with the Open Space Provision Policy. A park at this location will provide community (parks) infrastructure that is consistent with the National Policy Statement on Urban Development 2020. Open space located at 144 Park Estate Road is recommended.
- 5.9 Overall, retaining and enhancing existing open spaces (parks) is a good outcome. However, the applicant has not adequately demonstrated the integration of existing open space open within the new development and the applicant is relying on subdivision applications to capture provision of a variety of open space. Where indicative locations have not been established at precinct plan, provision of quality open spaces through subsequent resource consent processes is not assured and often a missed opportunity resulting the under-provision amenity values for new communities. There is a simple equation that can be refer to from an international understanding with great examples, increased densities increase need of quality green open spaces. By not providing a variety of recreational open spaces, in an area that will experience an increase of people seeking amenity relief for small lots and increased densities, will result in the under provision open space. Where you have a variety of quality open spaces where there is high density proposed, it does not only add to the social and mental wellbeing of the community but also reduces the perception of overcrowding. I am confident the applicant can agree that this has been a very relevant subject during Covid.

#### Open Space Provision - Esplanades and Greenways

- 5.10 There is a Papakura Greenways Plan for this area. The applicant has not considered an assessment of the greenways plan. In the absence of a greenway plans, it is recommended that a greenway network is indicated on the Precinct plan. Spatial provisions are recommended to show an open space greenway network.
- 5.11 Objective B2.7.1(2) of the Auckland Regional Policy Statement requires that public access to and along the coastal marine area, lakes, rivers, streams, and wetlands is maintained and enhanced. In the Request for Change Application, under section 6, p99, the applicant will provide for esplanade reserves (20m minimum from Mean High-Water Springs) primarily along the coast along the coastal edge to mitigating coastal hazard effects, subsequently allowing for a higher density development next to the coast. Where esplanades do not qualify, the applicant provides for riparian yards which I do consider a positive from the applicant's perspective.
- 5.12 However, under section 5.2.23, p82, the applicant continues to delete the esplanade layer from the precinct plan as the relevant provisions are considered under Auckland Wide provisions section E38 Subdivisions of the AUP for the subdivision of sizes less than 4ha and mitigating Hazards Effects under E36. This is not unusual, however keeping the layer on the precinct map sets a clear outcome expectation even before the applicant applies for a pre-application meeting. Esplanade have various function including recreation values and enabling public access that supports the development of greenways. It is also consistent with what has recently been achieved both in Auranga and Waiata Shores, which the applicant refers to in the Urban Design Report. Where esplanades must be taken along the coast and streams for this subdivision of sites less than 4ha and in accordance with Section 230 of the RMA, it is worth noting that the applicant can still offer esplanades of 20m on sites greater than 4ha.

5.13 Establishing esplanade in accordance with E38 Subdivisions and where the applicant relies on the open space policies for Residential - Mixed Housing Urban, may cause for a missed opportunity. Specifically, around qualifying streams. Subdivision can occur around an approved resource consent that only requires a 10m riparian yard under a land use consent in appose to 20m of esplanade reserve that includes the subdivision of vacant lots less than 4ha.

5.14 Esplanades are not only established along coastal edges but also qualifying and permanent streams to enable public access and recreational use whilst protecting conservational values and mitigate adverse flooding effects. While I do acknowledge re-alignment and reclamation has already been implemented, the applicant fails to identify and include streams as a qualifying matter for esplanades. Auckland Council's GIS System indicated permanent streams located almost entirely along the northern portion of the subject area and it is not clear if these streams or the realigned streams, are qualifying nor considered as part of the approved resource consents the applicant relied on. I recommend the precinct plans to reflect the new locations of streams and reclaimed wetlands.

5.15 It is anticipated that local purpose riparian yards or drainage reserve will be offered adjacent intermitted and permanent streams where the stream is not qualifying and along the tributaries of the Hingaia. This is a good outcome to protect the quality of streams and reduce erosion. However, based on supporting walkway connections, it is recommended the riparian margins is 15m either side of the stream, to allow for 10m riparian planting and a walkway to be location adjacent the 10m and not within.

