

AUCKLAND UNITARY PLAN OPERATIVE IN PART

PROPOSED PLAN CHANGE 23(Private) – Smales Farm

SUMMARY OF DECISIONS REQUESTED

Enclosed:

- **Explanation**
- **Summary of Decisions Requested**
- **Submissions**

Explanation

- You may make a “further submission” to support or oppose any submission already received (see summaries that follow).
- You should use Form 6.
- Your further submission must be received by 28 June 2019.
- Send a copy of your further submission to the original submitter as soon as possible after submitting it to the Council.

Summary of Decisions Requested

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

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7	Sally Slawson	sallyslawson@gmail.com	7.2	(Applicant to provide) a realistic analysis of number of cars accessing the new proposed areas and let the public know what changes to roading / traffic lights there will be.
8	Soon bok Ko	knkltd@hotmail.com	8.1	Decline the plan modification (due to traffic and parking effects; the ITA is weak; 25% reduction in background traffic is very questionable; lack of alternative transport options c.f central city; local streets already under parking pressure from employees at Smales Farm; excessive noise and vibration effects from ad hoc events – ‘noise events’ should not be ‘permitted’ activities).
9	Charles Crisp	charlie.crisp@tab.co.nz	9.1	Decline the plan modification (due to traffic effects and the inability of the existing road network and public transport options to cope with any further high density residential or commercial activity on the Smales Farm site).
10	New Zealand Transport Agency Attn: Mike Wood	Mike.Wood@nzta.govt.nz	10.1	<u>Precinct description</u> : Amend the description to promote/direct changes in commuting behaviour reflecting a ‘transit orientated development’ (a Smart Transport Approach similar to the Wynyard Quarter Transport Management Plan).
10	New Zealand Transport Agency Attn: Mike Wood	Mike.Wood@nzta.govt.nz	10.2	Objective (A1): Retain as notified.
10	New Zealand Transport Agency Attn: Mike Wood	Mike.Wood@nzta.govt.nz	10.3	Objective (1): Do not delete “ <i>on the safe and efficient operation of the transport network</i> ”.
10	New Zealand Transport Agency Attn: Mike Wood	Mike.Wood@nzta.govt.nz	10.4	Objectives (2) and (3): Retain as notified.
10	New Zealand Transport Agency Attn: Mike Wood	Mike.Wood@nzta.govt.nz	10.5	Policy (1B): Amend to ensure an emphasis for ‘pedestrian connections’ being provided or maintained to the Smales Farm Bus Station.

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

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

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10	New Zealand Transport Agency Attn: Mike Wood	Mike.Wood@nzta.govt.nz	10.20	Add new assessment criteria at I538.8.8.2 (1) for traffic assessments for activities exceeding 117,000 m2 GFA business activities and 380 units, being a) Those set out at E27.8.2 (3) and b) Information demonstrating success or otherwise of travel demand management measures, and c) On-site parking provision; and d) Whether it can be demonstrated by the measures and commitments outlined in a site travel management plan ...that private vehicle travel will be minimised.
10	New Zealand Transport Agency Attn: Mike Wood	Mike.Wood@nzta.govt.nz	10.21	Delete existing statement and add new "Special information requirements" to provide certainty for applicants where a traffic assessment application is required for development exceeding 117,000 m2 / 380 units, requiring: a) Site travel management plan supporting a 'transit orientated development' with the following minimum information (summarised): i. The physical infrastructure to support alternative transport modes e.g covered facilities for cyclists ii. The physical linkages on the site to link with surrounding pedestrian and cycling networks and existing public transport resources iii. Operational measures that encourage reduced vehicle trips iv. Management of vehicle ownership v. Details of the management structure that would oversee the travel management measures vi. Methods of monitoring the effectiveness of the above including a commitment to undertake travel surveys vii. Monitoring of travel from the site to confirm assumptions set out in the Smales 1 Precinct Integrated Transport Assessment (ITA); applications for the release of subsequent development stages are to include an assessment of the extant transport
11	Auckland Transport Attn: Kevin Wong Toi	Kevin.Wong-Toi@at.govt.nz	11.1	That the Council approves PPC23, provided that AT's various transport requirements / concerns are resolved and/or that Council identifies appropriate provisions that will address these matters; and if the concerns are not resolved, then the plan change should be declined.
11	Auckland Transport Attn: Kevin Wong Toi	Kevin.Wong-Toi@at.govt.nz	11.2	<u>Transit oriented principles</u> (TOD): Provide further assessment as to how proposed private plan change 23 (PPC23) will align with 'TOD' principles; and modify PPC23 in line with that assessment to achieve the TOD objective in I538.2(A1).

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

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

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

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

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

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

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

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

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

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

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

Submissions

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stephenie Quinn

Organisation name: Shorecare Medical Services Limited

Agent's full name:

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

Contact phone number:

Postal address:
74 Taharoto Road,
Takapuna
Auckland 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:

Property address: 74 Taharoto Road, Takapuna

Map or maps:

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

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

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

The reason for my or our views are:
Concern over lack of parking for patients and staff of an Urgent Care Clinic

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

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

Submission date: 23 April 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anthony Kang

Organisation name:

Agent's full name:

Email address: dongoh82@gmail.com

Contact phone number:

Postal address:
3/52 Taharoto Road
Takapuna
Auckland 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:

Property address: 68 – 94 TAHAROTO ROAD, TAKAPUNA

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

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

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

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

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

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

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

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

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

Submission date: 30 April 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anthony Kang

Organisation name:

Agent's full name:

Email address: dongoh82@gmail.com

Contact phone number:

Postal address:
3/52 Taharoto Road
Takapuna
Aucklan 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:

Property address: 68 – 94 TAHAROTO ROAD, TAKAPUNA

Map or maps:

Other provisions:

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

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

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

The reason for my or our views are:

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

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

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

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

Submission date: 13 May 2019

Supporting documents

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

LUC60325517 Decision amended under s133A.pdf

Attend a hearing

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

Declaration

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

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

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

Yes

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



Jimin Hong <jimin.hong@gmail.com>

RE: Noise from recent event at Smales Farm

Jimin Hong <jimin.hong@gmail.com>

Thu, Feb 7, 2019 at 5:57 PM

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

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

Hi Nick,

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

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

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

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

Regards,
Jimin

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

Hi Jimin

Sorry for the delayed response.

Point 1

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

Point 2

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

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

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

Point 3

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

Point 4

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

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

Regards

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

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

Visit our website: www.aucklandcouncil.govt.nz

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

Dear Nick,

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

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

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

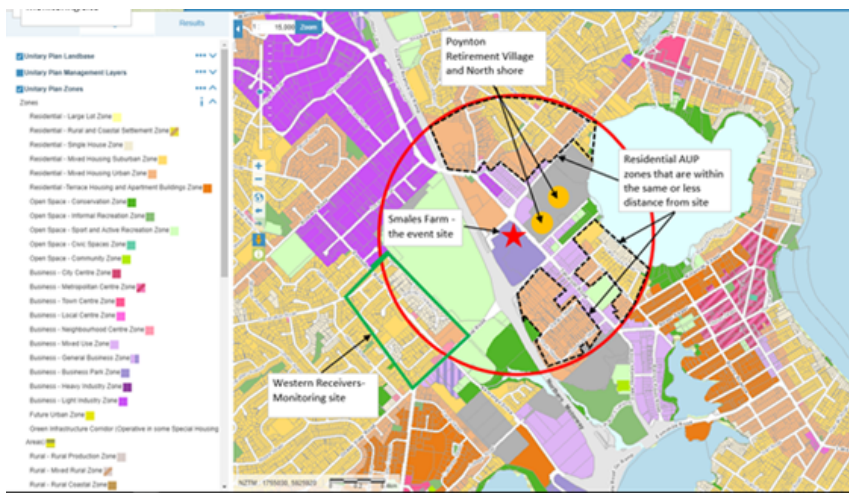
Under the Noise Conditions in the Council's decision letter, Condition 8 states "Noise monitoring shall be undertaken at the **nearest** residential receivers during the first event to determine compliance with the limits in Condition 5". Yet, in the Marshall Day Acoustics monitoring letter shows measurements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

Would you be able to explain why, please?

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

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

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



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

Do you have any comments on this, please?

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

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

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

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

Regards,

Jimin

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

Dear Jimin

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

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

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

E40.8.1. Matters of discretion

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

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

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

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

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

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

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

It is not necessary to gather signatures.

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

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

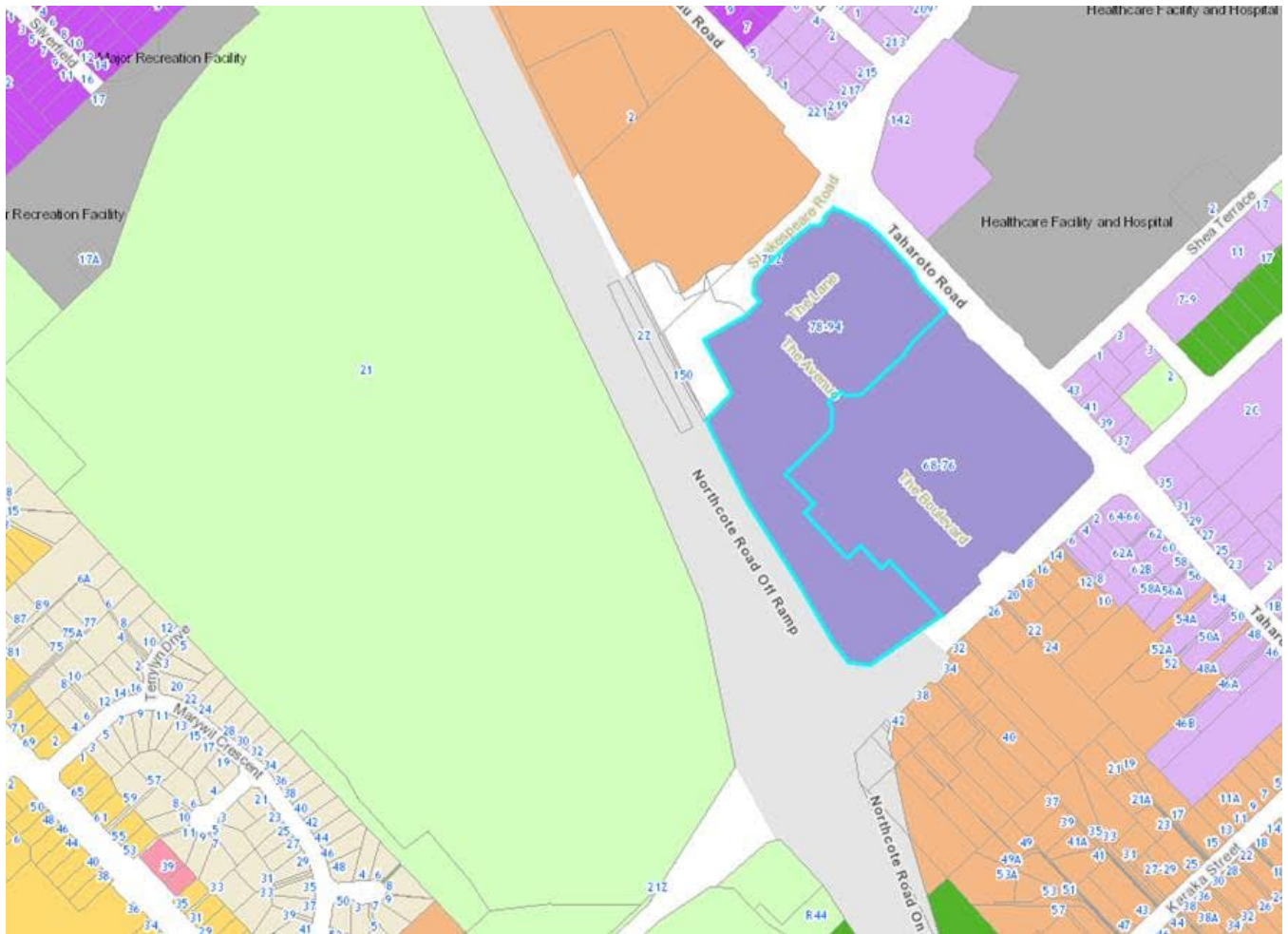
Kind regards

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

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

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

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

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

- a) The noise event does not exceed six hours in duration, excluding two hours for sound testing and balancing that is undertaken between 9am and 7pm on the day of the event;*
- b) The noise event does not exceed a noise level of 70 dB L_{Aeq} and 80 dB L_{A01} except;

 - i. Three noise events can have a noise limit of 80 dB L_{Aeq} and 90 dB L_{A01} for a maximum of three hours, excluding one hour for sound testing and balancing undertaken after 9am on the day of the event; and*
 - ii. Three noise events in the Auckland Domain can be held with no noise limits applying.**
- c) The noise event starts after 9am and ends by 11pm, except on New Year's Day where the noise event ends by 1am."*

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

Sent: Monday, 7 January 2019 7:00 PM

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

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

Dear Nick McCool,

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

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

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

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

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

Regards,

Jimin

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

Sent: Wednesday, 19 December 2018 5:51 PM

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

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

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

Dear David,

Thank you for your response and sending through these documents.

I have following questions / comments:

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

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



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

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

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

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

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

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

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

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

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

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

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

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

Regards,

Jimin

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

Dear Sir/Madam

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

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

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

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

Please accept our apology for not supplying this earlier

Yours sincerely

David Frith | Team Leader Compliance Response

Noise and Air Quality

Licensing and Regulatory Compliance

Mobile 0274 503 915

Auckland Council, 35 Graham Street Auckland

Visit our website: www.aucklandcouncil.govt.nz

[Redacted signature]

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



Restricted discretionary activity

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

Proposal:

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

The resource consents required are:

Land use consents (s9) – LUC60325517

Auckland Unitary Plan (Operative in part)

District land use (operative plan provisions)

Temporary Activity

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

Decision

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

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

Reasons

The reasons for this decision are:

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

Auckland Unitary Plan Operative in Part (AUP OP)

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

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

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

Conditions

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

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

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

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

Advice note:

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

Event Conditions

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

Noise Conditions

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

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

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

Advice Note:

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

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

Condition 5 Noise monitoring

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

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

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

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

Review condition

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

Advice Note:

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

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

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

Advice notes

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

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

Delegated decision maker:

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



Date: 12/10/2018

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: LES PROBERT

Organisation name: Toho Consulting

Agent's full name: LES PROBERT

Email address: les@toho.co.nz

Contact phone number:

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

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:
plan change 23

Property address: Smales farm Tahoroto road Takapuna

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

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

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

Submission date: 2 May 2019

Attend a hearing

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

Declaration

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

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

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

No

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

Contact details

Full name of submitter: Jungho Hong

Organisation name:

Agent's full name:

Email address: isonobe@hotmail.com

Contact phone number:

Postal address:
3/57 Karaka Street
Takapuna
Auckland 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:
Zoning change that will allow Smales Farm to build high rise apartments.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

- Worse traffic jam - there is no more spare capacity on the roads around Smales Farm, especially the Taharoto / Northcote intersection and the motorway interchange. Unless you are improving these intersections and widening all the roads around it, the additional traffic will just gridlock the whole network. Don't quite understand the logic behind the "25% reduction in background traffic" assumption in the traffic modelling – why are they expecting us, the existing drivers, to stop driving? Is it because they expect us to be very annoyed by how bad the traffic jam will get because of their development? It's presumptuous and offensive. It just tells how bad the traffic problem will be with these apartments.
- Parking issues. "Transit oriented development" with low vehicle generation is just a ploy that sounds marvellous, can't see how this will be achieved in practice as there is no clear plan to ensure this. If they provide parking for each unit then they can't stop their residents from driving (hence worsening the traffic jam), if they do restrict parking then the residents will park on local streets – this is already an ongoing huge problem for the nearby residents as workers are already filling up the streets as early as 8:45am every morning. We don't want any more of this.
- Will be harder for ambulances to access the hospital, they will get stuck in traffic.
- 1300+ units housed in multiple 30-storey buildings

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

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

Submission date: 2 May 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

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

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



AUCKLAND COUNCIL
08 MAY 2019
CBD ALBERT ST

Send your submission to unitaryplan@aucklandcouncil.govt.nz

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)

SUSAN PEACE

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

Address for service of Submitter

25 NIKE RD
MILFORD, AUCKLAND

Telephone: 4107865 Fax/Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number PC 23

Plan Change/Variation Name Smales Farm

The specific provisions that my submission relates to are:

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

Plan provision(s) 1528.3 (3)

Or
Property Address

Or
Map

Or
Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

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

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

5.1

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

The reasons for my views are:

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

5.2

(continue on a separate sheet if necessary)

I seek the following decision by Council:

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

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

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

Date

Notes to person making submission:

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

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

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

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

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

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

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

Contact details

Full name of submitter: Simon O'Connor

Organisation name: Sentinel Planning Ltd

Agent's full name: Simon O'Connor

Email address: simon@sentinelplanning.co.nz

Contact phone number: 0211408114

Postal address:
PO Box 33995
Takapuna
Auckland 0740

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:

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

Property address: Smales Farm

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

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

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

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

Submission date: 8 May 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sally Slawson

Organisation name:

Agent's full name: Sally Slawson

Email address: sallyslawson@gmail.com

Contact phone number:

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

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:
Transport

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

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

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

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

Submission date: 13 May 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Soon bok Ko

Organisation name:

Agent's full name:

Email address: knklttd@hotmail.com

Contact phone number:

Postal address:

Auckland

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:

- Changes to enable development of intensive residential activities - Limited parking supply for "TOD" transit orientated development - Noise Events becoming "Permitted"

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

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

The reason for my or our views are:

