

APPENDIX 1: SECTION 32 EVALUATION OF PROPOSED RULES AND METHODS (S32(2))

PROPOSED PROVISIONS TO ACHIEVE OBJECTIVE(S):

Change	Objective:		Other linked Methods:	Effectiveness and Efficiency (having regard to environmental, economic, cultural and social effects)	
New Precinct Plan including, key roads, key connections, retail and commercial frontage restrictions,	PPC:	IX.2(1)-(5)	<ul style="list-style-type: none"> • Policies IX.3(1)-(6) • Activity Table IX.4.1 • Development Standards IX.6 • Assessment matters for restricted discretionary activities IX.8 	Costs	Costs (economic) only associated with administering a new Precinct with associated Precinct Plan.
				Benefits	The Precinct Plan with key features is required to produce an overall co-ordination of roading and other networks, as well as establish the base urban design layout for the development, which will create positive environment, economic and social effects.
	Existing:	H10.2(1), (4)-(9) E27.2(5)		Opportunities for economic growth and employment	The Precinct Plan itself does not affect economic growth or employment, however implementation of the key retail and commercial frontages will contribute to these matters as they encourage commercial and retail facades along the street frontages.
				Options less or not as appropriate to achieve the objective	The option to not have a Precinct Plan is not considered an effective means to producing a co-ordinated or integrated greenfield development.
Zoning Maps – Town Centre Zone, Terraced Housing & Apartment Zone, and Mixed Housing Suburban Zone	PPC:	IX.2(1)	<ul style="list-style-type: none"> • Policies IX.3(1) • Policies H5.1 • Policies H6.3 • Policies H10.3 	Costs	Costs (economic) only associated with changing the zoning on the Unitary Plan viewer/zoning maps.
				Benefits	The application of zonings for residential, commercial and retail create positive environment, economic and social effects.
	Existing	H5.1 H6.2 H10.2		Opportunities for economic growth and employment	The zoning itself does not affect economic growth or employment, however implementation of the Town centre zoning will efficiently and effectively enable economic growth and employment.
				Options less or not as appropriate to achieve the objective	The retention of a Future Urban zone is not considered to be an appropriate option and will not efficiently and effectively provide for a town centre to service the Drury West area.
Height Overlay	PPC:	IX.2(1)	<ul style="list-style-type: none"> • Policy IX.3(3) • Activity Table 23.3d 	Costs	Costs (economic) only associated with adding a height variation control on the Unitary Plan viewer/zoning maps, However, this cost is consistent with the remainder of the AUP which must individually identify heights for town centres.
				Benefits	The total height is consistent with producing a high quality centre by enabling design flexibility for roof form and enables variation and interest in built form when viewed from the street (and wider area), whilst in tandem in with Standards of the Town Centre Zone will ensure adequate sunlight and daylight to open spaces and neighbouring zones, there having positive environmental and social effects.

Change	Objective:		Other linked Methods:	Effectiveness and Efficiency (having regard to environmental, economic, cultural and social effects)	
	Existing:	H10.2(2)-(3) H10.2(7)-(8)	<ul style="list-style-type: none"> • Policies H10.3(3) (8) (13)-(17) • Standard H10.6.1 Building Height • Standard H10.6.2 Height in relation to boundary • Standard H10.6.3 Building Setback at upper floors • Standard H10.6.4 Maximum Tower dimensions and tower separations • Standard H10.6.9 Wind • Matters for Discretion H10.8.1(6) • Assessment Criteria H10.8.2(6)(a) • C1.9 Infringement of Standards 	Opportunities for economic growth and employment	It is reasonable to assume that the proposed heights will have a direct positive economic effectively enabling greater gross floor areas for employment generating activities and those creating and commercial/retail activities enabling economic growth.
		Options less or not as appropriate to achieve the objective		<p>To be consistent with the AUP a height must be shown on the planning maps as being relevant to the proposed centre, therefore no alternative to providing a height is appropriate.</p> <p>The chosen height is consistent with other centres, and as this is a greenfield development whereby amenity and character is set by the development a lower height to respect existing character or transition is not considered necessary to achieve the proposed and existing objectives.</p>	
Stormwater Management Flow 1 Overlay	PPC:	IX.2(5)	<ul style="list-style-type: none"> • Policy IX.3(6) 	Costs	There are significant negative environmental and cultural effects that would result if there was no corresponding set of rules for the management of stormwater runoff and quality from the development. Whilst these may be captured by any overall Stormwater Discharge Consent applicable in the future to the site, to be consistent with the AUP approach it is considered more efficient and effective to utilise tools already available for management of these effects.
	Existing:	E10.2 E1.2(1)-(3)	<ul style="list-style-type: none"> • Policies E10.3 • All other methods contained in E10. • Policies E1.3(1)-(3), (8)-(14) 	Benefits	Application of the overly triggers all developments to comply with existing AUP provisions in E10, which have already been robustly testing via Council's section 32 process and the AUP hearings, as an efficient and effective means to protect and enhance streams and aquatic biodiversity in greenfield and urban areas from potential adverse effects of stormwater.
				Opportunities for economic growth and employment	NA
				Options less or not as appropriate to achieve the objective	Refer to costs. The other option is to apply the same provisions as E10 directly in the Precinct. However it is considered inefficient to duplicate existing rules.