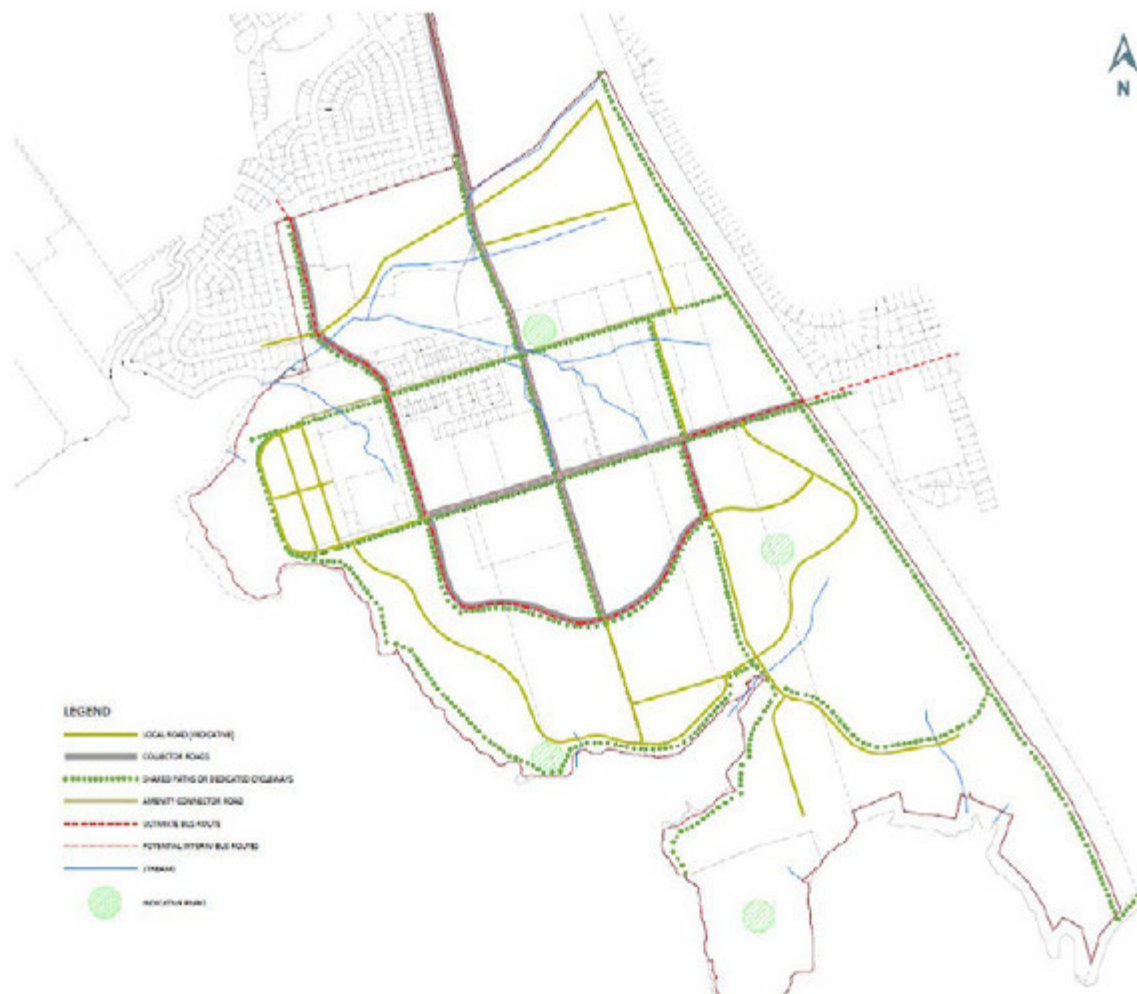
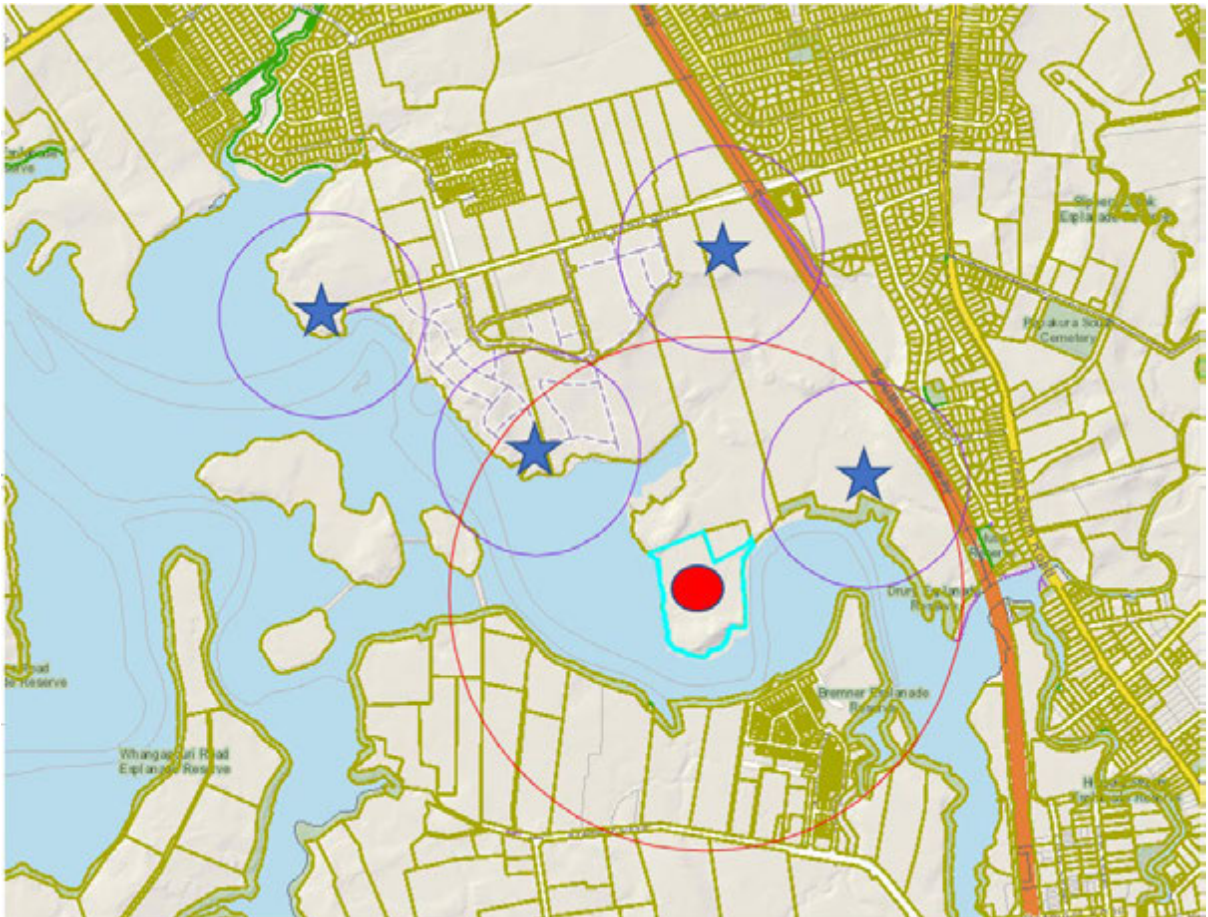


Figure 3 Proposed movement network taken from Transport Report



- 5.16 Structure Plan includes the protecting and enhancement the blue-green network that supports the area including through water sensitive design, tree planting, parks, greenways and riparian enhancement margins. Neither the plan change request, nor the Urban Design report refers to the appropriate Structure Plans, Greenway plans or Blue-Green networks. however, I do acknowledge the applicant is relying on the integration of the wetlands to provide this function to integrate with the wider area and provide amenity to support future development. This is not unusual, and effects can be mitigated appropriately.
- 5.17 The applicant relies on the urban subdivision provisions included within Chapter E38 of the AUP, including Policy E38.3(18), to ensure subdivision will provide for the recreation and amenity needs of residents by providing for open spaces which enable pedestrian and/or cycle linkages, stating that this will ensure that there are provisions in place to ensure there is accessible open spaces of a range of sizes to service the future population. The standard does not ensure the provision of pedestrian/ cycle paths within these margins.
- 5.18 While the Papakura Greenways Network was not considered, the walking and cycling network shown on figure 3 above indicates a recreational shared pedestrian and cycle route on the proposed esplanade reserves and adjacent wetlands. It is recommended to be included as part of the precinct plan together with park edge roads where it is appropriate, shared paths connecting with the street network and creating a separated walking and cycling network for safety purposes. It is recommended that appropriate provision for pedestrian / cycle paths be considered for all open spaces, within all sub precincts, and where a greenway is identified on the Precinct Plan, or where a riparian margin is required by the Precinct Plan provisions. Clarification should be provided around the formation and construction of such assets, along with the vesting of these assets.
- 5.19 The proposed extension of the shared path/cycleway alongside the eastern side of the motorway as part of the Government's New Zealand Upgrade Programme upgrade of the motorway from Papakura to Drury South should be considered with regards to the wider network. The precinct plan is recommended to be future proofed to allow for active transport linkages, both on road and off-road greenway networks allowing for residents to access the proposed cycleway.
- 5.20 Overall, the precinct plans, objective, policies and rules must be amended to demonstrate qualifying stream, esplanades and greenways and how walking and cycling access along coastal areas and within the development of this complex by making use of the wetlands and riparian margins will be achieved. The master plan again does not provide the surety required to implement the best outcomes.



**Figure 1:** Neighbourhood parks (Blue Star) and Suburb parks (red circles) originally proposed as part of the Hingia 1 Precinct Variation 1.