- Increased traffic congestion – Smales Farm is located right next to the notoriously congested intersection at Taharoto Road – Northcote Road, and the Northcote motorway interchange. Anyone who travelled through these intersections in the peak periods can tell that there is no spare capacity on the road network to accommodate additional traffic, especially in the peak direction (i.e. towards the motorway in the morning, and vice versa in the afternoon, although it can get busy in both direction in the afternoon). The whole Integrated Traffic Assessment appears very weak logically and lacks in plausible evidence to sufficiently support the Plan Change. For example, it makes highly unlikely and overly optimistic assumptions about the trip generation rates and mode share, likening Smales Farm to Auckland CBD or metropolitan centres. Smales Farm does NOT provide a comparable level of public transport connectivity or accessibility to employments or other activities as the CBD or Newmarket do. Also noticed that they did not assess the full number of units (1380) in

their modelling. Yet it still shows significant deterioration in travel times. Also the 25% reduction in the background traffic in 2036 appears very questionable as can't see any evidence to support the assumption. It appears that the modelling showed that the network got gridlocked with the development so the consultants removed the background traffic to make it look working. - "Limited the supply of on-site parking over time" is proposed but there is no clear strategy on how they will achieve this without resulting in adverse impacts e.g. overspill on the nearby local roads. Nearby streets including Karaka and Dominion Streets are already experiencing overflow of non-resident parking due to the employees at Smales Farm (evident from the fact that the on-street parking becomes empty after 6pm). While the Northern Expressway bus services at Smales Farm provide a good PT connectivity to the CBD, Albany and other employment / activity centres on North Shore, it is not as well connected to the rest of the region. It is definitely NOT like Auckland CBD or Newmarket that are geographically more central, and have access to a range of different travel modes (train, bus and ferry for the CBD) and part of more comprehensive PT network. Most of the residents at Smales will still own a car and drive. "TOD" sounds fancy and progressive but there is no clear supporting evidence in the documents how this will work at this location. It appears that TOD is being used as an excuse to be able to assume overestimated mode share in the traffic assessment. - Excessive noise and vibration pollution, that will have significant health and environment impacts on the neighbourhood – Many residents have already complained about the noise and vibration levels from Smales Farm (suggest you check your noise complaints calls records in your system) when they have events such as Takapuna Food and Wine and Music Festival and Fiesta Del Sol (this event had speakers blasting until 11pm and understand that Auckland Council gave them the consent – which is disappointing already). At least now, they can have these events only up to 6 times a year, and are subjected to a resource consent. Most of residents feel that this is already far more than what it should be, but at least now there is some form of restriction. Making Noise events a "Permitting" activity will see noise events being hosted at an excessive frequency and scale that are irresponsible and out of control (because Smales Farm will want to make their site as commercial and profitable as possible). This will result in significantly adverse impacts on the health the right to the quiet enjoyment of their environment for the nearby residents. Also note that they recently opened eateries at Smales Farm including two bars. They often play live music at an excessive volume (especially on Friday evenings). Based on our experience, Smales Farm do not appear to have a good common sense or consideration towards nearby residents, many of whom are elderly and have more sensitive sleep patterns and need more rest, not to mention the patients at North Shore Hospital.

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

Submission date: 13 May 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Charles Crisp

Organisation name:

Agent's full name:

Email address: charlie.crisp@tab.co.nz

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:

Property address: 2/52 Taharoto Rd Takapuna

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I do not believe the existing road network and public transport options would cope with any further high density residential or commercial activity on the Smales Farm site. I live in the area and with existing high traffic flows due to close proximity of schools, the hospital and the existing commercial activities in and around the Smales site any further addition to this traffic would be unmanageable.

9.1

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

Submission date: 14 May 2019

Attend a hearing

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

Declaration

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

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

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

No

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



FORM 5

Submission on a notified proposal for Plan Change 23 Smales Farm (Precinct 1) under Clause 6 of Schedule 1 Resource Management Act 1991

14 May 2019

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

Via Email: unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: New Zealand Transport Agency

1. Under Section 95 of the Land Transport Management Act 2003 (LTMA), the New Zealand Transport Agency (the **Transport Agency**) has a statutory obligation to ensure that State Highways operate in an effective, efficient and safe manner for the public. The Plan Change 23 (**PC23**) area adjoins State Highway 1 in the vicinity of the Northcote Interchange.
2. Plan Change 23 seeks to facilitate the development of a Transit Orientated Development (**TOD**) on the site. The Transport Agency supports TODs where these are appropriately located, well designed and multi-mode transport opportunities are enabled.
3. Plan Change 23 provides an opportunity to demonstrate, in the Auckland context, how high density, mixed use living options can occur in close proximity to local amenities and high frequency/accessible public transport. Furthermore, the creation of urban environments of this nature allows people to live and work while reducing their private vehicle trips in favour of public transport and/or other active modes such as cycling and walking. The TOD approach supports the Access Strategic Direction under the Government Policy Statement on Land Transport 2018/2019–2027/2028 as noted –

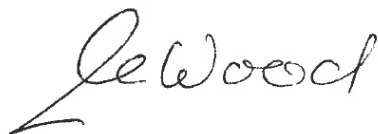
The increased focus on urban areas is to ensure that transport and land use planning reduces the need to travel by private motor vehicle (excluding commercial vehicles) by:

- *improving access by reducing the need to travel long distances to access opportunities like employment, education and recreation*
- *supporting a mode shift for trips in urban areas from private vehicles to more efficient, low cost modes like walking, cycling and public transport.*

(GPS 2018–2028, page 10).

4. The Transport Agency acknowledges the response the applicant provided to a number of queries prior to lodging this submission. The Transport Agency therefore generally supports the proposal on the basis that the amendments set out in its submission are adopted. The changes requested are made to:
 - a. Ensure that the assumed changes to the transport network (reflected in the PC23 ITA) are able to be confirmed as development progresses and that there are suitable 'response' mechanisms within PC23 to both facilitate the anticipated changes and to adapt transport management if assumptions are not borne out;
 - b. Provide additional support commensurate with achieving a TOD; and
 - c. Considered necessary for the Transport Agency to meet its obligations under Section 95 of the LTMA and are set out in Table 1.
5. The New Zealand Transport Agency could not gain an advantage in trade competition through this submission.
6. The Transport Agency would like to be heard in support of its submission. If others make a similar submission, the Transport Agency will consider presenting a joint case with them at a hearing.

Signature of person authorised to sign on behalf of Submitter:

A handwritten signature in black ink that reads "Mike Wood". The signature is written in a cursive style with a long, sweeping underline.

Mike Wood
Principal Planner Consents and Approvals
NZ Transport Agency

Table 1: Decisions Sought Plan Change 23 Smales 1 Precinct

The following table sets out where further amendments are sought to the PC23 Smales 1 Precinct provisions and also identifies those provisions which the Transport Agency supports.

Italics = *PC23 notified text*

Underline, not italics = proposed additions.

Strikethrough, italics = ~~*proposed deletions*~~.

	Provision	Support / Oppose	Reasons and Decision Sought
1	I538.1. Precinct description	Support with amendment.	<p>The Transport Agency seeks a more directive approach around how the Precinct as a whole will encourage changes in commuting behaviour which reflect a Transit Orientated Development. A <i>Smart Transport Approach</i> is proposed (see section 6.5 of the Smales 1 Precinct Integrated Transport Assessment) and this should be implemented by the Precinct provisions. Such an approach could be similar in design and implementation to the Wynard Quarter Transport Management Plan (as contained in the I214 Wynard Precinct provisions of the Auckland Unitary Plan).</p> <p>Additional text is proposed within the Precinct description to support this.</p> <p>Decision sought: Amend description as follows: <i>The Smales 1 Precinct (Smales Farm) is located on the corner of Taharoto and Northcote roads, and is adjacent to State Highway 1 and the Northern Busway.</i></p> <p><u>The Precinct is proposed as a ‘transit orientated development’ which supports high density residential and compatible business activities with strong links to reliable and frequent public transport. A goal of a transit orientated development is to reduce dependence on vehicles in favour of public transport, walking and cycling.</u></p> <p><i>The precinct permits non-residential activities (subject to a maximum gross floor area), residential activities, a maximum number of car parking spaces, and provides for some</i></p>

10.1

			<i>accessory activities to address demand from those employed on the site, residents, and visitors to the precinct.</i>	
2	I538.2 Objective (A1)	Support.	<p>The Transport Agency supports this objective. The proposed objective aligns with the Government Policy Statement on Land Transport (2018/2019–2027/28) and Auckland Transport Alignment Project (these are key guiding documents for the Transport Agency’s operations). These documents emphasise the need for transport to support high density (mixed use) developments; particularly where these integrate with key rapid transit corridors (eg. Northern Busway).</p> <p>Decision sought: Retain provision as notified.</p>	10.2
3	I538.2 Objective (1)	Support with amendment.	<p>The Transport Agency opposes the removal of <i>on the safe and efficient operation of the transport network</i> from this objective. The existing wording is required for consistency with Policy I538.3(3) and the Precinct provisions that address impacts on the transport network (eg. ITA requirements, parking maximums).</p> <p>Decision sought: Retain wording <i>on the safe and efficient operation of the transport network</i> within Objective (1).</p>	10.3
4	I538.2 Objective (2) and (3)	Support.	<p>The Transport Agency supports Objectives 2 and 3. These objectives support successful land use integration outcomes.</p> <p>Decision sought: Retain provisions as notified.</p>	10.4
5	I538.3. Policy (1B)	Support with amendment.	<p>This policy is supported. However, further emphasis is required on ensuring that connections are provided or maintained to the Smales Farm Bus Station; emphasising the role of the Station through these connections will ensure it continues to play a key role in supporting public transport trips to this site.</p> <p>Decision sought: Amend policy as follows:</p> <p><i>Require landscaped open space and pedestrian connections, including connections to the Smales Farm Bus Station to be provided or maintained with each stage of development to</i></p>	10.5

			<p><i>ensure an appropriate level of amenity for residents, workers and visitors to the Smales 1 Precinct.</i></p>	10.5
6	I538.3. Policy (2)	Support with amendment.	<p>This Policy is supported. However, the addition of the word “uses” should also be added to clarify that the range of accessory activities (commerce) also needs to be limited to ensure consistency with Table 1538.4.1. This table limits the range of commerce activities.</p> <p>Decision sought: Amend policy as follows:</p> <p><i>(2) Provide for accessory activities to meet the immediate needs of office workers, residents and visitors to the Smales 1 Precinct while limiting <u>the uses and the extent of those activities</u> to manage potential adverse effects on the function and amenity of the Business-Metropolitan Centre Zone and Business-Town Centre Zone.</i></p>	10.6
7	I538.3 Policy (3)	Support with amendment.	<p>Under the E27 (City Wide provisions), development of the scale proposed at Smales 1 would generally require (under E27.6.1) a restricted discretionary activity consent triggered by trip generation and be accompanied by an ITA¹.</p> <p>The proposed structure of PC23 effectively excepts all development from E27.6.1 and provides for 162,000m² GFA commercial and 1380 residential units (construction period to 2051) without the need for a transport specific resource consent. This reflects the existing provisions except it allows for increased development (ie. increasing in commercial GFA from 105,000 to 162,000 and inclusion of 1380 residential units of any size).</p> <p>This means that the Transport Agency is unlikely to have the ability to be involved in any assessment of whether the assumptions outlined in the applicant’s ITA are borne out and predicted effects are able to be accommodated.</p> <p>This approach would be acceptable to the Transport Agency if we were satisfied that the ITA provided with PC23 and resulting PC23 provisions suitably addressed transport network effects (within the applicants control) for the development level proposed.</p> <p>The Transport Agency has undertaken a technical review of the PC23 information provided (and responses to other questions) and notes that it is reliant on some key assumptions. These key assumptions include:</p>	

¹ I538.6. *Standards* (first and second bullet points) and I538.6.3(1) *Trip Generation*

			<p>a. Assumed Trip Generation: The assumed trip rate for residential development appears to have been adopted from the City Centre trip generation rate (0.24 trips per dwelling). There is little substantiation and assurance of how this city centre type trip rate will be achieved.</p> <p>b. Effects on Northcote offramp: The modelling describes changes implemented by FLOW to include a double right turn from Northcote Road to the northbound SH1 onramp. This change is not recommended by Stantec due to the effects to the southbound mainline; limited detail is provided as to the effects anticipated in not adopting this change.</p> <p>c. Assumed background traffic reductions: The modelling methodology assumes a level of background traffic reduction for future year models. With demands coming from the MSM model, future years account for increased levels of public transport use and traffic demand management (i.e. reduction in volumes) within the currently forecast future volumes. This is evidenced through the low level of traffic growth forecast in future years when compared to the amount of growth the wider area experiences. The ITA adopts a methodology which assumes a further reduction in background traffic</p> <p>Due to the uncertainty with some of these assumptions and heavy reliance on achieving a significant mode share target, it is not considered appropriate to extend this threshold to 162,000m² plus 1380 residential units without an 'interim' assessment trigger point to confirm if the ITA assumptions and targets are being achieved. It is proposed that this trigger point be set at 117,000m² commercial GFA or 380 residential units.</p> <p>In this regard, changes to Policy 3, modification of Table I538.4.1 and Standard I538.6.3, inclusion of new assessment criteria and special information requirements are proposed to support a restricted discretionary, transport consent.</p> <p>It is anticipated that the applicant would seek a further consent for a reasonably substantial GFA/unit area of development, rather than each individual residential unit / tenancy requiring individual consents.</p> <p>As explained in further detail within the remainder of this submission, an extension of the commercial GFA to 117,000m² and up to 380 residential units is supported without further</p>
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			<p>transport assessment; this level of build out is forecast by the applicant to be complete around 2031. This would coincide with high level forecasts of when larger infrastructure projects (eg. increased capacity within the Northern Busway, Additional Waitemata Harbour Crossing and major cycle connections) are more refined.</p> <p>Inclusion of these amendments will:</p> <ul style="list-style-type: none"> • Align with Objective 1; • Would provide the Agency with more confidence that the Precinct will actively try and promote alternative forms of travel and achieve assumptions relative to vehicle trip generation reductions relied on within the ITA; and • Will enable alignment with future investment in alternative transport infrastructure (public transport, walking and cycling). <p>Decision sought: Amend Policy 3.</p> <p><i>Require development over 762 <u>117,000m²</u> gross floor area of business activity or <u>380 residential units</u> in the Smales 1 Precinct to demonstrate that the activity will not significantly adversely affect the safe and efficient operation of the transport, or that such effects will be mitigated.</i></p>	10.7
8	I538.3 Policy (4)	Support.	<p>The Transport Agency supports this policy as it recognises the transition of the Precinct from the current formation to a TOD.</p> <p>Decision sought: Retain provision as notified.</p>	10.8
9	I538.3 Policy (5) New Provision	Support.	<p>A new policy is proposed to support alternative transport modes.</p> <p>Decision sought: Include new provision.</p> <p><u>Policy (5)</u> <u>Encourage walking, cycling and the provision of passenger transport services and facilities compatible with the character and amenity of the area.</u></p>	10.9

10	I538.3 Policy (6) New Provision	Support.	<p>Additional provisions to support a TOD are proposed; the existing policy framework is proposed to be extended to reflect this.</p> <p>Decision sought: Include new provision.</p> <p><u>Require the overall development of the Smales 1 Precinct to incorporate traffic demand management approaches to encourage changes in commuting behaviour to reflect a Transit Orientated Development.</u></p>	10.10
11	I538.4.1 Activity table Smales 1 Precinct (A15) and (A16)	Support with amendment.	<p>Rules (A15) and (A16) provide for +2000m² supermarkets and drive through restaurants as restricted discretionary or discretionary activities. The proposed activity status for these activities needs to be amended to signal that these type of activities need to be of an appropriate scale (supermarket) and type (drive-through restaurants) to cater for needs of residents and workers as opposed to catering for vehicular trips from beyond the site.</p> <p>This will be necessary to assist with reducing the future vehicle trip demands to and from the site; the reduction of vehicle trips has been identified in the Smales Farm TOD Integrated Transport Assessment as being critical to reducing pressure on the transport network.</p> <p>Decision sought: Amend the activity states for the following activities as follows</p> <p><i>(A15) Supermarkets greater than 2000m² gross floor area per tenancy - D change to <u>NC</u></i> <i>(A16) Drive-through restaurants - RD change to <u>D</u></i></p> <p>Consequential alterations deleting assessment criteria I538.8.2.(4) relative to drive through activities is also required.</p>	10.11
12	I538.4.1 Activity table Smales 1 Precinct - Community (A17-A19)	Support.	<p>The Transport Agency supports a permitted activity status for community activities as their enablement will contribute to Smales 1 Precinct being a vibrant and attractive place for residents, workers and visitors.</p> <p>Decision sought: Retain provision as notified.</p>	10.12
13	I5.3.8.6 Standards First and second bullet points	Support with amendment.	<p>For the reasons set out in submission point 7 (Policy 3) above, the Transport Agency supports development of the site without further transport assessment but to a lesser level than that proposed by the applicant.</p> <p>Decision sought: Retain provision as amended.</p>	10.13

			<p><i>The standards applicable to the underlying zone and Auckland-wide apply in this precinct, except the following:</i></p> <ul style="list-style-type: none"> • <i>Standard E27.6.1 Trip generation for non-residential development up to 762 <u>117,000m²</u> gross floor area or for residential development, <u>up to 380 residential units</u> (see Standard 1538.6.3);</i> • <i>Standard E27.6.2(5);</i> 	10.13
14	1538.6.1(1) Gross floor area	Support with amendment.	<p>A consequential change relative to submission point 13 and Rule 15.3.8.6 is sought.</p> <p>Decision sought: Retain provision as amended.</p> <p><i>(1) The maximum gross floor area in the precinct for non-residential activities is 762 <u>117,000m²</u> subject to (2) below:</i></p>	10.14
15	1538.6.2.(1) Standards – Parking (Non-residential)	Support with amendment.	<p>The Smales Farm Precinct 1 area is subject to maximum parking values for retail, commercial and office activities. Broadly the rates are tiered according to the level of build-out of the area.</p> <p style="padding-left: 40px;">0m² – 45,000m² GFA: one park per 23m² (already constructed) 45,000m² – 105,000m² GFA: one park per 31.8m² (partially constructed) 105,000m² – 162m,000m² GFA: one park per 45m²</p> <p>Given the additional activity proposed onsite, the Agency has concerns over the level of parking provision and the extent to which this will have a detrimental effect on mode share and achieving the level of PT, walking and cycling relied on by the ITA. In particular, it considers some of the parking maximums are more reflective of existing business zones (outside of the City Centre); these zones are typically not based on seeking to discourage parking provision and encouraging alternative modes (a feature typical of TODs).</p> <p>The Agency seeks that the applicant reconsiders the maximum parking rates within the precinct. Table 1 sets out a comparison of maximum parking rates within the Unitary Plan and selected precinct plans. The ITA relies on a significant mode share to be accommodated by public transport and active modes. This is typically found in the ‘City centre’ or ‘Mixed use / centre’ type land uses where parking maximums support the intention for alternative travel modes.</p>	

Table 1 illustrates, particularly in relation to office and activities, that the Smales Precinct 1 parking rates are not commensurate with areas reflecting a higher public transport focus and are more similar to ‘standard’ business and residential zones in other parts of the city.