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IX.3.4. & IX.4.1 Activity Table <ul style="list-style-type: none"> Default activities to underlying zones activity tables and Auckland wide rules 	PPC:	IX.2(1)-(5)	<ul style="list-style-type: none"> Policies IX.3(1)-(6,) Assessment matters for restricted discretionary activities IX.8 	Costs	No direct costs or negative effects are considered to be associated with this. It would be an efficient use of resources to duplicate existing rules into the new Precinct.
	Existing:	H5.1 H6.2 H10.2	<ul style="list-style-type: none"> Policies H5.1 + associated methods in H5 Policies H6.3 + associated methods in H6 Policies H10.3 + associated methods in H10 Other methods of the AUP contained in C1, D1-27, E1-E40 (as relevant). 	Benefits	Defaulting to the underlying zoning for land use and subdivision activities is considered to be the most efficient and effective means to achieving positive environmental and social effects as the underlying zone rules which have already been robustly testing via Council's section 32 process and the AUP hearings.
				Opportunities for economic growth and employment	The zoning itself does not affect economic growth or employment, however implementation of the Town centre zoning will efficiently and effectively enable economic growth and employment.
				Options less or not as appropriate to achieve the objective	It is considered inefficient to include an entire activity table of provisions when it is not needed. Only those activities which need to be added to or modified to give effect to the proposed objectives (in the most efficient and effective way) have been amended, the remainder default to the underlying zones.
IX.4.1 Activity Table <ul style="list-style-type: none"> New Non-Complying Activities (A2) and (A7) for any subdivision and/or activity that does not meet the Transport Requirements. 	PPC:	IX.2(3), (4)	<ul style="list-style-type: none"> Policies IX.3(1), (2), (5) Precinct Plan Standard IX.6.2 – Transport Infrastructure Requirements 	Costs	Incorporation of a rule/activity which is more stringent than the underlying AUP control.
				Benefits	The use of a Non-Complying Activity (which is more stringent than the C1.9 restricted discretionary activity standard) is considered to be the most efficient and effective means of placing a prominence on the need to implement the transportation infrastructure requirements.
				Opportunities for economic growth and employment	NA
				Options less or not as appropriate to achieve the objective	The alternative is to default to C1.9 or utilising a discretionary activity as per the proposed activities (A3) and (A8). However as outlined above this is not considered to be as effective as the proposed standard in achieving the relevant objectives.
IX.4.1 Activity Table <ul style="list-style-type: none"> New Discretionary Activities (A3) and (A8) for any subdivision and/or activity that does not meet Precinct standards (excluding the Transport standards). 	PPC:	IX.2(3)-(5),	<ul style="list-style-type: none"> Policies IX.3(2), (5), (6) Precinct Plan Standard IX.6.1 – Compliance with the Precinct Plan Standard IX.6.3 Riparian Planting 	Costs	Incorporation of a rule/activity which is more stringent than the underlying AUP control.
				Benefits	The use of a Discretionary Activity (which is more stringent than the C1.9 restricted discretionary activity standard) is considered to be the most efficient means of placing a prominence on the need to implement the features on the Precinct Plan and those which supplemented by specific standards.
				Opportunities for economic growth and employment	NA
				Options less or not as appropriate to achieve the objective	The alternative is to default to C1.9. However as outlined above this is not considered to be as effective as the proposed standard in achieving the relevant objectives.