Open Space\_ bulk, dominance, and amenity effects

Lot sizes next to esplanades and the coast

5.21 The applicant proposed to remove the rules restricting Lot sizes less than 600m<sup>2</sup> next to the esplanades or the coast. These lot sizes are required to avoid coastal hazard risk and adverse effects on the amenity of esplanade areas. It is not an unreasonable request. The application is supported by a Coastal Hazard Assessment prepared by 4Sight Consultants. Parks Planning request a coastal hazard assessment where esplanades of less than 20m are provided along the coast to understand what the possible adverse effect will be on the establishment of public accessways and amenity for recreational users, while our coastal team will consider the hazards effects of the erosion of the esplanade area and whether the Council is willing to take on the liability of an area being vested.

5.22 Based on the information provided, I agree with the applicant's assessment that, where there is already an esplanade, and subject to site specific coastal hazards assessments, further restrictions to lot sizes is irrelevant to the concerns initially raised within the Variation 1 Precinct Plan if that was the case. However, the Coastal Hazard Assessment was completed in 2016 is outdated. New lines indicating areas susceptible to coastal instability and erosion was presented early 2021. The erosion lines are relevant for all subdivision applications under s106 regardless of whether they trigger a coastal erosion rule in the subdivision chapter or not. They are also relevant to any other consent type where there is scope to look at coastal erosion (for example all discretionary and non-complying activities etc). The new lines represent a more accurate erosion hazard picture than that provided by

the Coastal Erosion Hazard Areas definition in the AUP(OP). The new lines however are at a regional scale and will still require local site-specific assessment with each application. If an application triggers a rule under E36 in terms of the coastal hazard erosion area, a site-specific hazard assessment should be undertaken. The Coastal Erosion Hazard lines and the methodology behind them should inform the site-specific coastal hazards assessment. The coastal erosion hazard lines do not alter coastal inundation assessments.

#### Public and Private interfaces

5.23 The proposed precinct chooses not to implement park edge roads. As a result, the existing suburb park will not be surrounded by roads that will provide unobstructive and an ease of accessibility and integration in the community which is contrary to the objectives and policies of the Open Space Zone – Objective H7.2. and NPSUD. Any required neighbourhood park will need three roadsides to comply with the objectives of open space provisions. The lack of park edge roads or eliminating the need of park edge roads will result in public spaces being isolated and goes against crime prevention through environmental design (CPTED). It is recommended to keep the edges of open spaces activated by implementing active and well-integrated frontages for safety and amenity purposes by applying CPTED principals.

5.24 In the Request for Change Application, under section 3, p17, the coastal and reserve interface control, saying:

*“Hingaia 1 Precinct Development Control 4.7 Landscaping for Coastal Retaining Walls is not considered to be fit for purpose to appropriately manage potential adverse effects arising from a site’s interface with the coastal environment. It also confusingly provides a standard for an activity that infringes another standard (Yards, as any retaining wall within 1.5 m of a public place is a building, regardless of its height, and so retaining walls would need to be setback at least 1.0 m from the esplanade reserve boundary to comply with the side and rear yards requirement).”*

5.25 The applicant requests changes to introduce a new standard that sets interface requirements for site boundaries adjoining esplanade reserve, including permeability, to avoid consent notices. It is an appropriate change and can be supported, however, this should be applied to any boundary or yard abutting any form of open space and not be restricted to coastal sites or reserves. In the Request for Change Application, under section 3.2.3, p17 the applicant is relying on the conditions of resource consent BUN60353348 and the underlying zone fences and walls standard for specifically front yards. Parks is not too concerns about front yards but rather an appropriate interface public and private. The requested changes also introduce a new standard that sets interface requirements for site boundaries adjoining esplanade reserves only.

5.26 The introduction of standards relating to the interface of private lots with reserves regarding fence heights and retaining walls is considered acceptable, however it is recommended the standards are applied to boundaries adjoining any open space, including the vesting of future open spaces and reserves. 1.8m and 2m is considered inappropriate and does not meet CPTED requirements. It is again, recommended to maintain active interfaces between the public and private realm while providing adequate passive surveillance and consider reverse sensitivities.

5.27 Overall, I consider the proposed changes acceptable and recommend the applicant use the term Open Space in appose to applying the standard to reserves and coastal esplanades

only. I support the fencing provision rule 1444.6.1.4, subject to the recommended changes, allowing a planted interface between privately owned sites and open space. It is also recommended that assessment for retaining adjoining open space is expanded to avoid height and dominance effects from retaining upon any open space.

## Bulk and Dominance

5.28 In the Urban Design Report, under the executive summary, p5:

*“The proposal to exclude the HIRB standard applying to boundaries with reserves seeks to achieve the intent of the AUP prior to the reserves being zoned open space and this ultimate outcome achieving the same outcome. There does not appear to be any valid reason to further restrict development on a site abutting a reserve that has not yet been zoned open space.”*

5.29 Where a reserve has not been zoned open space yet but is subject to a reserve or park to vest in council as part a subdivision, it is recommended to consider what effect the bulk of a building will have on the amenity and sunlight values experienced by persons using the reserves but also the effect of reverse sensitivities on those persons utilising new dwellings. Especially where there are shared use paths and recreational values. Appropriate building height, dominance and passive surveillance adjoining open space needs to be further addressed within the assessment criteria. This is another reason why it is important to establish within the precinct plans future greenways networks and esplanades along streams.

5.30 Overall, I support the rule and standard changes subject to amendments and do not consider open spaces to be adversely affected. Where quality compact urban form can be achieved, including by way of a high-quality built environment, more efficient use of the land and appropriate public/private interfaces, it can contribute to both passive surveillance and increase the utilisation of open spaces. However, where this is executed poorly, it can also cause under provision of quality open spaces with a greater service need required from that area and open spaces and isolated within shadows.

## Review summary

5.31 With regards to the provision of open spaces, interface between public and private and bulk and dominance effects on the amenity of persons using open spaces, I do agree that the effects on open spaces it will not necessarily be adverse, but different and more consistent with the Unitary Plan.

5.32 It is however in my assessment that the plan change as proposed does not provide sufficient assurance, as that of a precinct plan, that the outcomes anticipated by RPS, AUP, the National Policy Statement on Urban Development or Auckland Council policies and plans including the creation of a connected and integrated open space system will be achieved in later resource consent processes, or to demonstrate that appropriate community infrastructure will be provided.