Table 2 has been provided to give applied examples of the specified parking rates.

Table 1: Comparison of maximum parking rates

	Smales Precinct 1 (0-45k GFA)	Smales Precinct 1 (45-105k GFA)	Smales Precinct 1 (105-162k GFA)	Unitary Plan City centre rates	Unitary Plan city fringe rates	Unitary Plan area 1: Mixed, business, THAB rates	Unitary Plan area 2 rates	Wynyard Quarter precinct
Retail	23m ²	31.8m ²	45m ²	200m ²	no max	no max	no max	150m ²
Office					60m ²	30m ²	30m ²	150m ²
Commercial					no max	no max	no max	105m ²

Table 2: Examples of Maximums Parking Required

Parking Ratio	Office 2500m ²	Retail 300m ² (other)	Retail 200m ² (food and beverage)
Smales (0-45K GFA) (already constructed)	108 parks	13 parks	9 parks
Smales (45K to 105K GFA) (constructed up to 58K)	79 parks	9 parks	7 parks
Smales (105K to 165K GFA)	56 parks	7 parks	4.4 parks
City Centre	13 parks	2 parks	1 park
Wynyard Quarter	16 parks	2 parks	1 park
City Centre Office Fringe	41	No maximum (unlimited)	No maximum (unlimited)
Area 1	83 parks	10 parks	7 parks
Area 2	83 parks	12 parks	8 parks

			<p>From the three examples provided:</p> <ul style="list-style-type: none"> a. For retail activities, Smales Farm (45K to 105K GFA) and (105K to 165K GFA) are more reflective of Area 1 and Area 2 maximums than City Centre or Wynyard Quarter. City Centre Office Fringe has potentially unlimited parking for retail. b. Office requirements for Smales (45K to 105K GFA) are very similar to Area 1 and Area 2. c. Office requirements for Smales (105K to 165K GFA) reflect City Centre Fringe but not City Centre or Wynward Quarter. <p>Given the congestion on the surrounding road network and high level of access for alternative modes, the adoption of increased parking maximums needs to be considered and parking maximums generally reduced. This would provide a greater level of consistency with proposed policy 4.</p> <p>Decision sought: Reduce parking number maximums for non-residential development.</p>
<p>16</p>	<p>1538.6.2.(2) Standards - Parking (Residential)</p>	<p>Support with amendment.</p>	<p>The Transport Agency supports the <i>no minimum</i> parking requirements for residential activity. However, the Transport Agency requests that the Precinct provisions include the application of parking maximums for the residential component. This would provide consistency with proposed Policy 4 which seeks to <i>limit the supply of on-site parking over time to recognise the accessibility of the Smales 1 Precinct to public transport services.</i></p> <p>It would also be consistent with the findings of the Smales Farm TOD Integrated Transport Assessment which has identified the need to reduce traffic demand and makes use of a City Centre traffic generation rates as a key assumption in the assessment of effects. The Transport Agency also notes that the application of parking maximums to residential dwellings can be a contributing factor in the success or otherwise of TODs.</p> <p>By way of example, the City Centre parking rate for residential dwellings is noted as:</p> <p>Studio / One Bedroom: 0.7 spaces per dwelling Two Bedroom: 1.4 spaces per dwelling More than two bedrooms: 1.7 spaces per dwelling</p>

10.15

			<p>Visitors: 0.2 spaces per dwelling</p> <p>Given the congestion on the surrounding road network and high level of access for alternative modes, the adoption of parking maximums needs to be considered and parking maximums specified. This would provide a greater level of consistency with proposed policy 4.</p> <p>Decision sought: Introduce parking maximums for residential development and consequential deletion of I538.6.2(2).</p> <p><i>(2) No minimum or maximum parking requirements apply to residential activity.</i></p>	10.16
17	I538.6.3(1) Trip generation and I538.6. Standards	Support with amendment.	<p>Both I538.6. <i>Standards</i> (first and second bullet points) and I538.6.3(1) <i>Trip Generation</i> seek exemptions for development up to 105,000m² GFA from complying with E27.6.1. E27.6.1 requires a restricted discretionary consent for particular size/trip generating activities (including provision of an ITA).</p> <p>PC23 proposes to retain this provision, extend it from 105,000m² to 165,000m² GFA business and also included in this 'exemption' 1380 residential units.</p> <p>As described in submission point 7 (Policy 3), this approach would be acceptable to the Transport Agency if were satisfied that the ITA provided with PC23 and resulting PC23 provisions suitably addressed transport network effects.</p> <p>Changes to this provision are sought to reflect development levels which the Agency is able to support based on the ITA and other information provided.</p> <p>Decision sought: Adopt amended new provisions.</p> <p><i>(1) Non-residential development up to 162 117,000m² gross floor area, or and residential development of 380 residential units, will not be subject to the following:</i></p> <p><i>(1) Policy E27.3(2) Integrated transport assessment; and</i></p> <p><i>(2) Standard E27.6.1 Trip generation.</i></p>	10.17
18	Residential Amenity New Provision I538.6.10	Support.	<p>A new provision is proposed to manage potential human health effects from where buildings containing noise sensitive activities locating immediately adjacent to State highway 1.</p> <p>New text proposed:</p>	10.18

			<p><u>1538.6.11 Noise Sensitive Activities within 100m of a State Highway</u></p> <ol style="list-style-type: none">1. <u>New buildings or alterations to existing buildings containing noise sensitive activities, within or partly within 40 metres of the edge line of the nearest carriageway of State Highway 1 must be designed, constructed and maintained to achieve road-traffic vibration levels complying with class C of NS 8176E:2005.</u>2. <u>New buildings or alterations to existing buildings containing noise sensitive activities, within in or partly within 100 metres of the nearest carriageway edge line of State Highway 1 must be designed, constructed and maintained to achieve the indoor design noise levels from road-traffic set out in Table A.</u>3. <u>If windows must be closed to achieve the design noise levels in [B], the building must be designed, constructed and maintained with a ventilation and cooling system. For habitable spaces a ventilation cooling system must achieve the following:</u><ol style="list-style-type: none">i. <u>Ventilation must be provided to meet clause G4 of the New Zealand Building Code. At the same time, the sound of the system must not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.</u>ii. <u>The occupant must be able to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour. At the same time, the sound of the system must not exceed 35 dB LAeq(30s) when measured 1 m away from any grille or diffuser.</u>iii. <u>The system must provide cooling that is controllable by the occupant and can maintain the temperature at no greater than 25°C. At the same time, the sound of the system must not exceed 35 dB LAeq(30s) when measured 1 m away from any grille or diffuser.</u>4. <u>A design report prepared by a suitably qualified and experienced acoustics specialist must be submitted to the [council officer] demonstrating noise and vibration compliance prior to the construction or alteration of any building containing a noise sensitive activity in or partly in the state highway buffer area or effects area. The design must take into account the future permitted use of the state highway; for existing roads this is achieved by the addition of 2dB to existing measured or predicted noise levels.</u>
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10.18

			<p><u>Table A</u></p> <table border="1"> <thead> <tr> <th>BUILDING TYPE</th> <th>OCCUPANCY/ACTIVITY</th> <th>MAXIMUMINDOORDESIGN NOISE LEVEL $L_{Aeq(24h)}$</th> </tr> </thead> <tbody> <tr> <td>Residential</td> <td>Living spaces, sleeping spaces (including visitor accommodation and retirement accommodation)</td> <td>40 dB</td> </tr> <tr> <td rowspan="6">Education</td> <td>Assembly halls</td> <td>35 dB</td> </tr> <tr> <td>Conference rooms, drama studios</td> <td>40 dB</td> </tr> <tr> <td>Lecture rooms and theatres, music studios</td> <td>35 dB</td> </tr> <tr> <td>Libraries</td> <td>45 dB</td> </tr> <tr> <td>Sleeping areas in educational facilities</td> <td>40 dB</td> </tr> <tr> <td>Teaching areas</td> <td>40 dB</td> </tr> <tr> <td rowspan="2">Health</td> <td>Overnight medical care, wards</td> <td>40 dB</td> </tr> <tr> <td>Clinics, consulting rooms, theatres, nurses' stations</td> <td>45 dB</td> </tr> <tr> <td>Cultural buildings</td> <td>Places of worship, marae</td> <td>35 dB</td> </tr> </tbody> </table> <p>Note: Excludes areas not deemed to be habitable spaces as defined by schedule 1 of the Building Regulations 1992.</p>	BUILDING TYPE	OCCUPANCY/ACTIVITY	MAXIMUMINDOORDESIGN NOISE LEVEL $L_{Aeq(24h)}$	Residential	Living spaces, sleeping spaces (including visitor accommodation and retirement accommodation)	40 dB	Education	Assembly halls	35 dB	Conference rooms, drama studios	40 dB	Lecture rooms and theatres, music studios	35 dB	Libraries	45 dB	Sleeping areas in educational facilities	40 dB	Teaching areas	40 dB	Health	Overnight medical care, wards	40 dB	Clinics, consulting rooms, theatres, nurses' stations	45 dB	Cultural buildings	Places of worship, marae	35 dB
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19	I538.8.1(1) Matters of discretion New Provision	Support.	<p>A new provision is proposed to provide matters of discretion for activities exceeding 117,000m² GFA of business activities or 380 residential units.</p> <p>Decision Sought: Adopt proposed provisions.</p> <p><u>(1) Activities exceeding the limits in Standard I538.6.1</u> <u>(a) Refer to E27 Transport Rule E27.8.1(4)</u> <u>(b) travel management;</u> <u>(c) on-site parking provision;</u></p>																											
20	I538.8.2. Assessment criteria	Support.	<p>A new provision is proposed to provide matters of discretion for activities exceeding 117,000m² GFA of business activities or 380 residential units.</p> <p>Decision Sought: Adopt proposed provisions.</p> <p><u>(1) Activities exceeding the limits in Standard I538.6.1.</u> <u>(a) Refer to E27 Transport, Rule E27.8.2(3).</u></p>																											

10.19

10.20

			<p><u>(b) information demonstrating the success or otherwise of travel management measures implemented within the precinct;</u> <u>(c) on-site parking provision; and</u> <u>(d) whether it can be demonstrated by the measures and commitments outlined in a site travel management plan (encompassing the entire Precinct) that the activity or activities will be managed to minimise private vehicle travel to and from precinct to achieve Policies 3, 4 and 5;</u></p>	
21	<p>I538.9 Special Information Requirements</p>	<p>Support with amendment.</p>	<p>Additional, transport specific special information requirements are proposed to provide certainty for applicants where an application is required under I538.6.3(1) Trip generation and I538.6. Standards.</p> <p>Decision Sought: Adopt proposed provisions and delete existing provision.</p> <p><u>a) a site travel management plan must be provided corresponding to the scale and significance of the activity and containing the following information as a minimum to demonstrate how the development will achieve a Transit Orientated Development at Smales Farm including:</u></p> <p><u>(i) the physical infrastructure to be established or currently established onsite to support the use of alternative forms of transport, such as adequate covered facilities for cyclists (in addition to that required by E27 provisions), scooters, showering, locker and changing facilities; carpool parking areas, shared car parking areas;</u></p> <p><u>(ii) the physical linkages to be provided on the site to link with surrounding pedestrian and cycle networks and existing public transport resources;</u></p> <p><u>(iii) operational measures to be established or currently implemented on-site to encourage reduced vehicle trips including car sharing schemes, public transport use incentives, flexitime, staggered working hours;</u></p> <p><u>(iv) Management of vehicle ownership – parking restrictions, provision of space for ‘shared’ vehicles and parking management to incentivise lower vehicle ownership.</u></p> <p><u>(v) details of the management structure which has overall responsibility to oversee the implementation and monitoring of travel management measures.</u></p>	<p>10.20</p> <p>10.21</p>

			<p>(vii) <u>the methods by which the effectiveness of the proposed measures outlined in the site travel management plan can be independently measured/monitored and reviewed, including a commitment to undertake travel surveys at the time of building occupation or as otherwise required to provide on-going information regarding travel behaviour; and</u></p> <p>(viii) <u>Monitoring of travel from the site to confirm assumptions contained within prior to release of subsequent development stages; this is to include an assessment of the existing (at time of application) transport environment relative to the environment as assumed at time of application by Smales 1 Precinct Integrated Transport Assessment.</u></p> <p>Delete:</p> <p><i>There are no special information requirements in this precinct.</i></p>
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10.21

15 May 2019

Attention: Planning Technician
Auckland Council
Private Bag 92300
Auckland 1142

Dear Sir / Madam

PROPOSED PRIVATE PLAN CHANGE 23 – SMALES FARM

Please find attached Auckland Transport's submission on the Proposed Private Plan Change 23 to the Auckland Unitary Plan Operative in Part.

If you have any queries in relation to this submission, please contact Kevin Wong Toi on 09 4474200.



Cynthia Gillespie
Executive General Manager, Planning & Investment

Enc: Auckland Transport's submission on Proposed Private Plan Change 23 – Smales Farm

SUBMISSION ON PROPOSED PRIVATE PLAN CHANGE 23 – SMALES FARM

Auckland Council – Plans and Places
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

From: Auckland Transport – Planning and Investment
Private Bag 92250
Auckland 1142

This is Auckland Transport's submission on Proposed Private Plan Change 23 (PPC23) to the Auckland Unitary Plan Operative in Part (AUPOIP). The submission relates to the proposed amendments to H15 Business – Business Park Zone and I538 Smales 1 Precinct provisions. The amendments seek to enable a transit-oriented form of mixed-use development and includes providing for residential development in addition to the existing provision for offices.

Auckland Transport's submission is:

To support PPC23 in part, provided that Auckland Transport's various transport concerns are appropriately considered and addressed to ensure that the extent, scale and intensity of effects and the methods for mitigating these, including to achieve a transition in the mix of land uses and level of development that is appropriate to the transport context. The actual and potential effects of the proposal on the transport system need to be appropriately avoided and mitigated.

The reason for Auckland Transport's submission is:

Auckland Transport (AT) is a Council Controlled Organisation (CCO) of Auckland Council with the legislated purpose to contribute to an "effective, efficient and safe Auckland land transport system in the public interest".¹ In fulfilling this role, AT is responsible for:

- a. The planning and funding of public transport;
- b. Promoting alternative modes of transport (i.e. alternatives to the private motor vehicle);
- c. Operating the local roading network; and
- d. Developing and enhancing the local road, public transport, walking and cycling networks.

Plan change proposals, such as PPC23, must ensure that a full and appropriate assessment is undertaken. Such assessments must clearly identify how the proposal will appropriately manage any adverse effects on the local and wider transport network, including identifying what infrastructure is necessary to service the implementation of the zone/precinct and development of the site(s) and how this will be provided for by the applicant (or future developers). If such infrastructure cannot feasibly be provided or enabled, then alternative less intensive activities should be considered, or the plan change / proposal declined.

AT makes this submission to ensure that PPC23 appropriately manages the effects of the proposal (amended provisions and the resulting anticipated development enabled by these

¹ Local Government (Auckland Council

amendments) on the local and wider transport network. Specifically, the submission addresses matters relating to the assessment of:

- Transit oriented development (TOD) principles
- Strategic transport infrastructure
- Potential quantum and mix of land use activities and associated trip characteristics
- Potential integration of the development with public transport
- Traffic generation / network effects and identified mitigation measures
- Demand and provision of walking and cycling facilities
- Parking provisions and associated effects
- Vehicle access and circulation
- Timing and staging in relation to future transport network changes.

There are a range and number of transport points outlined in **Attachment 1** to this submission relating to the Integrated Transportation Assessment (ITA) and proposed provisions that require further clarification or explanation. This is to provide AT with a greater level of confidence that the ITA has appropriately identified the extent, scale and intensity of potential effects and the methods for mitigating these effects where this is required, including provisions that are appropriately representative of the transport context.

AT seeks resolution of the various matters raised in this submission which, for example could include revised provisions that are reflective of a TOD and representative of the transport context (e.g. provisions that control the intensity of activity enabled) and/or methods to ensure any transport effects are managed in support of the proposal.

Auckland Transport seeks the following decision from Auckland Council:

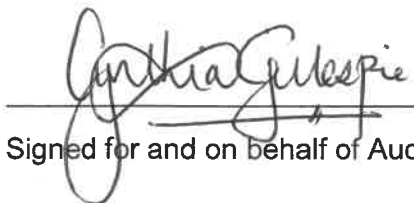
That the Council approves PPC23, provided that the various transport requirements / concerns raised in this submission are resolved and/or that Council identifies an appropriate suite of provisions that will address these matters.