Change	Objective:		Other linked Methods:	Effectiveness and Efficiency (having regard to environmental, economic, cultural and social effects)	
	PPC:				
Standard IX.6.1 - Compliance with the 2 Precinct Plan Activities must comply with the Precinct Plan	PPC:	IX.2(3)-(5)	<ul style="list-style-type: none"> • Policies IX.3(2), (5), (6) • Precinct Plan • Activity Table IX.4.1 	Costs / Benefits	The Precinct Plan with key features is required to produce an overall co-ordination of roading and other networks, as well as establish the base urban design layout for the development, which will create positive environment, economic and social effects. If development is not compelled to adhere to the precinct Plan there is the risk of negative effects and a risk to the coordination of infrastructure (including key roading layouts).
				Opportunities for economic growth and employment	Compliance with the precinct plan itself does not affect economic growth or employment, however implementation of the key retail and commercial frontages will contribute to these matters as they encourage commercial and retail facades along the street frontages.
				Options less or not as appropriate to achieve the objective	The option to have a Precinct Plan but no requirement to give effects to its content or layout is not considered an effective means to producing a co-ordinated or integrated greenfield development.
Standard IX.6.2 – Transport Infrastructure Requirements Requires specific listed upgrades to be undertaken concurrently or prior to activities:	PPC:	IX.2(3), (4)	<ul style="list-style-type: none"> • Policies IX.3.(2), (5), • Precinct Plan • Activity Table IX.4.1 	Costs / Benefits	Incorporation of a Standard when there is none/no equivalent in the underlying provisions. However, the environmental, social and economic costs of not doing the works required by the standards pose a higher costs and risk, as the works are necessary to accommodate development and for safety improvement.
				Opportunities for economic growth and employment	The roading and transport upgrades are require to facilitate the future development of a town centre which will enable economic growth and employment opportunities.
				Options less or not as appropriate to achieve the objective	The alternative is to have no specific provision and rely on the existing land use and subdivision methods of the AUP. However this is considered to create a significant risk to certainty that the works would be competed. Therefore, the proposed method is the most appropriate to achieve the objective. Furthermore, the wording for the Jesmond Road intersection works matches that also used in the Drury 1 Precinct (which has already been tested though section 32 as to its appropriateness).
Standard IX.6.3 Riparian Planting Riparian planting thresholds for streams identified on the Precinct Plan	PPC:	IX.2(5)	<ul style="list-style-type: none"> • Policy IX.3(6) • Activity Table IX.4.1 	Costs	Incorporation of a Standard when there is none/no equivalent in the underlying provisions.
				Benefits	Undertaking planting of riparian margins creates positive environmental, social and cultural effects, in terms of mitigating effects of stormwater, urban development as well as enabling passive recreational opportunities and amenity by their enhancement.
				Opportunities for economic growth and employment	NA
				Options less or not as appropriate to achieve the objective	The alternative is to have no specific provision and rely on the existing land use and subdivision methods of the AUP. However this is considered to create a significant risk to certainty that the works would be competed. Therefore, the proposed method is the most appropriate to achieve the objective.

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<p>Standard IX.6.4 Site Access</p> <p>Restrict vehicle crossings over 3m shared paths</p>	<p>PPC:</p>	<p>IX.2(3)</p>	<ul style="list-style-type: none"> • Policies IX.3(1), (2) • Activity Table IX.4.1 	<p>Costs</p>	<p>Incorporation of a Standard when there is none/no equivalent in the underlying provisions.</p> <p>The restriction can also create some financial cost (economic effect) to landowners as sites must find an alternative access.</p>
<p>Benefits</p>				<p>The standard enables an enhanced pedestrian and cycle neighbourhood which becomes more important given the town centre nature of the proposal – in combination with the key retail and commercial frontage restrictions, the overall benefit will be environmental, and social, as a safer and more walkable centre will result.</p>	
<p>Opportunities for economic growth and employment</p>				<p>Increasing pedestrian facilities around the town centre (and paths to and from the centre) may have the potential increase economic growth from passers-by, and inherently is expected to make the centre more successful in the long term than a car orientated centre.</p>	
<p>Options less or not as appropriate to achieve the objective</p>				<p>The alternative is to have no specific provision and rely on the existing land use and subdivision methods of the AUP. However, this is considered to create a significant risk to ensuring the outcomes of the Precinct are met. Therefore, the proposed method is the most appropriate to achieve the objective.</p>	
<p>Assessment matters for restricted discretionary activities IX.8</p> <p>Requiring all restricted discretionary activities to adhere to the objectives and policies of the Precinct.</p>	<p>PPC:</p>	<p>IX.2(1)-(4)</p>	<ul style="list-style-type: none"> • Policies IX.3 (1)-(6) 	<p>Costs</p>	<p>Incorporation of a Standard when there is none/no equivalent in the underlying provisions.</p>
<p>Benefits</p>				<p>The proposed method is considered an efficient and effective means to ensure that the outcomes sought by the Precinct.</p>	
<p>Opportunities for economic growth and employment</p>				<p>NA</p>	
<p>Options less or not as appropriate to achieve the objective</p>				<p>The alternative is to have no specific provision and rely on the existing land use and subdivision methods of the AUP. However, this is considered to create a significant risk to ensuring the outcomes of the Precinct are met. Therefore, the proposed method is the most appropriate to achieve the objectives.</p>	