## **6.0 Recommended changes to the proposed Plan Change Text to provide for an open space network:**

## Objectives and Policies in the Precinct

### Precinct description

*The precinct description states “It is envisaged that future land use, development and subdivision consents will give effect to the key elements of the precinct plan and provide opportunities for pedestrian and roading connections into future development areas.*

*The zoning of land within this precinct is Residential – Mixed Housing Suburban, Residential – Mixed Housing Urban and Business – Neighbourhood Centre.*

*All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.”*

- 6.1 The precinct description would benefit from wording that includes the network of streams, esplanade reserves and drainage areas providing an open space network of greenways, walkways and cycleways. This is recommended to be added so as to give effect to the AUP Open Space B2.7.1 objectives and B2.7.2 policies.
- 6.2 There are no objectives in the proposed precinct plan unique to the precinct seeking a network of tracks and walkways along streams, parks and open space. It is recommended that this is added so as to be consistent with the AUP Open Space B2.7.1 objectives and B2.7.2 policies. I444.2 (3) Objectives is relevant to the existing steam network with regards to retaining and enhancing stream networks. This does not necessarily mean open space.
- 6.3 The following objectives and policies are suggested as an amendment to the Precinct to give some strength to the precinct description and how to interpret the precinct plan maps:

#### **Add the following Objectives to the Precinct Plan:**

- (4) Subdivision and development occur in a manner that achieves the co-ordinated delivery of infrastructure, including transport, wastewater, water services and open space.
- (7) Subdivision and development adjoining the coast provides for enhanced amenity by establishing a minimum of 20m esplanade and avoids risks of adverse effects arising from coastal erosion.
- (9) Parks and open space green corridors are provided along the coast and stream network and off road accessways to achieve an integrated, attractive and safe open space network across the precinct that integrates stormwater management, and ecological and recreational functions, while enhancing the amenity of cyclists and pedestrians who will have access through these open space areas unimpededly and located outside of hazardous areas. Development must achieve passive surveillance along these open space corridors.
- (10) Recognising the importance of the Hingaia and Fitzgerald stream networks and their connection to Otuwairoa (Slippery Creek) while providing for the protection of ecological function and providing for passive recreational opportunities alongside the stream network as part of the greenway network.

**Make the following additions to the policies:**

- (2) Require the construction of new roads, as generally indicated on the Hingaia 1 precinct plan, to achieve integration with the existing urban area and to enable future connections to link into adjoining sites and [open spaces](#) to ensure that an interconnected movement network can be achieved on the Hingaia Peninsula.
- (4) Enable a [high-quality](#) range of residential living opportunities (including a range of [appropriate](#) lot sizes) with more intensive housing encouraged in locations with close proximity to the neighbourhood centre, public transport routes or [open spaces subject to the approval of Auckland Council](#).
- (5) Ensure subdivision and development, including road design, [streetscape, and open spaces](#), achieves a high standard of amenity, pedestrian safety and convenience, and contributes to a positive sense of place and identity.
- (6) Require subdivision and development to be staged to align with the co-ordinated provision of infrastructure, including transport, water, wastewater and [open space](#).
- (11) [Enhance the natural character of the coast and avoid adverse effects from further coastal erosion by vesting 20m esplanade reserve and encouraging restoration planting with eco-sourced plants during subdivision.](#)
- (12)
  - (a) managing the interface between [open spaces \(including reserves\)](#) and private allotments to minimise visual dominance effects from buildings, fences and retaining walls; and
  - (b) providing for viewshafts out to the coast along roads and open space (and from the esplanade reserve back into the development).
- (13) Promote the development and enhancement of open spaces, [including reserves by](#):
  - (a) managing the interface between [open spaces](#) and private allotments to minimise visual dominance and [shading effects](#) from buildings, fences and retaining walls; and
  - (b) providing for viewshafts out to the coast along roads and open space (and from the esplanade reserve back into the development).
- (16) [Ensure the location and design of publicly accessible open spaces contribute to a sense of place for Hingaia, by incorporating any distinctive site features and integrating with the stream network. If Auckland Council ownership is proposed, the open spaces must be consistent with the council's open space and parks acquisition and provision policies.](#)
- (17) [Enable extensive active walking and cycling network and futureproof key walkway/cycleway routes including along the indicative greenway route, stream network, and areas of open space in a manner that encourages movement within the precinct and along the stream network and offer to Council for vesting of these key routes in the Council.](#)



(18) Ensure the configuration of sites and dwellings creates an active frontage to any adjacent accessways, parks and open spaces and encourages passive surveillance and enhances perceptions of safety, including reserves.

(19) Ensure open space areas within the precinct are accessible by pedestrians and cyclists and contribute to the character and amenity of the precinct by using existing elements of the natural landscape where practicable.

There are no standards or assessment criteria relating to the open space and the greenway network.

### Activity Table - Land Use Activities

Please take note, the applicant refers to the standards I444.6.4.1 within the rules to relate to “Fences and Walls adjoining Open Space”, however, within their “updated clean copy of Hingaia Precinct 1 Text”, Standard I444.6.4.1 refers to Height in Relation to Boundary.

The above needs to be addressed.

Activity		Activity Status	Standards to be complied with
<b>Transport</b>			
(A1)	Construction or use of a vehicle crossing		E27.6.4.1. Vehicle access restrictions; E27.6.4.2. Width and number of vehicle crossings; Standard I444.6.1.7 Vehicle access restrictions – Cycle facilities
<b>Residential</b>			
(A2)	Residential activities (including dwellings) not provided for below		The underlying zone standards applying to that activity; Standard I444.6.1.4 Fences and walls <a href="#">adjoining open space including reserves</a>
(A3)	Two or three dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard I444.6.1.4 Fences and walls <a href="#">adjoining open space including reserves</a>
(A4)	Four or more dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Suburban zone	RD	Standard H4.6.4 Building height; Standard; H4.6.5 Height in relation to boundary; H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard I444.6.1.4 Fences and walls <a href="#">adjoining open space including reserves</a>
(A5)	One dwelling on a front site less than 400 m <sup>2</sup> in area in the Residential – Mixed Housing Urban zone	P	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size;

			Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2. Building coverage for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; <a href="#">Standard I444.6.1.4 Fences and walls adjoining open space including reserves</a> ; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A6)	Two or three dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; <a href="#">Standard I444.6.1.4 Fences and walls adjoining open space including reserves</a> ; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
(A7)	Four or more dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Urban zone	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; <a href="#">Standard I444.6.1.4 Fences and walls adjoining open space including reserves</a> ; <a href="#">Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone</a>
(A8)	Integrated Residential Development in the Residential – Mixed Housing Suburban zone	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; <a href="#">Standard I444.6.1.4 Fences and walls adjoining open space including reserves</a>
(A9)	Integrated Residential Development in the Residential – Mixed Housing Urban zone	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; <a href="#">Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone</a>
<b>Commerce</b>			