11.1

If AT's concerns are not resolved, then the Plan Change should be declined.

AT is available and willing to work through the matters raised in this submission with the applicant.

The submitter does wish to appear and be heard in support of its submission.



Signed for and on behalf of Auckland Transport

Cynthia Gillespie
Executive General Manager, Planning & Investment
15 May 2019

Address for service of submitter:
Kevin Wong Toi
Auckland Transport
20 Viaduct Harbour Avenue
Auckland Central
Auckland 1010

Attachment 1 – Comments and points requiring addressing / further clarification

Issue	Position & reasons	Recommendations sought from the Council
<p>Transit oriented development principles</p>	<p>Transit oriented development (TOD) is a well understood concept that is characterised by compact developments with moderate to high densities, located within walking distance of a transit station or stop, generally with a mix of residential and non-residential opportunities, designed for pedestrians, that does not exclude vehicles.²</p> <p>The main principles underpinning the TOD concept can be summarised in terms of the following:</p> <p><u>Urban Structure and Accessibility</u></p> <ul style="list-style-type: none"> • Development is anchored around a transit station or node that ideally provides opportunities for public transport uptake. The barriers to accessibility (e.g. busy roads, areas with safety risks) should be avoided or appropriately mitigated to maximise safety, permeability and connectivity.³ <p><u>Density</u></p> <ul style="list-style-type: none"> • Modal shift to public transport is most likely to occur within a 400 metre or five minute walk of a public transport station or stop and increased density of land use within this catchment supports increased public transport patronage. <p><u>Diversity</u></p> <ul style="list-style-type: none"> • The diversity or range of land use activities located within a defined catchment has the potential to reduce travel distances and vehicle trips with origins/destinations (e.g. housing, offices and institutional activities) being in close 	<ul style="list-style-type: none"> • Applicant to provide further assessment to confirm how PPC23 will align with these main TOD principles. • Depending on the outcome of that assessment, include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within the PPC23 that enable proposed Objective I538.2.1 to be achieved.

11.2

² Refer to GB Arrington, 2007. Transit Oriented Development: Understanding the Fundamentals of TOD.

³ Falconer, R and Richardson, E, Rethinking urban land use and transport planning – opportunities for transit oriented development in Australian cities, Australian Planner, Vol 47, No 1, March 2010.

Issue	Position & reasons	Recommendations sought from the Council
	<p>proximity and providing opportunities for multi-purpose walking and/or public transport trips as an alternative to private vehicle trips.</p> <p><u>Design</u></p> <ul style="list-style-type: none"> The functional and amenity-based design of the physical built-form elements within a TOD (e.g. streets, public transport facilities, buildings and public spaces) can influence and encourage the realisation of TOD benefits, such as increasing the levels of walking between local destinations and transit stations / stops. <p><u>Parking</u></p> <ul style="list-style-type: none"> Car parking is discouraged and provided in lower numbers compared to surrounding development (non-TOD developments).⁴ <p>These TOD attributes are consistent with AT's transport and land use outcomes, when implemented in an integrated and appropriate manner in terms of optimising investment in public transport, providing for transport alternatives and managing network impacts and effects.</p> <p>AT recognises the potential transport and land use integration benefits of a TOD and supports the appropriate redevelopment of the Smales Farm site in a manner that is consistent with these principles.</p> <p>Currently, the ITA for the PPC23 does not address how these principles will be achieved, including the following:</p>	

⁴ Falconer, R and Richardson, E, Rethinking urban land use and transport planning – opportunities for transit oriented development in Australian cities, Australian Planner, Vol 47, No 1, March 2010.

Issue	Position & reasons	Recommendations sought from the Council
	<p><u>Urban Structure and Accessibility</u></p> <ul style="list-style-type: none"> • PPC23 has the potential to be anchored around the transit station to provide opportunities for increased PT uptake, however, the ITA has not adequately addressed improvements to the active transport network on the adjacent roads to maximise safety, permeability and connectivity. <p><u>Density</u></p> <ul style="list-style-type: none"> • PPC23 can achieve medium to high densities in part of the eastern and southern catchment within 300-400m of the Smales Farm Bus Station. There is, however, still significant catchment within 400m of the bus station, where medium to high density cannot be achieved to support increased patronage. <p><u>Diversity</u></p> <ul style="list-style-type: none"> • PPC23 potentially supports a diverse range of activities within a small portion of the bus station catchment. There are, however, potentially adverse impacts on the surrounding transport network of the identified non-residential activities that have not been adequately addressed in the ITA. <p><u>Design</u></p> <ul style="list-style-type: none"> • The ITA has not adequately addressed how the provision of appropriate pedestrian-oriented access to the bus station can be satisfactorily integrated with the vehicle access requirements of the site through the proposed provisions. <p><u>Parking</u></p> <ul style="list-style-type: none"> • Explanation is required on the anticipated levels of on-site (accessory) parking enabled by the proposed plan change to understand how this aspect of the development supports the 	

Issue	Position & reasons	Recommendations sought from the Council
	<p>wider travel demand management outcomes associated with a TOD.</p>	
<p>Strategic transport infrastructure</p>	<p>Smales Farm is adjacent to strategic transport infrastructure, including:</p> <ul style="list-style-type: none"> • Smales Farm Busway Station • Taharoto Road, Northcote Road and Shakespeare Road arterial routes • Northcote Interchange and State Highway 1 – Northern Motorway. <p>The use of strategic transport infrastructure and services provides access to Smales Farm and also the local and wider business and residential areas, including the Takapuna and Albany centres, the City Centre, a number of schools and the North Shore Hospital.</p> <p>This location is already heavily congested at times during the day. A key focus of any additional development on this site should be enabling future growth while avoiding and mitigating additional transport network effects, particularly in respect to public transport accessibility and the functioning of key public transport routes into the busway station. Access to the State Highway and on the adjoining arterials is also critical.</p> <p>Consideration needs to be given to ensuring that the proposal does not adversely affect the strategic transport infrastructure and services that it intends to leverage off.</p>	<ul style="list-style-type: none"> • Applicant to provide further assessment of the impacts of the proposal on accessibility to and from the busway station for all modes including public transport in particular. • Applicant to give particular consideration to peak periods and the functioning of Shakespeare Road as a key public transport route and access to Westlake Girls. • Applicant to provide a similar assessment of the other key strategic transport infrastructure in the vicinity. • Applicant to identify how any effects will be managed by the proposal including Smales Farm network design changes, transport improvements such as bus priority measures, travel demand management etc. • Depending on the outcome of that assessment, include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PPC23 that address any transport effects identified from the above.
<p>Potential quantum and mix of land use activities and associated trip characteristics</p>	<p>The proposed provisions for PPC23 seek to increase the overall quantum of activity that can be provided within Smales Farm. In addition, PPC23 seeks more permissive provisions in relation to the certain types of high trip generating activities (particularly</p>	<ul style="list-style-type: none"> • Applicant to provide further assessment for the full scale of development proposed in PPC23, including through further traffic modelling.

11.3

11.4

Issue	Position & reasons	Recommendations sought from the Council
	<p>retail, drive-through restaurants and entertainment activities) that can occur.</p> <p>The ITA has not fully addressed the proposed quantum of non-residential (including office) and residential activities proposed. The traffic modelling within the ITA has only addressed up to 125,000m² Gross Floor Area (GFA) of non-residential activity and 855 residential apartments by 2036, when compared with the potential to enable a total of 162,000m² GFA non-residential and 1,380 residential apartments.⁵ As such, the impact of the proposed activities (and their trip characteristics in terms of intensity, timing, duration and potential to be serviced by public transport) on the surrounding transport network is not adequately addressed in order to understand whether this level of development can be satisfactorily accommodated or the mitigation measures that would be required.</p> <p>The ITA takes an optimistic view of the likely public transport mode share that could be achieved for both non-residential and residential development within Smales Farm (also refer to 'Potential integration of the development with public transport'). The ITA seeks to equate the proposed PPC23 development to the Auckland City Centre without reasonably substantiating or providing adequate evidence for such a comparison. It is considered the Smales Farm site is highly unlikely to achieve equivalent trip generation or demonstrate characteristics to similar activities in the City Centre, that are better served and benefit from being located within the key hub for the entire regional public transport network, with a greater density over a much wider catchment and investment in supporting pedestrian and cycle networks.</p>	<ul style="list-style-type: none"> • Applicant to provide further information and assessment to support the identified mode share and resulting traffic generation associated with the proposed activities in this location. • Applicant to provide further assessment in relation to the more permissive provisions associated with the proposed high trip generating activities (particularly retail, drive-through restaurants and entertainment activities). • Depending on the outcome of those assessments, include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PPC23 that: <ul style="list-style-type: none"> ○ Restrict the overall scale and intensity of activities that can be provided without any identified transport mitigation measures OR provide for appropriate transport mitigation measures with the staged development of PPC23 ○ Provide for the further assessment (through later resource consents or similar) of any development at a scale beyond that which can be shown to be satisfactorily accommodated by the transport

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⁵ ITA, section 7.4.1, page 45

Issue	Position & reasons	Recommendations sought from the Council
	<p>The proposed provisions in Appendix B of the AEE, seek to provide more permissive provisions in relation to the certain types of high trip generating activities. Supermarkets are identified as permitted or discretionary activity (depending on the scale), while drive-through restaurants are a restricted discretionary activity and entertainment facilities are a discretionary activity. The current provisions do not provide for these activities. No adequate assessment is provided within the ITA to support the proposed enabling status of these activities. In particular, drive-through restaurants are a restricted discretionary, but no assessment of the effects of traffic generation of this activity on the adjacent congested transport network is considered in the ITA. The assessment criteria for this restricted discretionary activity do not then include any traffic and transport matters relevant to the effects of this activity on the operation of the transport network that will enable this to be subsequently considered.</p> <p>In terms of the TOD principles, the assessment has not clearly demonstrated how providing for a proposed quantum and mix of activities (including potentially high vehicle trip generating activities) will support TOD outcomes around optimising investment in public transport.</p>	<p>network, without any identified transport mitigation measures</p> <ul style="list-style-type: none"> ○ Provide for an appropriate activity status for high trip generating activities, including associated assessment criteria to consider effects on the operation of the transport network.
<p>Potential integration of the development with public transport</p>	<p>As mentioned above, it is considered that the ITA takes an optimistic view of the likely public transport mode share that could be achieved for both non-residential and residential development within Smales Farm. The ITA seeks to equate the proposed PPC23 development to the Auckland City Centre without reasonably substantiating or providing adequate evidence for such a comparison. It is considered the Smales Farm site is highly unlikely to achieve equivalent trip generation to similar activities in the City Centre, that are better served and at the key hub for the entire regional public transport network, with a greater</p>	<ul style="list-style-type: none"> ● Applicant to provide further information and assessment to support the identified mode share and resulting traffic generation associated with the proposed activities in this location, including capacity analysis of the Smales Farm bus station and bus services. ● Depending on the outcome of those assessments, provide further traffic

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Issue	Position & reasons	Recommendations sought from the Council
	<p>density over a much wider catchment and supporting pedestrian and cycle networks.</p> <p>It is considered that the ITA needs to provide further evidence on the ability to achieve the potential public transport mode share, based on similar and more comparable locations as the basis for supporting these TOD related outcomes.</p>	<p>modelling to determine the potential effects on the transport network.</p> <ul style="list-style-type: none"> Review the need to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PPC23 that address any transport effects identified from the above.
<p>Traffic generation / network effects, modelling analysis and identified mitigation measures</p>	<p>Similar to the above, the ITA has not fully addressed the proposed quantum of residential activities and non-residential activities proposed. The traffic modelling within the ITA for the 2036 future year has only addressed the impact of within the ITA has only addressed up to 125,000m² GFA (or 77%) of non-residential activity and 855 (or 62%) residential apartments by 2036, when compared with the potential to enable a total of 162,000m² GFA non-residential and 1,380 residential apartments.⁶ As such, the impact of the proposed residential and non-residential activities on the surrounding transport network is not adequately addressed to understand whether this level of development can be satisfactorily accommodated or the mitigation measures that would be required.</p> <p>Additionally, as noted above, it is considered that the traffic generation rates applied to the retail and commercial aspects of the non-residential, as well as the residential activities, are not reflective of what it is considered would more realistically be achieved at this location. This is on the basis that the public transport mode share used in the ITA assumes that the proposed PPC23 development would achieve a public transport mode share similar to the Auckland City Centre, without providing adequate evidence for such a comparison.</p>	<p>AT is concerned that the full traffic and transport impacts of the proposed plan change are not captured or assessed, or a solution for the assessment presented. As such, it is requested that the applicant:</p> <ul style="list-style-type: none"> Provide a complete summary and explanation of the land use and transport assumptions and dependencies underpinning the modelling. Provide further assessment for the full scale of development proposed in PPC23. Provide further information and assessment to support the identified traffic generation associated with the proposed activities in this location. Depending on the outcome of those assessments, provide further traffic modelling to determine the potential effects on the transport network using appropriate trip generation rates and mode share assumptions.

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⁶ ITA, section 7.4.1, page 45

Issue	Position & reasons	Recommendations sought from the Council
	<p>The traffic modelling undertaken has made assumptions to substantiate the removal of background traffic from the adjacent road network to accommodate the proposed PPC23 development traffic. This includes assuming background traffic is diverted to other routes, will be spread across a longer morning or evening peak period or will simply shift to improved public transport services. However, it is considered that the quantum of the reduction (25% of background traffic) in vehicle movements left or right from Taharoto Road into Northcote Road is not appropriately substantiated in the ITA or the resulting effects on the transport network then considered.</p> <p>For example, there is no consideration or assessment provided of where on the network vehicle trips, that currently use Northcote Road, would divert to and the effects on that part of the network.</p> <p>AT is interested in the assumptions/dependencies for the modelling. With this in mind, a list and explanation is requested of all transport assumptions and dependencies, including land use and development, trips rate and/or mode share assumptions, transport projects and/or services.</p> <p>Additionally, the traffic modelling is undertaken without the New Network bus services for the North Shore or any further future enhancements by 2026 or 2036, which could potentially achieve some of the reduction in vehicle movements. Hence, the impacts of the additional buses with those services have not been modelled. In relation to this, the ITA also needs to identify the traffic impact on buses accessing Smales Farm Bus Station and the requirement for mitigation to address any delays. The outcomes of understanding these impacts would inform the extent to which the development enabled by PPC23 supports TOD principles, such as modal shift to public transport.</p>	<ul style="list-style-type: none"> • In undertaking that modelling, provide further information to substantiate the removal of background traffic from the adjacent road network to accommodate the proposed PPC23 development traffic and consider the identified modelling effects of any assumptions that are made in that regard. • Review the need to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within PPC23 that address any transport effects identified from the above.

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Issue	Position & reasons	Recommendations sought from the Council
	<p>The demand profile for the weekday evening (PM) peak period in this area is already relatively flat, indicating that peak spreading already occurs across the modelled period. It is queried whether it is reasonable assumption that further peak spreading would occur in the PM peak period in 2026 and 2036.</p> <p>The proposed provisions for PPC23 in Appendix B of the AEE do not identify a need for any further transport assessment to be undertaken.⁷ This is not supported due to the uncertainty around the traffic and transport network effects associated with the above matters.</p>	
Demand and provision of walking and cycling facilities	<p>As a TOD, it would be expected that the Smales Farm site would provide and enable suitable connections to the wider external walking and cycling network. It is considered that the ITA needs to satisfactorily address these matters, as part of confirming the suitability of the site and proposal as a TOD and need for any external pedestrian and cycle improvements.</p> <p>It is recognised that the Smales Farm site will soon be immediately adjacent to the new Northcote Safe Cycle Route project that is to be provided along Northcote Road frontage and will connect with Northcote Point Ferry Terminal via Lake Road and Queen Street. However, while it is noted there on-road cycle lanes on Taharoto Road and Shakespeare Road, as well as some</p>	<p>AT is concerned that the demand and appropriate facilities for pedestrians and cyclists to access the Smales Farm TOD are not adequately assessed in the ITA. As such, it is requested that the applicant:</p> <ul style="list-style-type: none"> • Provide further assessment for the full scale of development proposed in PPC23 of the appropriateness of surrounding walking and cycling facilities to provide safe and attractive access for these users. • Review the need to include amended and / or additional provisions

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⁷ AEE, Appendix B

1538.2. Objectives (1)(2) Ongoing development of the Smales Farm Technology Office Park 1 Precinct as an employment node is enabled while managing significant adverse effects on the safe and efficient operation of the transport network, on the amenity of neighbouring zones, and on the function and amenity of the Business – Metropolitan Centre Zone and Business – Town Centre Zone.

1538.6.3. Trip generation

(1) ~~Development~~ Non-residential development up to 105162,000m² gross floor area, and residential development, will not be subject to the following:

- (1) Policy E27.3(2) Integrated transport assessment; and
- (2) Standard E27.6.1 Trip generation.