(A10)	Show homes in the Residential – Mixed Housing Urban zone	P	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2. Building coverage for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; <a href="#">Standard I444.6.1.4 Fences and walls adjoining open space including reserves</a> ; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone; Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone
<b>Development</b>			
(A11)	Internal and external alterations to buildings in residential zones		The same activity status and standards as applies to the land use activity that the building is designed to accommodate
(A12)	Accessory buildings in residential zones		The same activity status and standards as applies to the land use activity that the building is accessory to
(A13)	New buildings and additions to buildings in the Residential – Mixed Housing Suburban zone which do not comply with H4.6.5 Height in relation to boundary but comply with H4.6.6 Alternative height in relation to boundary		The same activity status and standards as applies in the underlying zone
(A14)	New buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard H5.6.5 Height in relation to boundary but comply with Standard I444.6.1.5 Height in relation to boundary	P	Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone  Note: Compliance with Standard H5.6.5 Height in relation to boundary is not required.
	<u>in the Residential – Mixed Housing Urban Zone</u>		
(A15)	New buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard <u>I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone</u> but comply with Standard H5.6.6 Alternative height in relation to boundary	RD	H5.6.6 Alternative height in relation to boundary  Note: Compliance with Standard <u>I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone</u> is not required.  <a href="#">Standard I444.6.1.4 Fences and</a>

			<a href="#">walls adjoining open space including reserves.</a>
(A16)	New buildings and additions to buildings in residential zones		The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate
(A17)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Suburban zone that are accessory to a residential activity listed as permitted or restricted discretionary activity in this activity table	P	Standard H4.6.14 Front, side and rear fences and walls; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls <a href="#">adjoining open space including reserves</a>
(A18)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Suburban zone not otherwise provided for	P	Standard H4.6.8 Maximum impervious areas; Standard H4.6.10 Landscaped area; Standard H4.6.14 Front, side and rear fences and walls; Standard I444.6.1.4 <a href="#">Fences and walls adjoining open space including reserves</a>
(A19)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Urban zone that are accessory to a show home or a residential activity listed as permitted or restricted discretionary activity in this activity table	P	Standard H5.6.15 Front, side and rear fences and walls; Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and <a href="#">walls adjoining open spaces and reserves</a>
(A20)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Urban zone not otherwise provided for	P	Standard H5.6.9 Maximum impervious areas; Standard H5.6.11 Landscaped area; Standard H5.6.15 Front, side and rear fences and walls; Standard I444.6.1.4 Fences and <a href="#">walls adjoining open spaces and reserves</a>
(A21)	Structures not defined as buildings under Chapter J in the Business – Neighbourhood Centre zone	P	Standard H12.6.11 Landscaping; Standard H12.6.6. Maximum impervious area in the riparian yard; Standard I444.6.1.4 Fences and <a href="#">walls adjoining open spaces and reserves</a>

**Table I444.4.2 Activity Table – Subdivision activities**

Subdivision Activity		Activity Status	Standards to be complied with
(A22)	Subdivision that is listed as a restricted discretionary activity in Table E38.4.1, E38.4.2, E38.4.3 or E38.4.4 and not otherwise provided for below	RD	The relevant Auckland-wide standards in sections E38.6 to E38.10; Standard I444.6.2.1 Precinct Plan; I444.6.2.3 Riparian Margins. I444.6.1.4 Fences and <a href="#">walls adjoining open spaces and reserves</a>

(A23)	Vacant sites subdivision in a residential zone	RD	<p>The standards in section <a href="#">E38.6 to E38.10.</a>  <a href="#">General Standards to specific purposes restricted discretionary activities E38.7.3.</a>  section E38.8.1 General standards in residential zones; Standard <a href="#">I444.6.2.1 Precinct Plan</a>; Standard <a href="#">I444.6.2.2 Vacant Sites Subdivision in Residential Zones</a>; Standard <a href="#">I444.6.2.3 Riparian Margins</a></p>
(A24)	Any subdivision that does not meet any of the standards to be complied with listed in this table	<a href="#">NC</a>	

#### **I444.6.1.4 Fences and walls adjoining open space, including reserves**

Purpose: to enable fences and walls to be constructed on or adjacent to a site boundary adjoining open space (including reserves) to vest or to be vested in Council to be a sufficient height to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the adjoining reserve; and
- minimise visual dominance and amenity effects to the adjoining open space including reserves.

- (3) Where a site has a boundary that adjoins either an open space, a site that is vested in Council as a local purpose (esplanade or drainage) reserve, a site that is to be vested in Council as a local purpose (esplanade or drainage) reserve or part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as an open space or reserve to vest, then:
- (a) no fences or walls shall be constructed on or within 1.0 m of that boundary.
  - (b) no retaining walls shall be constructed within 1.5 m of that boundary.
  - (c) within 1.5 m of that boundary, any fences must not exceed a height, measured from the ground level at the boundary, of either:
    - (i) 1.2 m; or
    - (ii) 1.6 m, if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary;
  - (d) within 1.5 m of that boundary, any fences must be a dark, recessive colour: and
  - (e) if any fence is constructed within 1.5 m of that boundary, then the area between the fence and that boundary shall be fully planted with shrubs that are maintained at a height of at least 1.0 m, except that:
    - (i) where a fence contains a gate, no planting is required between that gate and the boundary for a maximum width of 2 m.
- (4) Where a site has a boundary that adjoins either a site that is vested in Council as an open space (including reserves) or in lieu of reserve, part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as an open space (including reserves) or in lieu of reserve or a site or part of a site in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open – Space Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone that Standard I444.6.1.4(1) does not apply to, then:
- (a) on or within 1.0 m of that boundary, fences or walls or any combination of these structures (whether separate or joined together) must not exceed a height, measured from the ground level at the boundary, of either:
    - (i) 1.4 m.
    - (ii) 1.8 m for no more than 50 per cent of the length of the boundary and 1.4 m for the remainder; or
    - (iii) 1.8 m if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary.

### **I444.6.1.5 Height in Relation to Boundary**

- (5) Standards I444.6.1.5(1) and I444.6.1.5(3) above do not apply to a boundary or part of boundary adjoining any of the following sites:
- (a) Any site in the Business – Neighbourhood Centre Zone;
  - (b) Any site within the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Sports and Active Recreation Zone, Open Space – Civic Spaces Zone or the Open Space – Community Zone that are greater than 2,000 m<sup>2</sup> in area, subject to the following:
    - (i) the site is greater than 20 m in width when measured perpendicular to the shared boundary and
    - (ii) where an open space comprises multiple sites but has a common open space zoning, the entire zone may be treated as a single site for the purpose of applying this standard.
  - (c) A site vested or to be vested in Council as open space (including reserves) or in lieu of reserve or a site shown on an approved subdivision consent scheme plan to be vested in Council as open space (including reserves) or in lieu of reserve were, subject to Auckland Councils agreement:
    - (i) the site and any adjoining sites vested in Council as open space (including reserves) or in lieu of reserve is cumulatively greater than 2,000 m<sup>2</sup> in area; and
    - (ii) where that part of the site in (i) is greater than 20 m in width when measured perpendicular to the shared boundary; or
  - (d) Part of a site subject to a land covenant that protects streams and/or wetlands where, that does not support greenways of blue-green networks:
    - (i) the covenant area is within 10m of the site boundary.
    - (ii) the covenant area and any adjoining covenant areas for the purpose of protecting streams and/or wetlands are cumulatively greater than 2,000 m<sup>2</sup> in area; and
      - (iii) that part of the site is greater than 20 m in width when measured perpendicular to the shared boundary.