Issue	Position & reasons	Recommendations sought from the Council
	<p>similar provision on Wairau Road, it is considered that such provisions are not consistent with the form of facility that would now be expected on an arterial road corridor with high traffic volumes.</p> <p>Depending on the likely demand from the surrounding area, it expected upgrades would be necessary to make cycling facilities on those corridors sufficiently safe and attractive to support access to and from the Smales Farm TOD.</p> <p>The ITA does not provide adequate assessment of the potential demand from the surrounding catchment for the Smales Farm TOD for the use of those facilities by cyclists or any upgrades required. Consideration of the number and the safety / attractiveness of the routes for pedestrians accessing the Smales Farm TOD from the surrounding area are also not addressed.</p> <p>It is considered that this should provide reference to the safety record and high traffic volumes of the surrounding arterial transport corridors, noting that the current safety record of the busy Taharoto Road / Northcote Road signalised intersection was also not addressed in the ITA.</p>	<p>(objectives, policies, rules, standards and assessment criteria) within PPC23 to provide appropriate mitigation measures for providing safe and attractive pedestrian and cycle access to the site from the surrounding area.</p>
<p>Parking provisions associated effects</p>	<p>The proposed provisions for PPC23 in Appendix B of the AEE identify that the number of parking spaces accessory to non-residential activities will remain unchanged from the current Smales 1 Precinct provisions.⁸</p> <p>However, the ITA has been informed by the current traffic generation at Smales Farm (post-opening of the Smales Farm Bus Station), with improved public transport mode share, as well as longer-term assumptions around the public transport mode</p>	<ul style="list-style-type: none"> • Applicant to provide further information and assessment to support the identified parking provisions for both non-residential and residential activities within PPC23 that are consistent with the proposed mode share and resulting traffic generation of the proposed activities.

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⁸ AEE (Appendix B), I538.6.2.1, page 4

Issue	Position & reasons	Recommendations sought from the Council
	<p>share for the site, based on an assumed comparison with the Auckland City Centre (as discussed previously).</p> <p>The ITA and the precinct provisions need to consider and assess the appropriateness of the proposed parking provisions for non-residential activities (as well as those for residential activities) in the context of the outcomes that are sought in terms of the Smales Farm TOD.</p> <p>It is considered that, to achieve the TOD outcomes for the Smales Farm site, it would be necessary to consider how the levels of on-site (accessory) parking are managed, such as applying 'caps' on the provision of parking for non-residential and residential development, to achieve the desired levels of public transport and active modes use that would be commensurate with the traffic generation and modelling assumptions included in the ITA.</p>	<ul style="list-style-type: none"> Subsequent to that assessment, review the need to amend and / or add to the proposed parking provisions (objectives, policies, rules, standards and assessment criteria) within PPC23.
<p>Vehicle access and circulation</p>	<p>The proposed provisions for PPC23 in Appendix B of the AEE include Precinct Plan 2 (Structuring elements),⁹ which is also shown in Figure 9 of the ITA. Precinct Plan 2 maintains the same vehicle access points as the existing site layout but places a significantly greater emphasis on providing high quality pedestrian linkages within the site. This includes a key linkage is to the Smales Farm Bus Station, which will allow the high frequency public transport routes to be readily accessed. This is considered an appropriate approach to support the desired TOD principles of the development.</p> <p>Central to these linkages is a pedestrian plaza in the centre of the site, which will prioritise pedestrian mobility. The ITA indicates that vehicles may be directed around the perimeter of the site towards underground or above-ground parking, which would</p>	<p>AT is concerned that the implications of the proposed internal pedestrian circulation on proposed Precinct Plan 2 in Appendix B of the AEE have not been adequately assessed in the ITA and associated traffic modelling. As such, it is requested that the applicant:</p> <ul style="list-style-type: none"> Provide further clarification and, as necessary, further assessment of any changes in traffic assignment to the external transport network that will result from the internal arrangements on proposed Precinct Plan 2. Review the need to include amended and / or additional provisions

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⁹ AEE (Appendix B), Precinct Plan 2 and ITA, Figure 9, page 30

Issue	Position & reasons	Recommendations sought from the Council
	<p>provide more space for active travel modes, such as cycling and walking. This will also enable more space to be dedicated towards the proposed non-residential and residential activities.</p> <p>Precinct Plan 2 shows the pedestrian paths and vehicle accesses points from the external road network. The pedestrian linkages within the site are then shown to connect through the existing roundabout, which will be replaced with a pedestrianised plaza. The proposed Precinct Plan does not however show any internal vehicle roads to confirm how this would be addressed or provide associated provisions in that regard.</p> <p>The traffic modelling relies on an assignment to the surrounding transport network, based on the current flexibility that the existing road-focussed site layout provides. However, with the supported pedestrian improvements within the proposed Smales Farm TOD, it is not clear how this can occur to achieve a similar assignment of vehicles to the external network. For example, a person leaving office activity in the northern part of the site could currently exit directly onto Northcote Road, via the internal roads. However, with the proposed Precinct Plan 2 layout, that person may need to exit onto Taharoto Road and then drive south along that road to Northcote Road. This has the potential to result in additional adverse transport effects on the external transport network and it is unclear whether these effects, of the proposed internal pedestrian improvements, are adequately considered in the ITA.</p>	<p>(objectives, policies, rules, standards and assessment criteria) within PPC23 to provide appropriate mitigation measures for adverse effects resulting from the above, as necessary.</p>
<p>Timing and staging in relation to future transport network changes</p>	<p>The ITA states that, beyond 2028, the Auckland Transport Alignment Project (ATAP) has identified that a rapid transit line from the Auckland City Centre to Orewa is a priority, which the ITA indicates would likely be achieved by upgrading the existing Northern Busway into the form of light rail, with a new crossing of the Waitemata Harbour.¹⁰</p>	<p>AT is concerned that the ITA and associated traffic modelling potentially rely on yet to be committed and funded public transport infrastructure. The ITA does not identify all transport projects and services required to support the development enabled by the</p>

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¹⁰ ITA, Section 6.1, page 33

Issue	Position & reasons	Recommendations sought from the Council
	<p>The ITA identifies that this infrastructure and services would increase the capacity of the public transport network and further improve journey times and reliability, which would strongly promote mode shifts away from private vehicle travel. The ITA states that this is a key component of the vision for the Smales Farm development becoming a TOD.</p> <p>However, it is unclear from the ITA whether the mode share and associated traffic generation assumed in the assessment of the proposed PPC23 rely on the completion of light rail (City Centre to Orewa), with a new crossing of the Waitemata Harbour. It is noted that, whilst identified as a priority in ATAP, further investigation and a business case need to be undertaken, before any funding is confirmed/ committed for these projects.</p> <p>As such, should the ITA be relying on these identified ATAP projects in its assessment of the effects of the full scale of the proposed PPC23, then assessments should also consider the implications of this infrastructure not being in place.</p> <p>The ITA needs to identify any transport projects and/or services relied on by the land use and development, including whether they are funded and if not how they will be delivered and by whom. This information and analysis is not explicitly discussed in the ITA but is required.</p>	<p>proposed plan change and how these will be provided for. As such, it is requested that the applicant:</p> <ul style="list-style-type: none"> • Provide further clarification and, as necessary, further assessment of the transport effects of the proposed PPC23 development without this infrastructure, as necessary. • Clearly identify what projects and services are required and how they will be delivered. • Review the need to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) within the PPC23 provisions that address any additional transport effects identified from the above.
<p>Amendments to the Business Park Zone and Smales 1 Precinct provisions</p>	<p>As a result of the above matters in this submission, the precinct provisions will need to be amended to align with the principles of this TOD, to manage adverse effects on strategic transport infrastructure and services and ensure additional development enabled on this site appropriately avoids and/or mitigates additional transport network effects.</p>	<p>AT notes that the plan change provisions will likely require a number of amendments to reflect the various matters of concern addressed in AT's submission above.</p>

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Issue	Position & reasons	Recommendations sought from the Council
	<p>In this respect the proposed new and amended provisions appear insufficient and do not appear to appropriately address, for example:</p> <ul style="list-style-type: none"> • Adverse effects on the transport network • Effects on key strategic transport infrastructure services • Assessment of proposed high trip generating non-residential activities • Provision of walking and cycling facilities in line with TOD principles • Travel demand management • Car parking and in particular managing the amount of parking in line with TOD principles • Encouraging alternative modes of transport • Managing vehicle access and circulation • Identification of transport projects and services required to support the proposed development 	

**SUBMISSION BY SOVEREIGN SERVICES LIMITED ON PROPOSED PLAN CHANGE 23 (PRIVATE):
SMALES FARM TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)**

TO: Auckland Council (“Council”)
Private Bag 92300
Auckland 1142
Attention: Planning Technician
Email: unitaryplan@aucklandcouncil.govt.nz

SUBMISSION ON: Proposed Plan Change 23 (Private): Smales Farm (“PC23) to the Auckland Unitary Plan (Operative in Part) (“AUP”)

FROM: Sovereign Services Limited (“AIA Sovereign”)

1. INTRODUCTION

- 1.1 AIA Sovereign is New Zealand’s largest life insurer and one of the country’s leading private health insurers. AIA Sovereign has been part of the AIA Group since 2018. AIA House (formerly known as Sovereign House) is AIA Sovereign’s head office in New Zealand, with approximately 1000 staff.
- 1.2 AIA Sovereign and Northcote Rd 1 Holdings Limited are parties to a Deed of Lease dated 7 March 2014, as amended, in relation to the lease of AIA House, 74 Taharoto Road, Smales Farm, Takapuna 0622 (the “Lease”). The commencement date of the Lease was 1 October 2007 and, subject to any rights of renewal being exercised, the initial term expires on 30 September 2025. The final expiry date of the Lease if all renewals are exercised is 30 September 2042.
- 1.3 As a predominant business in Smales Farm Business Park, AIA Sovereign wishes to ensure that PC23 appropriately recognises and provides for AIA Sovereign’s operations that are affected by PC23.
- 1.4 AIA Sovereign could not gain any advantage in trade competition through this submission.

2. SCOPE OF SUBMISSION

- 2.1 This submission relates to PC23 in its entirety.

3. SUBMISSION

- 3.1 AIA Sovereign:
- (a) opposes the proposed plan change in general; or
 - (b) supports the proposed plan change subject to amendments set out in Section 5 below.

4. REASONS FOR SUBMISSION

4.1 AIA Sovereign seeks to better understand the implications of the proposed plan change. In particular, the reasons for this submission are that:

- (a) PC23, if granted subject to the amendments sought by AIA Sovereign below:
 - (i) will promote the sustainable management of resources, and will achieve the purpose of the Resource Management Act 1991 (“RMA”);
 - (ii) is consistent with Part 2 and other provisions of the RMA;
 - (iii) will meet the reasonably foreseeable needs of future generations;
 - (iv) avoids, remedies or mitigates the adverse effects of the proposed activity;
 - (v) will enable social, economic and cultural wellbeing; and
 - (vi) represents the most appropriate way to achieve the objectives of the Unitary Plan, in terms of s32 of the RMA.
- (b) In particular, but without limiting the generality of the above, AIA Sovereign is concerned with introducing residential activities into an already built and operating business park. As a long term tenant, AIA Sovereign had an expectation that the business park would continue to develop office and commercial activities, and related services and amenities. AIA Sovereign expected that in the future further office-type business activities would be established grouping together in a park or campus like environment, creating an attractive commercial hub. Such a business park is an inviting environment for workers, while attracting ongoing investment, promoting commercial activity, and providing employment. Introducing residential activities to the scale anticipated by PC23 may adversely impact and effect the existing business park development and substantially change the commercial amenity and sense of place of the area.
- (c) AIA Sovereign is concerned with the proposed building height limit of up to 100m for residential activities in Height Area 2 being a permitted activity standard (proposed permitted standard I538.6.4 building height). Should residential activity be provided for within the precinct, a permitted height limit more in keeping with the existing business park of 5-6 stories should be implemented. Such a proposed scale of intensified residential activity will significantly dilute the effectiveness, operation and benefits of the business park locating office and commercial activities together. Services and amenities that would have attracted workers from the business park, will now be overloaded with non-workers detracting from the attractive and established business environment.
- (d) The form, scale and design quality of the established business park will be adversely affected by the proposed amendments to the Smales 1 Precinct by exempting the yard and parking rates from the underlying Business Park Zone for assessment of residential activities. The proposed maximum tower dimensions and tower separation further adversely impact the existing attractive business park.
- (d) PC23 currently includes a proposed standard I538.6.2(2) of “no minimum or maximum parking requirements apply[ing] to residential activity”. With no required parking for

residential dwellings, pressure will be put on existing parking provided within the business park. AIA Sovereign is concerned that a lack of car parks will adversely impact established businesses in the business park.

- (e) AIA Sovereign is also concerned that existing amenities may be significantly overloaded by the proposed extent of residential activity.

5. RELIEF

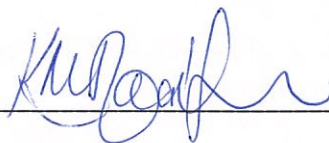
5.1 AIA Sovereign seek the following decision by Council:

- 12.1 | (a) Decline proposed PC23; or
- 12.1 | (b) If the proposed plan change is not declined, amend PC23 as set out as follows:
 - 12.2 | Amend I538 Smales 1 Precinct as follows (proposed amendments shown in redline):
 - 12.2 | (i) Policy I538.3 (1A): Enable the development of intensive residential activities at Smales 1 Precinct and require it to be designed to provide privacy and outlook and have access to daylight and sunlight, while avoiding adverse effects on the function and amenity of the existing business park development.
 - 12.3 | (ii) Amend I538.6 Standards by deleting the following listed exceptions:
 - Standard E27.6.2(5)
 - Standard H15.6.1 Building height; and
 - Standard H15.6.3 Yards
 - 12.4 | (iii) Delete I538.6.2(2)
 - 12.5 | (iv) Delete I538.6.4 Building Height
 - 12.6 | (v) Delete I538.6.5 Maximum tower dimension and tower separation
 - 12.7 | (vi) Delete Figure I538.6.5.1
 - 12.8 | (c) Any other consequential amendments or relief as may be necessary to address AIA Sovereign’s above concerns.

5.2 AIA Sovereign wishes to be heard in support of this submission.

5.3 If others are making a similar submission, AIA Sovereign would be prepared to consider presenting a joint case with them at any hearing.

Signature: SOVEREIGN SERVICES LIMITED by its authorised agent



Kristy Redfern

Date: 15 May 2019

Address for Service: AIA House
74 Taharoto Road
Takapuna
Auckland 0622

Attention: Kristy Redfern

Phone: 021 809 094

Email: kristy.redfern@aia.com

**Submission on publicly notified private plan change request:
Plan Change 23 ('Smales Farm' business park)**

Auckland Council
135 Albert Street
Private Bag 92300
Auckland 1142

Submitter:

Auckland Council

Scope of submission:

This is a submission on the whole of proposed private Plan Change 23 – 'Smales Farm'.

The specific provisions which my submission relates to are:

All provisions of proposed private Plan Change 23 including:

- Chapter H15 Business – Business Park Zone
- Chapter I538 Smales 1 Precinct
- Auckland Unitary Plan planning maps (geospatial maps)

Submission:

My submission is:

13.1 | Plan Change 23 is supported in part, subject to amendments.

The reasons underpinning this submission are:

1. Smales 1 Precinct is presently an under-developed business park zoned site. Its further development can enable business growth and employment growth over time.
2. Some provision for residential activity, in conjunction with capped non-office accessory activities, would contribute to the diversity of activity at Smales 1 Precinct.
3. Limited provision for residential activity allows the land to be used more efficiently and could be complementary to the limitations on office activity (generally within the Business – Business Park Zone, and specifically at Smales 1 Precinct).
4. The degree of flexibility in provision for different land use activities is a significant departure from the Business – Business Park Zone. The breadth of activities provided for by the plan change is contrary to the purpose and outcomes of the zone. The precinct would no longer have a moderate – intensive office focus in a park- or campus-like environment.
5. The range of activities that would be enabled is better aligned with a business – centre zoning. The precinct as proposed by the plan change would be multi-functional, by enabling activities that are:
 - a. Commercial
 - b. Cultural
 - c. Community oriented
 - d. Social
 - e. Residential

at a scale greater than that provided for in centres that are focal points in Auckland's urban form. This is where these activities are encouraged and investment can be prioritised.

Metropolitan centres act as focal points for community interaction, commercial growth, contain hubs serving high frequency transport and provide for a wide range of activities including all scales of commercial activity.

6. Business – Business Park Zoning would not be the most relevant or appropriate zone for Smales 1 precinct if plan change 23 was approved in its notified form.
7. The creation of an additional centre challenges the Auckland Unitary Plan’s regional policy statement. While the plan change promotes urban growth and intensification within Auckland’s urban area it utilises a precinct to potentially create a new centre outside the hierarchy of centres that support a quality compact urban form.
8. Activities such as drive-through restaurants and supermarkets conflict with the high standard of visual, landscaped and pedestrian amenity sought in the Business – Business Park Zone.
9. The Business – Business Park Zone controls the scale of built development so it remains compatible with a landscaped high-quality business setting. Significant development uplift is enabled by the plan change. The scale of potential building forms and overall bulk greatly exceed that contemplated in the Business – Business Park Zone.
10. The plan change does not contain policies, activities, standards, criteria or other methods to require development to respond to the Northern Busway station. The precinct is transit adjacent; it is not transit oriented.
11. The present form of the plan change is inconsistent with Auckland Unitary Plan drafting conventions which will prevent its effective implementation.

I seek the following decision:

Proposed plan change 23 be:

- | | |
|------|---|
| 13.2 | A. amended to achieve the outcomes set out above. |
| 13.3 | B. amended to strengthen the rationale for the place-based response. <ol style="list-style-type: none"> a. The precinct description and precinct objectives are insufficient in explaining the planning context, precinct purpose and the reasoning driving the introduction of additional land use activity opportunities and building scale. |
| 13.4 | C. amended to provide a rationale for different outcomes sought within the precinct. <ol style="list-style-type: none"> a. There is no policy support for the significant maximum height introduced by the plan change generally, nor the specific and different outcomes within proposed height areas 1 and 2. These outcomes should be explained within the precinct description. b. The introduction of sub-precincts would assist as the outcomes are related to particular places within the precinct. c. Objectives and policies should inform lower-tiered provisions in the hierarchy such as the introduction of different height standards as depicted on precinct plan 1. |
| 13.5 | D. amended to remove the tension between the precinct and its underlying zoning: Business – Business Park Zone, and to avoid the creation of a new centre through amendments such as: <ol style="list-style-type: none"> a. through a narrower range of non-office activity being specifically enabled as permitted activities such as (A10), (A12), (A14), (A17)-(A19) from Table I538.4.1 |

- 13.5
- b. through a narrower range of non-office activity being provided for as restricted discretionary or discretionary activities such as (A11), (A15), (A16) from Table I538.4.1
 - c. reducing the potential scale of development which exceeds the maximum height enabled in the Business – Metropolitan Centre Zone, which is second only to the city centre in overall scale and intensity. Metropolitan centres allow a building height of 72.5 metres. Maximum building height in Business Park zone is 20.5 metres. The operative I538 precinct enables maximum height of approximately 25 metres. Plan change 23 enables height of approximately 100 metres.
- 13.6
- E. amended to enable building height where building forms and locations, and private and public street and pedestrian networks:
- a. respond to and integrate with the Northern Busway station to create a high quality built environment and transit oriented development that is accessible for pedestrians of all mobility needs
 - b. provide shelter, active edges in key locations, and avoid dominance by vehicles including heavy vehicles
 - c. are designed to enhance personal safety
- and include policies, activities, standards, criteria or other methods to achieve these outcomes and require transit oriented development.
- 13.7
- F. amended to require building form, height, bulk and scale to be assessed through application of additional standards and criteria such as, but not limited to:
- a. increasing minimum landscaping requirements
 - b. introducing floor area ratio controls, and/or other methods to modulate building mass
 - c. varying building setbacks at upper floors
 - d. introducing a minimum height control to discourage inefficient use of land within the precinct
 - e. varying the activity classification for infringements of the maximum height standard
 - f. amending (reducing) the proposed maximum height standard and consequential changes to precinct plan 1
 - g. providing adequate sunlight access to private and public streets and adequate sunlight and outlook around buildings
 - h. enabling buildings are not overly bulky, and are slender in appearance
 - i. controlling dominance.
- 13.8
- G. amended to produce a high quality built environment, especially at ground level regardless of street ownership by:

- 13.8
- a. building form at ground floor relating to street frontages, with active frontages in key locations
 - b. avoiding residential activity at ground floor
 - c. avoiding blank walls at ground floor
 - d. avoiding at-grade car parking between building frontages and street frontages
 - e. providing a consistent human-scaled edge to the street
 - f. providing shelter for pedestrians and supporting patronage of public transport through high quality connections.

The site and existing roads are privately owned yet many of the desired outcomes are at the 'private/public' interface at ground level including between building frontages and street edges. This generates particular challenges as to the methods and rules that are best applied and administered.

- 13.9
- H. amended to enable some residential activity within the precinct but less than the intensive and enabling approach promoted in the plan change. Amendments include:
 - a. refinement of objectives I538.2 (A1), (2) and (3). The plan change would enable intensive residential activities, at a scale equalling that of the city centre, but does not contain provisions to direct a vibrant mixed use transit oriented development outcome.
 - b. a principled approach to explain the context for limited residential activity within the Business - Business Park Zone where it is specifically discouraged
 - c. achieving vertical alignment of all relevant provisions including Policy H15.3.18
 - d. removal of provision for a wide range of residential activities:
 - i. generally residential activities should have the same non-complying status as in the underlying Business – Business Park zone including
 - 1. integrated residential development (whose definition includes retirement villages and hospital care)
 - 2. supported residential care (whose definition includes rest homes)
 - 3. boarding houses.
- However as limited provision for residential activity is supported:
- ii. Retain dwellings as permitted (above ground level only)
 - iii. Retain visitor accommodation as permitted.

- 13.10
- I. amended to retain precinct provisions that integrate development and land transport network by:
 - a. amending objectives, policies, activities, standards and assessment criteria
 - b. responding to the precinct's location and the transport network
 - c. managing adverse effects on the safe and efficient operation of the transport network
 - d. recognising the trip generating characteristics of different land uses, including at different times of the day
 - e. limiting land use activities that are reliant on private motor vehicle trips and that do not support the establishment of a transit oriented development such as supermarkets servicing people not living or working on the site, drive through restaurants, large format retailing, or retailing that is not accessory to the needs of workers or residents in the precinct
 - f. controlling the scale of land use activities

- 13.10
- g. limiting provision of car parking, including for residential activity
 - h. promoting modal shift from private vehicular trips to active and public transport modes utilising different methods which could include:
 - i. providing end of trip facilities
 - ii. creating pedestrian and cycling connections to public transport that is safe convenient and attractive.
- 13.11
- J. amended to ensure land use consent applications are assessed against objectives, policies, standards' purpose, restricted matters and assessment criteria that direct outcomes relative to the purpose of the zone. Amendments include but are not limited to:
 - a. replacing language that does not guide assessment¹ with language that specifies the desired outcomes
 - b. introduction of each standard's purpose
 - c. removal of proposed criteria for infringements of standards where it replicates or contradicts the Auckland Unitary Plan approach as described in Chapter C.
- 13.12
- K. amended to remove temporary activities from the precinct.
 - a. Auckland Unitary Plan has an existing management regime in its Auckland-wide provisions.
 - b. A precinct should respond to a particular opportunity or constraint, rather than including wide-ranging content better managed elsewhere in the Auckland Unitary Plan.
 - c. Auckland Unitary Plan enables temporary activities in locations that have capacity to accommodate lots of people, and are accessible and convenient in terms of public transport and parking availability. These locations exclude business park zones.
 - d. Enabling temporary structures and temporary activities (including noise events) at Smales 1 Precinct highlights the tension between the proposed precinct and Business – Business Park Zone.
- 13.13
- L. amended to remove signage activities from the precinct.
 - a. Auckland Unitary Plan has an existing management regime in its Auckland-wide provisions.
 - b. A precinct should respond to a particular opportunity or constraint, rather than including wide-ranging content better managed elsewhere in the Auckland Unitary Plan.
 - c. Provision for comprehensive signage in combination with more enabling retailing, supermarket, and drive through activities, enables activities at a scale and of a nature contrary to the Business – Business Park Zone.
- 13.14
- M. amended to achieve vertical alignment between precinct provisions. Resource management issues and opportunities do not cascade through the hierarchy of:
 - a. Precinct description
 - b. Objectives
 - c. Policies
 - d. Activity table with associated classifications
 - e. Standards
 - f. Restricted matters
 - g. Assessment criteria

¹ See for example I538.3(1B); I538.8.1; I538.8.2 for various terms such as: “the effects on”, “an appropriate level of amenity”, “the extent to which”.

- 13.14 | h. Precinct plans.
- N. amended to be consistent with Auckland Unitary Plan drafting conventions to enable the precinct's effective implementation, and to avoid uncertainty for plan users. The provisions need to be clear and unambiguous, well integrated, and effective for their intended purposes. Changes are sought to:
- a. Language, such as consistent use of terms defined in Auckland Unitary Plan Chapter J Definitions
 - b. Structure, where information appears within the precinct
 - c. Standards, to include the purpose of each standard
 - d. Cross-referencing to figures, tables and provisions within the precinct, and other parts of the Auckland Unitary Plan
 - e. Numbering and naming of precinct provisions, including precinct plans
 - f. Content, format and style of precinct plans including clear and accurate information.
- 13.15 | O. amended to specify whether particular Auckland-wide and zonal provisions do not apply. Plan Change 23 introduces activities to Table I538.4.1 that already trigger resource consent applications in the Auckland-wide and zonal chapters. Auckland Unitary Plan Chapter C determines the activity status when the same activity is regulated in Auckland-wide, zone and/or precinct provisions. The activity status of the same activity in the precinct provisions takes precedence over that in the Auckland-wide and zone, however resource consent is still required.
- Notwithstanding the decisions requested elsewhere in this submission to remove signage and temporary activities from Table I538.4.1, this submission point highlights the desirability of:
- a. well-integrated provisions
 - b. avoiding duplication of Auckland Unitary Plan content in precincts
 - c. effectiveness of provisions to avoid unnecessarily complicated resource consent processing.
- P. amended by adding an additional row or rows to Table I538.4.1 to enable the application of standards to new buildings. The activity status field should be left blank to indicate the status of the underlying Business – Business Park zone applies.
- 13.16 | Q. amended by additions, deletions and/or modifications to the proposed precinct plans:
- a. to ensure that any rules that pertain to them are clear and effective
 - b. precinct plans must be clear, unambiguous, contain adequate information including labelling of dimensions, and be effective for their intended purpose
 - c. naming, numbering, orientation, design and format (using cadastral data) should conform to Auckland Unitary Plan drafting standards
- 13.17 | R. amended to remove reference to the application of overlay provisions. No overlays apply to Smales 1 Precinct.

- S. amended to remove changes proposed to Policy H15.3 (18)(b) and (c) in Chapter H15 Business – Business Park Zone
- T. amended to insert text within I538 Smales 1 Precinct at Policies I538.3 by
 - a. amending the introductory statements preceding and following the precinct-specific policies that apply Auckland-wide and underlying zone policies to create an exception to the application of Policy H15.3 (18)(b) and (c) within the precinct; except that:
 - i. Policy H15.3 (18)(b) and (c) should be varied as follows:

“Policy H15.3

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

...

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

(c) limit residential activity except for visitor accommodation and dwellings;

...”
 - b. make consequential change to precinct objectives and policies
 - c. for the avoidance of doubt, the application of all other Auckland-wide and underlying zone policies continues.
- U. amended to correct errors in the proposed provisions:

13.18

13.19(a)

a.	Provision
	I538.6.1(2) Gross floor area (GFA)
	Error type
	Relationship between terms and terms defined in Chapter J Auckland Unitary Plan
	Detail
	Provision controls GFA of retail and “commercial services activities”. Disconnect between provision and defined terms within nesting table J1.3.1 Commerce
	Consequence
	Provision is ineffective. Does not control GFA of activities enabled in Table I538.4.1 that may have effects on safe and efficient operation of the transport network, and on the functions and amenity of centre zones such as: <ul style="list-style-type: none"> • Conference facilities • Entertainment facilities

	<ul style="list-style-type: none"> • Community facilities • Education facilities • Tertiary education facilities
--	---

13.19(b)

b.	Provision
	I538.6.1(2) Gross floor area (GFA)
	Error type
	undefined terms, language
	Detail
	Provision controls GFA of retail and “commercial services activities”. Provision refers to “development’ whose meaning is unclear.
	Consequence
	This is a key method in the precinct. Its wording should be clear and unambiguous to assist in achieving the precinct’s purpose and objectives.

13.19(c)

c.	Provision
	I538.6.4 Building height, Table I538.6.4.1 building height and precinct plan 1
	Error
	The standard, table and precinct plan are imprecise.
	Detail
	Inadequate and inconsistent information is provided in the three provisions each of which is intended to work together. There is inadequate cross referencing, the heights are not specified as maxima, the average RL at Taharoto Road frontage is not adequately stated nor shown on the precinct plan, heights are variously expressed as GLs and RLs.
	Consequence
	This is a key method in the precinct. Its wording should be clear and unambiguous to assist in achieving the precinct’s purpose and objectives.

13.19(d)

d.	Provision
	I538.6.4(2) Building height
	Error type

13.19(d)

	The standard is ambiguous.
	Detail
	The second part of the standard appears to control the building mass above a specified height by limiting floor area, rather than the total height of buildings. The standard is unclear as it relates to cumulative areas however it goes on to specify it does not constrain the total floor area above the specified height.
	Consequence
	Provision is unclear and ineffective.

13.19(e)

e.	Provision
	I538.6.9 Pedestrian plaza
	Error type
	This provision is an activity, included within the standards section of the precinct.
	Detail
	Missing vertical cascade, no activity trigger in table I538.4.1, reliant on precinct plan 2 which is unclear and ineffective, includes imprecise language (such as “adequate sun”, “appropriately sheltered” “having regard to”) and CPTED acronym (whereas “designed for safety” is preferred)
	Consequence
	Provision and precinct plan 2 is incapable of objective discernment and effective implementation

13.20

- V. amended to retain Auckland Unitary Plan approach to restricted matters and assessment criteria for infringements of standards:
 - a. the precinct should not introduce new restricted matters, as is proposed at I538.8.1(2) and I538.8.2(2) for example.
 - i. Cross-references should be made to the relevant policies. In this instance these could include Business – Business Park zone Policies H15.3.3; H15.3.5; H15.3.8; H15.3.11; H15.3.13; H15.3.18; H15.3.20.
 - ii. The language proposed does not guide assessment or direct outcomes.
 - iii. The proposed approach contradicts Chapter C which directs how resource consent applications should be assessed.
 - b. new assessment criteria are also proposed at I538.8.2(5)(f) Buildings extending above RL50.4. This is duplication as the criteria relate to infringement of maximum height, the same standard addressed at I538.8.1(2) and criteria I538.8.2(2).

- 13.20
- i. Remove duplication. Where additional provisions are necessary group them together.
 - ii. Cross-references should be made to the relevant policies
 - iii. The language proposed does not guide assessment or direct outcomes
 - iv. The proposed approach contradicts Auckland Unitary Plan Chapter C which directs how consent applications should be assessed.
- 13.21
- W. amended to retain Auckland Unitary Plan approach to restricted matters and assessment criteria for restricted discretionary activities provided for by a precinct and Auckland-wide or zonal provisions:
- a. assessment of different or additional criteria within a precinct may be authorised however the vertical alignment of relevant provisions and cross referencing of relevant Auckland-wide or zonal provisions is necessary.
 - b. the proposed wording of restricted matters and assessment criteria for new buildings and additions and alterations are not supported in their present form at:
 - i. I538.8.1(5)
 - ii. I5.8.8.2 (5).
- 13.22
- X. amended to limit I538.4.1(A6), I538.8.1(2), I538.8.2(2) to the conversion of a building or part of a building to dwellings or visitor accommodation.
- Y. amended to ensure all relevant matters may be considered for applications to convert buildings for dwellings or visitor accommodation.
- 13.23
- a. I538.8.1(2), and I538.8.2(2) apply restricted matters and criteria in the Business – Metropolitan centre zone which in turn focus on compliance with listed standards applicable to the Business – Metropolitan centre zone.
 - b. Assessment criteria and restricted matters must address all relevant matters to the activity, and in the context of the underlying zone and precinct.
- 13.24
- Z. amended to remove restricted matters and assessment criteria at I538.8.1(4) and I538.8.2(4) for drive through restaurants as:
- a. the activity status of drive through restaurants should remain non-complying as specified in the Business – Business Park zone
 - b. those matters are limited to amenity considerations
 - c. no effects on the transport network are considered.
- 13.25
- AA. amended by removing restricted matters and assessment criteria evaluating compliance with precinct plan 2 (see I538.8.1(5) and I538.8.2(5)).
- 13.26
- BB. amended by adding to, deleting from or modifying the assessment criteria of the precinct to ensure that all relevant matters can be effectively and efficiently evaluated to ensure urban form outcomes outlined in the reasons for this submission, and consistency with the objectives and policies of the underlying zoning and modified precinct.

13.27 | CC. amended by adding any “Special information requirements” necessary to highlight for applicants any particular matters requiring special attention.

13.28 | DD. supported, in so far as it retains a cap on retailing activity.

13.29 | EE. supported, in so far as typographical errors in the operative precinct I538 Smales 1 Precinct are corrected.

FF. supported, in so far as limited provision is made for residential activity:

- 13.30(a) | a. support that no provision is made to enable camping grounds or retirement villages.
- 13.30(b) | b. support that conversion of a building or part of a building to dwellings or visitor accommodation be provided for as a restricted discretionary activity.
- 13.30(c) | c. support provision is made for dwellings as a permitted activity, subject to compliance with appropriate standards (noting new buildings require restricted discretionary approval)
- 13.30(d) | d. do not support provision for the following activities from the residential nesting table J1.3.5: integrated residential development; supported residential care; boarding house
- 13.30(e) | e. do not support that residential activity (excluding visitor accommodation) can be established on the ground floor.

13.31 | GG. supported, in provision for service stations as non-complying activities within the precinct at Table I538.4.1.

I wish to be heard in support of this submission.

If others make a similar submission I would consider presenting a joint case with them at the hearing.

On behalf of Auckland Council:

A handwritten signature in black ink that reads "C. Davison". The signature is written in a cursive style with a small dot above the 'i' in Davison.

Signature of person authorised to sign on behalf of submitter

Celia Davison
Manager Central South Planning Unit
Auckland Council

Dated: 15 April 2019

Address for service:
Celia Davison
Manager Central South Planning Unit

Email: celia.davison@aucklandcouncil.govt.nz
Telephone: 09 301 0101
Postal address:
Auckland Council
135 Albert Street
Private Bag 92300
Auckland 1142

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter:

Organisation name: Westlake Girls High School

Agent's full name: Joy Bradfield, Board Chair WGHS

Email address: joybradfield@gmail.com

Contact phone number: 021347271

Postal address:
2 Wairau Road
Takapuna
Auckland 0627

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:
Plan Change 23 I538 Smales 1 Precinct

Property address: 2 Wairau Road, Takapuna, Auckland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Please see attached review document for submission details

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

Details of amendments: Please see attached submission document for details of amendments

Submission date: 15 May 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

14th May 2019

Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

SUBMISSION ON A PUBLICLY NOTIFIED PRIVATE PLAN CHANGE (PLAN CHANGE 23: SMALES FARM: 68-94 TAHAROTO ROAD, TAKAPUNA)

Affected Property: 2 Wairau Road, Takapuna

Submitter details

Organisation: Westlake Girls High School
Agent: Joy Bradfield, Board Chair
Postal Address: 2 Wairau Road, Takapuna, Auckland 0627
Email: joybradfield@gmail.com

Details of the Proposed Plan Change 23

Proposed plan change 23 seeks to amend policies in H15 Business – Business Park zone and to make various changes to I538 Smales 1 Precinct. The main purpose of the change is to transition the Smales Farm office park to a transit-oriented form of mixed-use development over a 20-30 year period by providing for a significant amount of residential development, in addition to the existing provision for offices. The residential development would largely be in apartment formats, with some buildings up to 100m high (approximately 30 storeys).