### **I444.6.2.3. Riparian Margins**

The following should be a standard and be an amendment to the precinct plan to replace **I444.6.2.3** Riparian margins:

Purpose: to maintain and enhance water quality and aquatic habitats; enhance existing native vegetation; reduce stream bank erosion and enable public access:

- (1) Where a permanent or intermittent stream is shown on Figure I444.10.1. Hingaia 1 - Precinct Plan within or adjoining a road or an allotment less than 4 ha in area, riparian margins of permanent or intermittent streams must be planted either side to a minimum width of 10m measured from the top of bank of the stream, or from the centreline of the stream where the bank cannot be physically identified by ground survey. This rule shall not apply to road crossings over streams.

- (2) Riparian margins identified must be planted in accordance with a council approved landscape plan and must use eco-sourced native vegetation, be consistent with local biodiversity and planted at a density of 10,000 plants per hectare.
- (3) Pedestrian/cycle paths must be located adjacent to, and not within the 10m planted strip.
- (4) Riparian margins may be offered to Council for vesting at no cost to Council where a walkway is to be provided, and where there is a greenway link indicated on the Hingaia Precinct Plan or Structure Plans. It may be vested as local purpose (drainage) reserves if the stream is not qualifying and establishment by the Standard E38.7.3.2 Subdivision establishing an esplanade reserve to be vested as local purpose (esplanade) reserve, is not required.
- (5) Esplanades Reserves must be vested to at no cost to Council as local purpose (esplanade) reserves and should be on land vested to a minimum of 20m either side of a permanent stream with at least the first 10m width planted.

#### **I444.8.1. Matters of discretion**

- (3) for Integrated Residential Development in the Residential – Mixed Housing Suburban zone:
  - (a) the matters listed in H4.8.1(3)(a) and H4.8.1(3)(c); and
  - (b) all of the following standards:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard I444.6.1.4 Fences and walls adjoining open space including reserves ;
    - (v) Standard H4.6.11 Outlook space.
    - (vi) Standard H4.6.12 Daylight;
    - (vii) Standard H4.6.13 Outdoor living space;
    - (viii) Standard H4.6.14 Front, side and rear fences and walls; and
    - (ix) Standard H4.6.15 Minimum dwelling size.
- (4) for Integrated Residential Development in the Residential – Mixed Housing Urban zone:
  - (a) The matters listed in H5.8.1(3)(a) and H5.8.1(3)(c); and
  - (b) all of the following standards:
    - (i) Standard I444.6.1.1 Maximum impervious areas for higher density development;

- (ii) Standard I444.6.1.2 Building coverage for higher density development;
  - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
  - (iv) Standard I444.6.1.4 Fences and walls adjoining [open space including reserves](#);
  - (v) Standard H5.6.12 Outlook space;
  - (vi) Standard H5.6.13 Daylight;
  - (vii) Standard H5.6.14 Outdoor living space;
  - (viii) Standard H5.6.15 Front, side and rear fences and walls; and
  - (ix) Standard H5.6.16 Minimum dwelling size.
- (5) for development that does not comply with Standard I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2 Building coverage for higher density development; Standard I444.6.1.3 Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls [adjoining open space including reserves](#); Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone:
- (b) the purpose of the standard;
  - (c) the effects of the infringement of the standard;
  - (d) in the Residential – Mixed Housing Suburban zone, the effects on the suburban built character of the zone;
  - (e) in the Residential – Mixed Housing Urban zone, the effects on the urban built character of the zone;
  - (f) the effects on the amenity of neighbouring sites;
  - (g) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (h) the characteristics of the development;
  - (i) any other matters specifically listed for the standard; and
  - (j) where more than one standard will be infringed (including standards in the underlying zone), the effects of all infringements.
- (8) for development that does not comply with Standard I444.6.1.4 Fences and walls [adjoining open space including reserves](#) :

I444.3(5) and I444.3(12).

## **I444.8.2. Assessment Criteria**

### [\(x\) Greenways](#)

(a) The greenways and blueOgreen networks shown on Precinct Plan:

- Where they are on land subject to a subdivision that contains a stream that does not qualify for esplanade reserve, if the reserve is vested in Council, the walkway shall be provided in addition to the 10m riparian margin so a 15m riparian reserve is to be vested.
- Where there is no stream where the off-road greenway is indicated this shall be a minimum width of 10m where it is to be vested.
- where they are on land subject to any resource consent application, are constructed to a walking track standard similar to that constructed in Regional Parks, and may be vested in the Council, or in the case where the greenway follows vested roads, constructed to normal footpath standards as appropriate.
- connections to greenways on public or private land outside the land subject to resource consent, are futureproofed by constructing track access to the boundary of the application site.

(b) A walkway network, generally in accordance with Precinct Plan Hingaia including roads and open space area, is created to ensure an interconnected neighbourhood.

(c) Open Space Insert a precinct plan showing an indicative open space network, including greenway networks and the indicative location of open space

#### **1444.9. Special Information Requirements (1) Riparian Planting**

(x) An application for land modification, development and subdivision which adjoins a permanent or intermittent stream must be accompanied by a riparian planting plan identifying the location, species, planter bag size and to a density of 10,000 plants per hectare of the plants. Plant species should be predominantly native eco-sourced native vegetation.

(x) Permanent and intermittent streams and wetlands

(x) All applications for land modification, development and subdivision must include a plan identifying all permanent and intermittent streams and wetlands on the application site.

#### **7.0 Submissions**

<b>Sub #</b>	<b>Sub point</b>	<b>Submitter</b>	<b>Summary</b>	<b>Response</b>
9	9.4	Andre Gil	Decline the plan change as there is insufficient provision for services	Agree, unless the applicant is willing to amend the precinct plan to provide for indicative locations of a range of open spaces, including: - Parks



				<ul style="list-style-type: none"> <li>- Riparian margins</li> <li>- Greenways</li> <li>- Esplanades</li> </ul>
<b>10</b>	10.1	Wenting Cao	Decline the plan change to reserve nature	Disagree, the applicant has demonstrated an interest in retaining coastal areas stream network and wetlands, although it is not perfect and can be approved subject to amendments.
<b>16</b>	16.1	Yusuf Jariwala	Decline the plan change due to effects on urban amenity	<p>Agree to an extent. However, if well designed good amenity can still be achieved. HIRTB must remain as an RD activity and smaller lot sizes must be subject to an urban design report.</p> <p>The applicant did well try to address public/private interfaces, however bulk and dominance may still require appropriate assessment.</p> <p>Indicative provision of open spaces is also required to ensure quality amenity for the community.</p>
<b>18</b>	18.3	Wenjing Qin	Decline the plan change because of effect on the community's amenity and well-being	Agree to an extent. However, if well designed good amenity can still be achieved. HIRTB must remain as an RD activity and smaller lot sizes must be subject to