Overview and stance on the Proposed Plan Change 23

We oppose in part the proposed Plan Change 23, in particular, aspects of the proposed I538 Smales 1 Precinct. This submission is intended to identify the impacts and effects of the proposed Plan Change on Westlake Girls High School and seeks to ascertain what controls are in place to address these. We seek assurance from Auckland Council that our concerns will be addressed, and that the potential adverse effects noted in this submission will be avoided and/or mitigated in the final approved plan.

- The removal of the requirement for traffic assessment for future development does not take into account the significant effect increase traffic movements would have on neighbouring sites such as WGHS. The proximity of the Smales Farm Bus Station could, and would hopefully, encourage increased use of public transportation; however, the same argument could be made for the proximity of the North and Southbound on/off ramps of the SH1 motorway. The construction costs of high rise apartment blocks are only offset by high yields in sales prices. These are not 'affordable homes' and therefore would, no doubt, have a parking requirement (for which no min/max has been set in the PC23); thus increasing the traffic movements from the site and on the surrounding transport network. The potential for increased congestion, and resultant dangerous driving behaviours, cannot be

underestimated therefore we submit that traffic assessments should continue to be required for all new developments that exceed the trip generation standards in E27.6.1.

- Table I538.4 Accommodation activities (A5) through (A9) or a new activity covering “New buildings” should not be Permitted activities, but should be Restricted Discretionary activities and subject to the assessment criteria under I538. that provides for the assessment of new buildings, along with pedestrian amenity, safety and access.
- The increased maximum height area 1 on the proposed Precinct Plan I538.10 proposes a 6 storey height limit, we believe that this is inappropriate. That the existing height limit in the Precinct should be taken as Maximum height area 1 and that this existing height limit should be extended to continue west along the full length of the site boundaries on Shakespeare Rd Extn, up to and including the bus station/parking area and similarly south-east, along Northcote Road to the boundary with the busway, to provide a buffer of 4-5 storey development (as is currently the case fronting Taharoto Road), between the proposed 100m/30 storey high rise development and the surrounding existing lower height provisions in the adjacent 3 storey Residential Mixed Housing Urban zone (which includes the WGHS site). This extension of the 25m height zone would also avoid the wind tunnel, dominance and privacy effects of high rise development within close proximity of the bus station and the WGHS site (refer attached amended Smales Farm Precinct Plan : Maximum Height pg 7).

With regard to this submission, our concerns for the safety and privacy of Westlake Girls High School students are paramount. This would include those students from all the nearby schools that may be affected by this proposed plan change i.e. Takapuna Normal Intermediate School, Westlake Boys High School and Carmel College.

The increased traffic generated from the site, pedestrian and cyclist’s safety at the main intersections to the Smales Farm site, and safety for students traversing through the site on foot/bike/scooter to TNIS, Takapuna and Northcote areas and vice versa to WGHS, Milford and Forrest Hill must be assessed for each new development. Whilst the internal roads and pedestrian routes are on private property, the public does have full access to the site and is an affected party.

The protection of the privacy of students on the WGHS school site and on the sports areas must be maintained, with respect to the proximity of high rise buildings/apartments and their ability to overlook the school grounds.

The negative impact of a wind-tunnel effect from high rise buildings in close proximity to the Smales Farm Bus Station and WGHS grounds, that could endanger students (ranging in age from 11 -18 years) who may opt to run across roads/car parks and accessways, to get out of the wind, without due regard to the dangers of road and vehicle movements is of serious concern.

Reasons for this Submission:

To provide WGHS with the ability to engage in the plan change process as an affected party, and subject to any further modifications, to this plan change.

This submission opposes the following sections of I538 Smales 1 Precinct, and any other aspects of the plan change that have an effect on the safety and privacy of our students, staff and school community. We acknowledge that the school has not engaged the services of a traffic engineer or planning consultant to assess the impact of this Plan Change on our community. As such, we have

not been able to provide a robust submission on the environmental effects of this PC, and this may put the school at a disadvantage with respect to not having identified those areas of the PC that may have a significant negative effect on the character of our school, along with the safety and privacy of our students and school community. We hope that the processing planners will consider our areas of concern in assessing this Plan Change.

14.1 While the school works in close co-operation with Smales Farm personnel and acknowledges the high standard of development on the site thus far, with well-planned buildings, communal areas, quality landscaped areas and a network of walking and cycling routes; and we have no reason to suspect that any future development would be any different; we respectfully oppose the following sections of the plan change and propose variations where detailed below, to protect our school community from the perceived effects of future development on this site:

14.2 1. **I538.3 (3)** oppose the proposed wording of this section; with the proposed addition of residential development to this precinct PC, the wording should be amended to read *“Require any development over 105,000sqm gross floor area to demonstrate that the activity will not significantly adversely affect the safe and efficient operation of the transport network, or that such effects will be mitigated”*

14.3 2. **I538.4 Activity Table , Table I528.4.1. (A1)** amend the wording to include **Any activities exceeding maximum GFA of 162,000sqm** to be a **Discretionary activity**, and therefore subject to assessment as such. We note that there is no proposed GFA limit for residential activities in this plan change, and oppose this omission. We submit that there should all new buildings should be Restricted Discretionary, or that residential activities should be included in (A1) when exceeding the max GFA of 162,000sqm and assessed as a Discretionary activity.

14.5 3. **I538.4 Activity Table , Table I528.4.1. (A4)** amend the activity status of activities exceeding the limits in standard I538.6.4 (proposed building heights) to be a **Discretionary activity**, and therefore subject to assessment as such.

14.4 4. **I538.4.1. Activity Table** - Add an additional activity to this table, for all **New Buildings** to have a **Restricted Discretionary** activity status and therefore be subject to assessment criteria under section I538.8.2. and in particular I538.8.2.(e) which addresses Pedestrian amenity, safety and access; and (f) (4th bullet point) which addresses the wind, shadowing, dominance and privacy effects on buildings extending above RL50.4m - all of which impact on WGHS’s school and community.

4.1.1. Note that the abovementioned assessment criteria under the proposed PC (section I538.8.2. and in particular I538.8.2.(e) and (f)) *only applies to restricted discretionary activities which does not include new buildings or residential dwellings, integrated residential development, supported residential care, or any of the permitted activities in the table. This is a major oversight, that prevents the assessment of these important criteria in any of the permitted activities/developments in the future.*

4.1.2. We also note that Precinct standards trump the underlying H15 Business - Business Park zone standards, and that the assessment criteria under the Precinct standards for RD activities (as detailed above) are not found in the assessment criteria for New

buildings in the Business Park zone standards H15.8, despite being Restricted Discretionary activities in this zone H15.4.1.(A39). This is considered to be a major oversight, that prevents the assessment of these important criteria in any of the permitted activities/developments in the future.

4.1.3.H15.3.(8) provides for the consideration of dominance, overlooking and shadowing of development aspects, adjacent to Special Purpose School zones; however, we do not believe that this is robust enough and cannot be effectively assessed under the Business – Business Park zone standards. There is no provision of robust assessment criteria of these aspects in the zone standards, compared with that in Precinct assessment criteria. We submit that the consideration of these aspects should be undertaken in the assessment criteria provided in the Smales 1 Precinct chapter.

5. **I538.6 Standards – We oppose the proposed wording** directly under this section heading (first two bullet points) which refers to the requirements for Integrated transport assessment and trip generation.
6. **I538.6.3 Trip generation – We oppose the proposed wording** in the PC for this section, the GFA should not be increased and residential development should not be added to this exemption for an ITA.
7. **I538.6.3 Trip generation - We submit that an Integrated Transport Assessment must be provided with all resource consent applications for future residential development where specified trip generation thresholds are exceeded under Section E27.6.1.**

14.6 7.1.1.As stated previously, the removal of the requirement for traffic assessment for future development does not take into account the significant effect increased traffic movements would have on neighbouring sites such as WGHS. The proximity of the Smales Farm Bus Station could, and would hopefully, encourage increased use of public transportation; however, the same argument could be made for the proximity of the North and Southbound on/off ramps of the SH1 motorway. The construction costs of high rise apartment blocks are only offset by high yields in sales prices. These are not ‘affordable homes’ and therefore would, no doubt, have a parking requirement (NB for which no min/max has been set in the PC23); thus increasing the traffic movements from the site and on the surrounding transport network. The potential for increased congestion, and resultant dangerous driving behaviours, cannot be underestimated; therefore we submit that traffic assessments should continue to be required for all new developments that exceed the trip generation standards as detailed in section E27.6.1.

14.7 8. We submit that the original wording of section I538.6.3. should be varied to exempt non-residential development only. **Variation to I538.6.3** “Non-residential development up to 105,000sqm gross floor area will not be subject to the following (1) Policy E27.3.(2) Integrated transport assessment; and (2) Standard E27.6.1. Trip generation”, but not to exempt residential development.

8.1.1.It is noted that the Policies of the H15 Business - Business Park zone refer to “not adversely affect(ing) the safe and efficient operation of the transport network”; and

that “where development of a business park is staged, the different stages should be managed to enhance amenity values and the environment and maintain or reduce the impact on the transport network”. Would these policies be applicable and assessed once Plan Change 23 is operative, or would the precinct standards overrule this assessment?

- 14.4
9. **We oppose** the assessment criteria in **Section I538.8.2. only applying to Restricted Discretionary activities, and in particular sections I538.8.2.(e) and (f) only applying to RD activities**, and believe it should be applied to ALL activities, *including* all Permitted activities in Table I538.4.1. We note that these criteria are not assessed under the underlying Business Park zone assessment criteria for new buildings and therefore should be included for all new buildings in this section.
10. **Variation of section I538.8.2. (5)** if this was amended to read “**All New Buildings**. Additions and alterations not provided for” There would avoid confusion over whether this assessment criteria applies to new buildings or new buildings not provided for.
- 14.8
11. **We oppose section I538.10 Precinct plans**, I538.10 Smales 1: Precinct Plan 1 - Maximum Height area 1 and **oppose the proposed amendments to section I538.6.4.(1)**. We oppose the increased height from 25m to 27m in the Maximum Height Area 1 and submit that the **original wording of I538.6.4. (1) be retained**, that buildings must not exceed RL48.5m in height ie. 25m height above ground level.
- 14.9
12. **We oppose section I538.10 Precinct plans**, I538.10 Smales 1: Precinct Plan 1 - Maximum Height. We submit that the **Maximum Height Area 1 be amended to buildings not exceeding RL48.5m as above, and that the extent of this amended Area 1 be extended** to the boundary with the busway on both the northwestern and southeastern boundaries, continuing the proposed setback width of Max Ht Area 1 along Shakespeare Rd Ext and Northcote Road respectively to the busway. This would then provide for more appropriate 4-5 storey buildings along all road boundaries, as exists along Taharoto Rd at present, providing a buffer from the high rise 30 storey buildings, and would graduate development from the site to the surrounding 3 storey Residential Mixed Urban zones. (refer attached amended Smales Farm Precinct Plan : Maximum Height pg 7).
13. **We oppose section I538.10 Precinct plans**, I538.10 Smales 1: Precinct Plan 1 - Maximum Height. **We oppose the extent of Maximum Height Area 2** and its proximity to Shakespeare Rd Ext and the Smales Farm Bus station; and Northcote Road; and seek to vary the extent of the Maximum Height Area 2 with a **reduction of this area** so it does not border the abovementioned roads. The AEE states that 100m in height is equivalent to the 30 storey Sentinel Building, it is not appropriate to have buildings of that height adjacent to Shakespeare Rd Extension and the Bus station, with its cumulative effects of dominance, shading, privacy issues etc adjacent to a school zone and school transition areas, and we strongly object to this proposal. The PC23 drawings clearly show the dominance effects, and overlooking from this excessive development adjacent to WGHS. (refer attached amended Smales Farm Precinct Plan : Maximum Height pg 7).
14. We are concerned that the height in relation to boundary provisions along Shakespeare Road Extn shown in the PC23 drawings, appear to be inappropriate in comparison with the adjacent Residential Mixed Housing Urban zoning on the WGHS site and trust that the Height in relation

14.10 | to boundary standards in the **Business – Business Park zone H15.6.2. for developments adjacent to the Mixed Housing Urban zone would still apply.**

14.11 | 15. Despite the accessibility of the Smales 1 Precinct to public transport services, and the PC23’s reference to the function and amenity of the Business – Metropolitan Centre zone; this is not a Metropolitan Centre, anymore than the Sunnynook bus station environs is a Metropolitan Centre, therefore **we oppose references to Metropolitan Centre controls in this Plan Change.**

We seek the assurance from Auckland Council that our abovementioned concerns will be addressed, and that the potential adverse effects noted in this submission will be avoided and/or mitigated in the final approved plan.

Hearings

I wish to be heard in support of this submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Yours faithfully



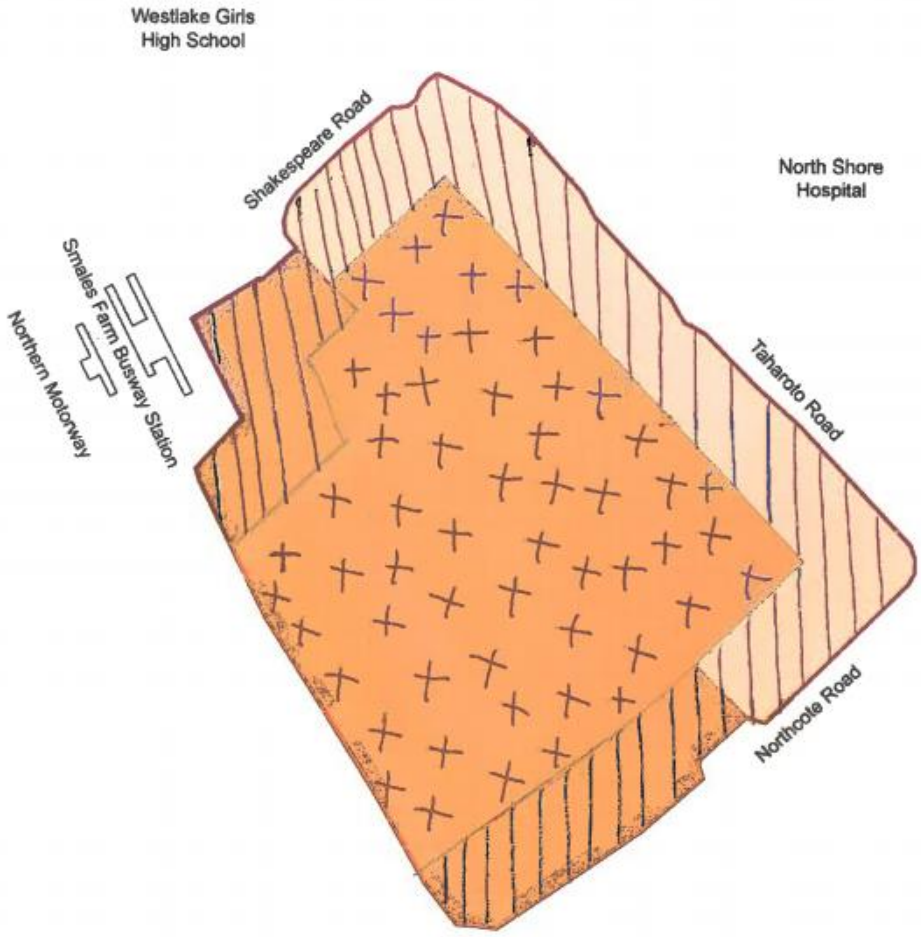
Joy Bradfield

Board Chair

Westlake Girls High School

On behalf of Westlake Girls High School.

Amended WGHs Submission



SMALES FARM PRECINCT PLAN: MAXIMUM HEIGHT		
Height Area 1		RL 60.4m 48.5m
Height Area 2		RL 123.4m

15 May 2019

Attention: Planning Technician
Plans and Places
Auckland Council
Private Bay 92300
Auckland 1142
unitaryplan@aucklandcouncil.govt.nz

SUBMISSION ON THE PROPOSED PLAN CHANGE 23 (PRIVATE): SMALES FARM

Housing New Zealand Corporation (“**Housing New Zealand**”) at the address for service set out in this letter makes the following submission on Proposed Plan Change 23 (Private): Smales Farm (“**PC23**”) to the Auckland Unitary Plan Operative in Part (“**AUP**”).

This submission letter provides an overview of the matters of interest to Housing New Zealand, followed by detail of submission matters related to PC23.

Submission Summary

Housing New Zealand’s response to PC23 is:

15.1

- That we generally support the identified purpose of PC23 to “facilitate the development of a Transit Oriented Development (“TOD”) on the subject site to take advantage of its proximity to a key public transport interchange (Northcote interchange of the Northern Motorway and the adjoining Northern Busway and Smales Farm Station) and associated public transport links; and

- We consider further amendments are required to PC23, to better align the proposal, including the proposed amended provisions of the Smales Farm 1 Precinct, with the identified purpose and vision to facilitate the development of a TOD at the subject site.

The remainder of this submission provides specific comment on those matters of greatest interest to Housing New Zealand.