				<p>an urban design report.</p> <p>The applicant did try to address public/private interfaces, however bulk and dominance may still require appropriate assessment.</p> <p>Indicative provision of open spaces is also required to ensure quality amenity for the community</p>
<b>19</b>	19.1	Moncur Family c/- Kevin Moncur	Approve the plan change without any amendments	<p>Disagree, the plan change does not demonstrate how objective, and policies will be met. The plans currently may result in under provision of infrastructure and service needs including open space. It does not provide surety around the implementation of the master plan and can only be approved subjected to recommended changes.</p>
<b>22</b>	22.3	Mackenzie Schultze	Decline the plan due to increased load on infrastructure	<p>Agree to some extent. Open space and streetscape are considered as green infrastructure and an under provision of it may result in unnecessary pressured on the exiting open spaces.</p>
<b>25</b>	25.	Yi Lun Lin	Approve the plan change without any amendments	<p>Disagree, the plan change does not demonstrate how objective, and</p>

				<p>policies will be met. The plans currently may result in under provision of infrastructure and service needs including open space. It does not provide surety around the implementation of the master plan and can only be approved subjected to recommended changes.</p>
<b>27</b>	27.1	amishkumar patel	Approve the plan change without any amendments	<p>Disagree, the plan change does not demonstrate how objective, and policies will be met. The plans currently may result in under provision of infrastructure and service needs including open space. It does not provide surety around the implementation of the master plan and can only be approved subjected to recommended changes.</p>
<b>29.</b>	29.1	Jarrood Rail	<u>Decline the plan change as construction risks pollutants entering the water and adverse effects on wildlife.</u>	<p>Disagree, the applicant will follow the required rules for construction, noise, and sediment control etc.</p> <p>If they are willing to add indicative location of all wetlands, streams, esplanades and riparian margins it will contribute to the protection of water quality and</p>

				safeguard fauna and flora
<b>31.</b>	31.6	Transpower New Zealand Limited c/- Trudi Burney	Amend 1444.6.2 Subdivision standards to; Subdivision activities listed in Table 1444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table 1444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, if listed, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:	Agree, however Support, this does not impact ability to reduce Open Space zoning.
<b>35.</b>	35.1	Ke Li	Decline the plan change as the provisions may change the environment and value of the Karaka Lakes community	Disagree, it may add to great interconnectivity and amenity subject to recommended changes.
<b>37.</b>	37.3	Sue Billing	Decline the plan change because of negative impact on security, pollution and safety.	Disagree, the applicant will follow the required rules for construction, noise, and sediment control etc.  If they are willing to add indicative location of all wetlands, streams, esplanades and riparian margins it will contribute to the protection of water quality and safeguard fauna and flora.  The applicant is also willing to address appropriate public/private interfaces which, subject to recommended changes, can contribute to passive surveillance.
<b>38.</b>	38.8	Auckland Council c/-	If the plan change is accepted, that the minimum vacant lot size adjoining the	Disagree with the lot sizes and agree with

		Alina Wimmer	<p>coast remains at 600m2.</p> <ul style="list-style-type: none"> <li>- Strengthen precinct objectives, policies and rules to align with RPS objectives and policies on natural hazards.</li> <li>- In the alternative, any other such relief that would avoid, mitigate, or remedy geotechnical/coastal hazards.</li> </ul>	<p>the strengthening of objectives, policies and rules.</p> <p>Willing to agree that smaller lot sizes can be achieved along the coast as an RD activity should the applicant consider a minimum 20m esplanade immediately and subject to site specific coastal hazard assessment</p>
<b>38.</b>	38.9	Auckland Council c/- Alina Wimmer	<p>If the plan change is accepted, retain the esplanade layer on Precinct map, and amend to provide greater setback of development along the southern coastline.</p> <ul style="list-style-type: none"> <li>- Amend the precinct provisions to strengthen the link to underlying natural hazard objectives and policies in E36 and E38 to avoid the creation of new risks to people, property and infrastructure and ensure adequate setback of development.</li> <li>- In the alternative, any other such relief that would take into account the likely impact of climate change and reduce the risk of urban development conflicting with coastal processes.</li> </ul>	Agree with amendment.
<b>38.</b>	38.12	Auckland Council c/- Alina Wimmer	<p>If the Plan Change is accepted, amend to retain policy 11 and introduce rules to give effect to it.</p> <ul style="list-style-type: none"> <li>- In the alternative, any such other relief that would address climate change effects.</li> </ul>	Agree with amendment.
<b>38.</b>	38.14	Auckland Council c/- Alina Wimmer	<p>If the Plan Change is accepted, retain the reference to E38 rules.</p> <ul style="list-style-type: none"> <li>- In the alternative, any such other relief that would avoid subdivision of residential land within a floodplain or avoid coastal erosion hazards and inundation.</li> </ul>	Agree with amendment.

<b>38.</b>	38.15	Auckland Council c/- Alina Wimmer	If the proposed Plan Change is accepted, amend PC67 to re-zone land purchased by Council for Open Space	Agree with amendment.
<b>38.</b>	38.16	Auckland Council c/- Alina Wimmer	Amend PC67 to demonstrate through amended objectives, policies and rules, precinct diagrams, rules and assessment criteria how walking and cycling access along coastal areas will be achieved.	Agree with amendment.
<b>38.</b>	38.17	Auckland Council c/- Alina Wimmer	Retain the existing Height in Relation to Boundary control between residential and Open Space land.	Agree with amendment. While applying this standard does not necessarily mean a bad outcome, it must remain subject to an effects assessment considered by council's subject matter experts.
<b>38.</b>	38.18	Auckland Council c/- Alina Wimmer	Support the fencing provision rule 1444.6.1.4 allowing a planted interface between privately owned sites and open space.	Agree with amendment.
<b>38.</b>	38.19	Auckland Council c/- Alina Wimmer	Amend provisions to refer to Open Space or public places rather than reserves to be consistent with the definitions section, Chapter J of the AUP.	Agree with amendment. It is recommended to use Open Space being consistent with the AUP definitions.
<b>38.</b>	38.20	Auckland Council c/- Alina Wimmer	In the alternative, such other relief as would secure quality public Open Space outcomes in the precinct.	Agree with amendment.
<b>40.3</b>	40.3	Auckland Transport c/- Teresa George	Decline PPC 67 on the basis that the proposed rezoning does not give effect to the Regional Policy Statement (RPS) under the AUP(OP).	Agree, the applicant failed to provide an in-depth assessment against the RPS
<b>40.4</b>	40.4	Auckland Transport c/- Teresa George	If PPC 67 is not declined, amend PPC 67 to include appropriate activity rules, standards, matters of discretion and assessment criteria in relation to staging requirements.	Agree with amendment.