Background

1. Housing New Zealand's role includes the efficient and effective management of state houses and the tenancies of those living in them. Housing New Zealand's tenants are people who face barriers (for a number of reasons) to housing in the wider rental and housing market.
2. It is essential that Housing New Zealand is able to meet its responsibility of providing efficient and effective state housing for the most vulnerable members of our society, so as to deliver to the social and economic wellbeing of both these people and the wider community. This responsibility drives Housing New Zealand's strategic goals for the reconfiguration of its portfolio to meet regional demand, reduce deprivation levels in communities with a high state housing presence, and meet the Crown's financial performance requirements.
3. These goals require Housing New Zealand to have the ability to construct and develop quality housing, and maintain this housing in a manner that:
 - (a) Provides healthy, comfortable, and fit-for-purpose housing to people in need, for the duration of their need;
 - (b) Improves the diversity and effectiveness of state housing delivery in Waikato District to meet the changing needs of our communities and aligns the state housing portfolio with demographic trends and demand;
 - (c) Enables vacant homes to become ready for tenants and specific tenants' needs as quickly as possible;
 - (d) Enables increased supply for the delivery of state housing and other affordable housing options; and
 - (e) Undertakes the above in a cost effective way.
4. In the Auckland context, the housing portfolio managed by Housing New Zealand comprises approximately 28,608 dwellings (as at 30 Jun3, 2018). The Auckland Region is identified as a key area for Housing New Zealand to reconfigure and grow its housing stock to provide efficient and effective state housing that is aligned with current and future residential demand in the area, and the country as a whole.

Housing New Zealand and Local Government

5. Housing New Zealand has a shared interest in the community as a key stakeholder, alongside local authorities. Housing New Zealand's interest lies in the provision of state housing to persons who are unable to be sustainably housed in private sector accommodation. Housing New Zealand works with local authorities to ensure that appropriate services and infrastructure are delivered for its developments.
6. Apart from its role as a state housing provider, Housing New Zealand also has a significant role as a landowner, landlord, rate payer and developer of residential housing. Strong relationships between local authorities and central government are key to delivering government's priorities on increasing housing supply.
7. Policy decisions made at both central and local government level have impacts on housing affordability. The challenge of providing affordable housing will require close collaboration between central and local government to address planning and governance issues to reduce the cost of construction, land supply constraints, infrastructure provision and capacity as well as an improved urban environment. For example, the supply and available development capacity of residentially zoned land, impacts on the location, form and typology and density of housing. These factors directly contribute to the cost of residential land and capital costs of housing developments. The form, function and future operating costs of housing are managed through the regulatory processes of Council and the outcomes of these processes has a correlation with the long-term affordability and quality of housing.
8. Housing New Zealand is interested in all issues that may affect the supply and affordability of housing, as well as the delivery of urban growth and quality intensification in appropriate locations. These include the provision of services and infrastructure and the availability of appropriately zoned land.

Scope of Submission

9. The submission relates to PC23 as a whole.

The Submission is:

10. Housing New Zealand opposes PC23, for the reasons set out below.
11. Provided that the relief sought below and attached is granted:

15.1

- (a) PC23 will be in accordance with the purpose and principles of the Resource Management Act 1991 (“**the Act**”) and will be appropriate in terms of section 32 of the Act; and
 - (b) The potential adverse effects that might arise from activities allowed by PC23 will have been addressed appropriately.
12. In the absence of the relief sought, PC23:
- (a) Is contrary to the sustainable management of natural and physical resources and is otherwise inconsistent with Part 2 of the Act;
 - (b) Will in those circumstances impact significantly and adversely on the ability of people and communities to provide for their social, economic and cultural wellbeing.
13. In particular, but without limiting the generality of the above:
- (a) The proposed amendments to the provisions of the Smales 1 Precinct effectively seek to enable a mix of activities / land uses which are largely aligned with the activities / land uses provided for in the ‘Metropolitan Centre’ and ‘Mixed Use’ zone provisions of the AUP. Housing New Zealand consider that, rather than seeking to amend the Smales 1 Precinct to be more enabling of mixed uses, a more appropriate planning response would be to seek to amend the underlying zoning of the subject site to the ‘Mixed Use’ zone, rather than retain the current zoning of ‘Business Park’. This would mean the underlying zoning (being ‘Mixed Use’) would better reflect the intended vision for the further development of the site as a mixed-use ‘TOD’. In addition, it would also mean that the existing provisions of the ‘Mixed Use’ zone (objectives, policies, rules, development standards including bulk and location controls, and the assessment framework) in the AUP would better manage the anticipated effects of, as well as the desired design outcomes for, a comprehensive mixed-use development. The key aspect to this is that the current provisions of the both the ‘Business Park’ zone as well as the ‘Smales 1 Precinct’ were not developed to anticipate or address proposals for comprehensive, high density residential development (e.g. in the same way the ‘centres’ or ‘Mixed Use’ zone provisions were developed to specifically

anticipate and manage the potential adverse effects associated with high-density mixed-use and residential development outcomes).

15.2 (b) PC23 now proposes to enable and provide for residential activities as a Permitted Activity in the Smales 1 Precinct, as well as proposing amendments to Policy H15.3(18) of the Business Park zone to also enable the provision of residential activities within the Smales 1 Precinct. Housing New Zealand oppose these amendments, and consider (as outlined further below) that a more appropriate approach through PC23 would be to seek to amend the underlying zoning of the subject site to a 'Business – Mixed Use' zone, which would better align with the intended vision and purpose of the proposal.

15.3 (c) The Smales 1 Precinct provisions, as proposed to be amended, provide no gross floor area (GFA) limit / threshold for residential development / activities, while a GFA limit (162,000m²) remains for non-residential activities. It is noted that, under the Operative provisions of the Smales 1 Precinct, the GFA limit for all activities on the site is 162,000m². Housing New Zealand consider the PC23 should be amended to retain a minimum level of non-residential GFA and remove the overall GFA limit on 15.4 the site, thus the residential component of development on the site will not result in a reduction of business activity previously planned for the site but will be provided through further intensification of the site and as an addition to the site. The purpose of such a new threshold would be to ensure that the Smales 1 Precinct provisions specifically provide for a genuine mix of activities / land uses as, under the provisions currently proposed through PC23, there appears to be no mechanism which would prevent the remaining development of the subject site to be predominantly residential in nature (which, again, is inconsistent with the intent of the underlying Business Park zone and the stated intent of the plan change).

(d) The proposed amendments to the 'Smales 1 Precinct' specifically seek to exempt the need for proposals for residential development to be considered against Policy E27.3(2) (regarding Integrated Traffic Assessments), or to have to comply with Standard E27.6.1 (Trip Generation). Housing New Zealand oppose these proposed exemptions. Given the currently proposed provisions of PC23 provide no limit on the extent of residential development which can take place across the site over time, Housing New Zealand consider it is important that any proposals for more than 100 residential units remain subject to the current Standard E27.6.1 (Trip Generation) of the AUP so that

- 15.5 the potential adverse effects of any such proposal on the transport network can be appropriately assessed. Therefore, any proposal which would provide for 100 dwellings or more would be subject to the existing Policy E27.3(2) and Standard E27.6.1, which would require consent as a Restricted Discretionary Activity and also require the preparation of an ITA.
- 15.6 (e) The provisions of PC23 also provide no controls / management in relation to residential development / activities at ground floor. The application documents refer to the potential for the provision of a significant number of new dwellings at the subject site, while also making numerous references to “apartments”. Housing New Zealand consider that PC23 should be amended to include a new standard / rule within the Smales 1 Precinct provisions, similar to that already included within the various ‘Centre’ zone provisions of the AUP, which requires any new residential development to be located above ground floor level. At present, there are no provisions proposed as part of PC23 which would prevent the delivery of ground-level residential dwellings.
- 15.7 (f) The provisions of PC23, as currently proposed, do not include adequate provisions to guide expectations for residential development outcomes at the subject site. The combination of the proposal to retain the underlying ‘Business Park’ zone, along with the proposed amendments to the existing ‘Smales 1 Precinct’ provisions, provide very little in the way of an assessment framework to assess proposals for new residential development as a Restricted Discretionary Activity. Again, Housing New Zealand consider that the most appropriate method to address this issue would be for PC23 to seek to amend the underlying zoning of the site to ‘Mixed Use’ (rather than retaining the current ‘Business Park’ zoning) as the existing provisions of the ‘Mixed Use’ zone in the AUP already contain an appropriate assessment framework to manage the potential adverse effects associated with comprehensive mixed-use developments, in particular high density residential development proposals.
- (g) The proposed ‘Precinct Plan 1 – Maximum Height’, as well as proposed Standard I538.6.4 (Building Height) of the ‘Smales 1 Precinct’ provisions seek to enable maximum buildings heights across the site of up to 100m above ground level. . Housing New Zealand is not opposed to the use of additional height to support the intensification of landuse around the transport node but

15.8 | considers that such provision is better managed in a defined way through the application of the mixed zone to the site and use of the additional Height Variation Control by way of additional maps and amendments to table H13.6.1.2. This approach will better manage the effects on amenity values within and external to the land subject to the plan change.

(h) Section 8.3.4 of the AEE document sets out an assessment of PC23 against the National Policy Statement on Urban Development Capacity (NPSUDC), and specifically notes the following:

“The Proposed Plan Change will enable the development of a significant number of dwellings (apartments) at Smales Farm and in that way contribute to the supply of housing to meet the demand from a growing population in the medium to longer term. The ongoing role of Smales Farm as a focus for employment opportunities will be unaffected by the proposed amendments to the provisions of the Smales 1 Precinct.”

15.9 | (i) Housing New Zealand note that there appears to be no discussion or assessment of the potential effects of the Plan Change particularly in respect of the newly proposed enablement for residential development at the site, and the potential impacts this may have in relation to a now reduced potential for further office / commercial development of the current site. Without an assessment of this aspect of the proposal, it is difficult to conclude whether the proposal would be consistent with the NPSUDC, in particular what the potential effects of the new proposal could be in relation to a potential reduction in supply of ‘office / commercial’ activities at the site over the longer-term. Housing New Zealand therefore consider the PC23 application documentation should be amended and updated to include an assessment of the potential effects of a reduced delivery of ‘offices / commercial’ activities at the site, in the circumstance where the future development of the site could be predominantly residential in nature.

Relief Sought

14. | The Corporation seeks the following decision from Auckland Council on the PC23:

15.1 | (a) That the proposed provisions of PC23 be deleted or amended, to address the matters raised in this submission, so as to provide for the sustainable

management of the region's natural and physical resources and thereby achieve the purpose of the Act.

15.10 (b) Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out herein.

15. Housing New Zealand does not consider it can gain an advantage in trade competition through this submission.
16. Housing New Zealand wishes to be heard in support of this submission.
17. If others make a similar submission, Housing New Zealand would be willing to consider presenting a joint case with them at hearing.

Dated the 15th of May 2019.

**HOUSING NEW ZEALAND
CORPORATION**



**Brendon Liggett, Development Planning
Manager**

Copies to: Beca Limited
PO Box 6345
Auckland
Attention: Matt Lindenberg
Email: matt.lindenberg@beca.com

Housing New Zealand Corporation
PO Box 74598
Greenlane, Auckland
Attention: Gurv Singh
Email: gurv.singh@hnzc.co.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Mark Bourne

Organisation name: Watercare

Agent's full name: Lindsay Wilson

Email address: lindsay.wilson@water.co.nz

Contact phone number: 0220116507

Postal address:
Private Bag 92 521
Wellesley Street
Auckland 1141
New Ze
Auckland
Auckland 1141

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:
Water Supply and Wastewater servicing

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The notified plan change has limited information in respect of water supply and wastewater.

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

Submission date: 15 May 2019

Supporting documents
20190515 Watercare Services Limited Submission on PC23 Smales Farm.pdf

Attend a hearing

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

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

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

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

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

No

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

To: Auckland Council Plan Change Modification 23: Smales Farm
From: Watercare Services Limited (Watercare)
Contact: Lindsay Wilson, Policy Planner
Phone: 022 011 6507
Email: lindsay.wilson@water.co.nz
Date: 15 May 2019

Submission on plan change 23 (private): Smales Farm, Takapuna

1.0 NATURE OF SUBMISSION

Watercare Services Limited ("Watercare") does not wish to comment on the overall merits of the Proposed Private Plan Change 23 to the Auckland Council Unitary Plan [**"the plan change"**]. Rather, Watercare seeks to comment in relation to the provision of water and wastewater services for the Smales Farm Mixed Use Transit Oriented Development to ensure that the site can be appropriately serviced in the future.

2.0 BACKGROUND

Watercare owns and operates the public water and wastewater assets in Auckland and is responsible for providing water supply and wastewater services in Auckland. Watercare is also required to maintain the long term integrity of its assets to ensure safe and reliable water supply and wastewater services.

The applicant (*Northcote RD 1 Holdings Limited*) has initiated a private plan change to amend the policies in H15 Business Park Zone and make changes to I538 Smales 1 Precinct. The main purpose of the change is to transition the Smales Farm Office Park to a mixed-use development over a 20 to 30-year period that provides for a significant amount of residential development, in addition to the existing provision for offices. The residential development would largely be in apartment formats, with some buildings up to 100m high (approximately 30 storeys).

Watercare supports brownfield intensification of existing urban areas, as this supports the Auckland Plan objective of quality compact development focused mainly within the urban footprint. This enables efficient use of land and ability to link with existing infrastructure.

Unitary Plan provisions, Watercare requires information on what upgrades are required and the potential staging and likely rate of development.

The calculations provided by Riley Consulting in the Civil Engineering Assessment Private Plan Change 68-94 Taharoto Road (March 2019) ['the report'] does not provide the level of information required to fully assess the implication of this proposed change.

The assessment was based on a mixed commercial / residential development, referred to as the Indicative Development Senario (IDS). This does not follow the practices and design assumptions set out in Watercare's Code of Practice.

Modelling work is required to show if there are capacity constraints, what infrastructure needs upgrading and indicate when (based on staging plan) these upgrades need to happen. Also noting who would fund these upgrades. This work must be carried out by the applicant.

Following a meeting on 3 May, the applicant has provided additional information requested by Watercare. This information included the maximum envelope, the potential staging and what upgrades are required.

Watercare will analyse this information and the applicant and Watercare will be working together on an ongoing basis to ensure infrastructure is appropriately provided for.

Watercare recognises this development is an opportunity with strategic linkages to transport and amenities. However, given the scale and extra demands on infrastructure Watercare needs to understand the impacts on the surrounding networks.

3.1 Water Supply and Wastewater

The applicant needs to recalculate water demand and wastewater flows using the Watercare Code of Practice.

Using the Code of Practice, the residential and commercial demands would be significantly higher than those presented in the engineering report, thereby placing significantly more demand on the network than is suggested.

Based on the recalculated flows, the applicant needs to demonstrate the impact on existing networks at full development and the extend of upgrades required (if any).

4.0 RELIEF SOUGHT

16.2

Watercare seeks the following:

- Comprehensive development assumptions and staging
- Assessment of the upgrades that may be required
- Confirmation that the upgrades will be funded by the developer

5. WISH TO BE HEARD

Watercare wishes to be heard in support of this submission.



.....
Mark Bourne
Head of Servicing and Consents

Date 15 May 2019

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Svetla Grigorova

Organisation name:

Agent's full name:

Email address: svetlag7@gmail.com

Contact phone number:

Postal address:
3/53 Karaka St
Takapuna
Auckland 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:
Zoning Breach Traffic Impact Noise Impact Health Impact

Property address:

Map or maps:

Other provisions:
Zoning Breach Traffic Impact Noise Impact Health Impact

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

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

The reason for my or our views are:

Zoning Breach - what is the point of having zones if they can be overwritten by some players while others can not do that - is this fair or discriminatory? Traffic Impact - present roads & public transport are already congested & time consuming during, before & after peak hours. The present roads, parking, public transport are not equipped to support such a huge population increase. Noise Impact - there is a hospital, a number of retirement villages, schools, other medical facilities - where quietness (noise limit importance) is needed for these facilities to function properly without disruptions. Plus there are a lot a lot of family homes in the area where people need to be able to relax, rejuvenate, recharge & recover from their hard working week. Health Impact - North Shore Hospital serves a big area consisting of the North Shore, Waitakere & Rodney serving more than 600,000+ people. Therefore, most of the time NSH is either overcrowded or runs on 100% occupancy. Plus there has

been staff shortages recorded over the years. How will this single population continue to serve an exploding population growth?

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

Submission date: 15 May 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Atanas Gornakov

Organisation name:

Agent's full name: Atanas Gornakov

Email address: atanas@moderntiling.co.nz

Contact phone number:

Postal address:
3/53 Karaka St
Takapuna
Auckland 0622

Submission details

This is a submission to:

Plan modification number: Plan Change 23

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

My submission relates to

Rule or rules:
Zoning Breach Traffic Impact Noise Impact Health Impact

Property address:

Map or maps:

Other provisions:
Zoning Breach Traffic Impact Noise Impact Health Impact

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

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

The reason for my or our views are:

Zoning Breach - what is the point of having zones if they can be overwritten by some players while others can not do that - is this fair or discriminatory? Traffic Impact - present roads & public transport are already congested & time consuming during, before & after peak hours. The present roads, parking, public transport are not equipped to support such a huge population increase. Noise Impact - there is a hospital, a number of retirement villages, schools, other medical facilities - where quietness (noise limit importance) is needed for these facilities to function properly without disruptions. Plus there are a lot a lot of family homes in the area where people need to be able to relax, rejuvenate, recharge & recover from their hard working week. Health Impact - North Shore Hospital serves a big area consisting of the North Shore, Waitakere & Rodney serving more than 600,000+ people. Therefore, most of the time NSH is either overcrowded or runs on 100% occupancy. Plus there has

been staff shortages recorded over the years. How will this single population continue to serve an exploding population growth?

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

Submission date: 15 May 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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