<b>40.6</b>	40.6	Auckland Transport c/- Teresa George	<p>Amend PPC 67 to include provisions relating to the minimum road reserve widths and key design elements and functional requirements of new roads and existing roads which need to be upgraded to the applicable urban standards, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Carriageway</li> <li>• Role and Function of Road</li> <li>• Pedestrian provision</li> <li>• Cycle facilities</li> <li>• Public Transport (agreed interim and long-term routes, dedicated lanes, geometry, bus stops etc)</li> <li>• Ancillary Zone (Parking, Public Transport stops, street trees)</li> <li>• Berm</li> <li>• Frontage</li> <li>• Building Setback</li> <li>• Design Speed (e.g. to support safe active mode movements)</li> <li>• Confirming that the proposed width of collector roads is adequate to accommodate required design elements and increase if necessary.</li> </ul>	<p>Agree with amendment. This has an amenity effect on green infrastructure, i.e., the survival of street trees.</p> <p>Appropriate berm widths, roads and service separations is required and must be in accordance with the Code of Practise including CoP 7.</p>
<b>42.2</b>	42.2	Rae and Terry Davies	<p>Decline the plan change because of adverse effects on pedestrian access and safety.</p>	<p>Partially agree. Amend PC67 to demonstrate through amended objectives, policies and rules, precinct diagrams, rules and assessment criteria how walking and cycling access along coastal areas will be achieved.</p> <p>The applicant has applied for good interfaces between public and private land, subject to recommend changes that may contribute to passive surveillance.</p>

				It also requires the integration of existing open spaces not to isolate these spaces.
<b>44.2</b>	44.2	Karine and Jason Fox	Decline the plan change because of negative impact on security, crime and safety.	The applicant is also willing to address appropriate public/private interfaces which, subject to recommended changes, can contribute to passive surveillance and safety.
<b>45.1</b>	45.1	Steph Cutfield	Decline the plan change due to effects on neighbourhood and environment	Disagree, with appropriate amendments, the plan change can contribute to a high-quality urban environment. The applicant is willing to retain wetlands, coastal and riparian margins and subject to recommended changes around inclusion of blue-green networks, esplanades and additional open spaces can achieve effects on the environment and neighbourhood that can be positive.

## 8.0 Conclusions and recommendations

8.1 With regards to the adverse effects on open space, the proposed changes subject to amendments will have adversely affect on the amenity and safety of open space that will be managed and mitigated through quality design. From a park's perspective, I do agree with the applicant, that the interface between public and private and bulk and dominance effects on the amenity of persons using open spaces, will not necessarily be adverse, but different and also more consistent with the Unitary Plan. This is not an unreasonable proposal and can in principle be supported subject to recommended changes.

8.2 Where quality compact urban form can be achieved, including by way of a high-quality built environment, more efficient use of the land and appropriate public/private



interfaces, it can contribute to both passive surveillance and increase the utilisation of open spaces. It is recommended urban design plays a key role here. Where these rules and standards are poorly executed, it causes the exact opposite increasing opportunities for crime within open spaces being isolated and result in the under provision of quality amenity with a greater service need required for that area.

- 8.3 It is my assessment that the plan change as proposed does not provide sufficient assurance, as that indicative of a precinct plan, or the lack thereof, that the outcomes anticipated by RPS, AUP, the National Policy Statement on Urban Development or Auckland Council policies and plans including the creation of a connected and integrated open space system will be achieved by relying on the underlying zone. We can only assess what has been provided by the applicant. From a parks perspective, the applicant failed to provide an in-depth analysis on relevant and necessary policies, relying on approved resource consents that does not demonstrate the effects considerations for such a large area.
- 8.4 The current proposal does not establish adequate provision for additional open space. It is recommended the location are shown indicatively on the proposed Hingaia Precinct Plan (their exact location can be refined through the subdivision and resource consenting processes). Therefore, the proposal is not consistent with the Regional Policy Statement or the AUP which require that open spaces are provided for the recreation and amenity needs of residents, (RPS Objective B2.7.1, B2.7.2, AUP Subdivision Policy E38.3). Neighbourhood Park provision does not meet the anticipated outcomes of the 'Open Space Provision Policy' in terms of integration and does not provide assurance that additional infrastructure is available for the current plan change as required by the National Policy Statement on Urban Development.
- 8.5 No wording must be added to the proposed plan change that implies (and potentially creates a legitimate expectation) that any of the indicative open space, including reserves on the proposed Hingaia Precinct Plan will be acquired by the Council. This includes land shown as proposed drainage reserve, riparian margins where there are walkways proposed on any of the plan change documents. This also applies to land that is to be acquired at no cost (land acquisition can be addressed during the subdivision and resource consenting processes), unless an acquisition agreement has been established.
- 8.6 Overall, excluding recommended changes, the private plan change cannot be supported as it needs to include a precinct plan map that includes indicative locations of open space, qualifying streams and proposed esplanades, riparian margins of 15m where it forms part of indicative greenways or structure plans to be retained and riparian areas to be enhanced.
- 8.7 However, subject to approval, it is recommended the applicant retain the following indicative location on the precinct plan:
- 20m coastal esplanades
  - Qualifying streams that require the establishment of 20m esplanades on either side of streams. This will allow for the support of greenways and appropriate boundary treatment for future developments. Where streams are not qualifying but includes greenways, a 15m riparian margin. Were greenways or structure plan providing no evidence for the need of connections, including Blue-green networks, a 10m riparian yard will suffice.

- Indicavit location of suburb and neighbourhoods' parks based on and in consultation with Auckland Council Parks planning team and the Open Space Provision Policy.
- It is recommended that appropriate provision for pedestrian / cycle paths be considered for all open spaces, within the precinct plans, and where an indicative greenway, or blue-green network is identified on the Precinct Plan, or where a riparian margin is required by the Precinct Plan provisions.
- Indicative locations of parks edge roads or shared use paths or similar to integrate open space into the proposed precinct plan without isolating it.

8.8 With reference to the rule changes, I recommend the following:

- Support smaller lot sizes next to the coast subject to recommended changes. These changes refer to the offering of a minimum of 20m coastal esplanade unless otherwise demonstrated by a site-specific Coastal Hazard Assessment. The design of dwellings must also be subject to an urban design assessment.
- Support the fencing provision rule I444.6.1.4, subject to the recommended changes, that is to use the term "open space" including reserves. The applicant made a mistake in their "clean" version of the precinct text, where Rule I444.6.1.4 refers to height in relation to boundary. That needs to be amended.
- Support the use of the alternative height in relation to boundary next to open space, however that the rule remains as a restricted discretionary activity. While I do agree that that bulk and higher densities aren't necessarily a bad outcome, the design of a greater bulk and higher densities requires scope to assess adverse bulk, dominance, privacy and amenity effects.