



MT HOBSON GROUP

Town Planning & Resource Consent Solutions

20th June 2019

Auckland Council
ATTN: Michael Luong

Dear Michael,

Response to Clause 23 request for further information

Applicant:	James Kirkpatrick Group Limited
Proposed activity:	Private Plan Change request
Site address:	1, 3, 5, 7, 10 and 12 Florence Carter Avenue, Flat Bush

Please find set out below and attached the additional information requested in your Clause 23 letter dated the 8 February 2019.

PLANNING

1. Please substantiate and update Appendix 8 of the PPC request to summarise the outcome of consultation with the various Mana Whenua groups listed, including further evidence of responses received. It would also be beneficial to provide an update to any further responses from any Mana Whenua groups received to date.

RESPONSE

We can confirm that no further responses from Mana Whenua groups were received. The extent of responses received has been provided in its entirety within Appendix 8. As such, no update is considered necessary.

2. Please substantiate on the initial contact and outcomes with the Otara-Papatoetoe Local Board. It would also be beneficial to provide an update to any further consultation from this local board received to date. In addition, please expand on whether consultation has also occurred with the following groups:

- *Howick Local Board*
- *Surrounding adjacent properties;*

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- *Watercare and Auckland Council Healthy Water.*

Regarding the above, please explain how any matters raised during consultation with the above groups and others have been considered in the development of the PPC request.

RESPONSE

No objections from the Otara-Papatoetoe Local Board were raised during the meeting last year, and we have not had any further written correspondence with the board. As such, we will seek written confirmation from the board confirming this position, and will forward on to you when we receive it. Further to this, we made a commitment to meet with the Local Board once all submissions were received; this will be honoured once we get to that position.

As the sites are not within the Howick Local Board area, we find there is no reason to consult with them on this proposal.

Consultation with Watercare and Healthy Waters has been undertaken prior to this PPC request, as part of the previous RC process and with regards to the formulation of the infrastructure report.

Given that this PPC request will be publically notified, we found no need to consult with neighbouring properties. Any adjacent landowner can submit as part of the notification process.

3. Please provide further details regarding how the PPC request proposed to address notification matters.

RESPONSE

We are comfortable with the PPC proceeding with public notification.

4. The inclusion of a maximum gross floor area mechanism to the implementation of the proposed office and retail floorspace caps is generally supported.

Please explain in more detail how these gross floor area caps as a mitigation measure proposed in the PPC request and specialist reports will be implemented. In particular, this should address how implementation will be achieved in the absence of a precinct or any rules being introduced into the Auckland Unitary Plan OIP as part of the PPC request.

RESPONSE

We have prepared a precinct plan for the plan change area and attached it to this response. This precinct plan contains rules relating to the GFA caps discussed, transport matters (discussed in more detail within the transport response) and provides for the additional height proposed. As we have prepared this precinct chapter with feedback from Council, including the policy and transport specialists, we believe that it is the most appropriate mechanism to implement the outcome sought in this plan change request.



5. Please expand on the S32 assessment contained in Section 7 of the PPC request. In particular:

- Provide a finer grain assessment of how each option achieves the objectives of the Auckland Unitary Plan OIP;
- Within the benefits and costs section, address the specific effects likely to arise from each zoning/options choice, particularly in relation to urban form, traffic effects and economic effects on existing centres;
- Describe in some detail the preferred option in Section 7 of the PPC request

RESPONSE

See below:

OPTION	OBJECTIVES OF THE UNITARY PLAN	COSTS	BENEFITS
Do Nothing (Status Quo)	<p>If the do nothing option was progressed, development on the site would likely entail 20m tall warehouse buildings.</p> <p>This option would not meet the objectives of the Unitary Plan, as the sites would have a low standard of amenity, and would not support residential and employment growth in a location that is in close proximity to the public transport network, public open space and other employment opportunities.</p>	<ul style="list-style-type: none"> • Activities that have previously been consented on these sites are not provided for and will be a non-complying activity; • The land may be underutilised due to unsuitable zoning; • Industrial zoned land will be located immediately adjacent to a future rapid transit line. 	<ul style="list-style-type: none"> • No loss of land specifically zoned for industrial use.
Alternative Provisions	<p>Alternative provisions for the site, such as a new or different</p>	<ul style="list-style-type: none"> • No transition zone between the existing Local Centre and Light 	<ul style="list-style-type: none"> • A different zone or site-specific provisions may



zone, may achieve some of the objectives of the Unitary Plan, notably they may provide for new medium to high residential and/or employment opportunities in an appropriate location.

However, a different zone, such as the THAB or General Business zones will not be able to provide for a range of both housing types and employment choice for the surrounding area.

Further, creating a new zone or site-specific provisions would not meet the overall intent of simplicity and consistency of planning provisions across the Auckland Region.

Industrial zoned sites;
• Creating a new set of provisions specifically for the site would not be the best way to achieve the purpose of the Unitary Plan, and would lead to spot zoning.

address the underlying issue in part.

Wait for Council-initiated PC

As with the do-nothing option, waiting for a Council-initiated Plan Change will likely result in development entailing 20m tall warehouse buildings due to a lack of certainty or other viable options.

- Potential uncertainty for the public and landowner over the future zoning of the sites;
- Potential uncertainty regarding timing of possible changes to the sites;
- Council may not include

- Some of the burden of cost can be shared with Council;
- Council may have a greater say in the future provisions for the sites.



This option would not meet the objectives of the Unitary Plan, as the sites would have a low standard of amenity, and would not support residential and employment growth in a location that is in close proximity to the public transport network, public open space and other employment opportunities.

these sites in a future Plan Change or Unitary Plan review.

Preferred Option

Due to the analysis provided above and as described in the PPC request document proper, our preferred option is for a change in zoning to the Mixed Use Zone, with corresponding GFA caps and height variation controls.

The PPC will be consistent with the intent of both the Regional Policy Statement and the Auckland Unitary Plan (Operative in Part), as it will enable a high-density mixed use development in an appropriate location, in close proximity to public transport services, public open space, a growth corridor and employment opportunities.

The Mixed Use zoning would act as an appropriate transition between the Local Centre and residential Terraced Housing and Apartment zones to the east, and the Light Industry zone to the west. The proposed zone provides for more efficient development than the existing zone, for which development is unlikely to be in accordance with the intent of the zone, especially given the mixed use development already consented for this site.

The simplicity of this plan change request is a reflection that is consistent with the relevant objectives of the Mixed Use zone and that the existing provisions are robust and have been tested against s32 of the RMA through the AUP:OIP process.

6. Please expand the assessment against the Regional Policy Statement and the individual zone objectives and policies sections of the AUP provided in section 4.0 of the PPC request. In particular, please expand on the explanations for the matters outlines in B2.2, B2.3, B2.4 and B2.5 and the proposed alternative zoning to Light Industry



RESPONSE

As outlined below, further assessment against the Regional Policy Statement and the objectives and policies of the Mixed Use zone has been provided:

RPS SECTION	ASSESSMENT
2.2 Urban Growth and form	<p>B2.2 seeks to enable a quality, compact urban form that provides for greater productivity and economic growth, better use of infrastructure, improved public transport and social vitality.</p> <p>The proposed plan change will be consistent with the goal above, as it will enable a high-density mixed use development within the existing urban area, thereby using a scarce land use far more efficiently than the existing light industry zoning.</p>
2.3 A quality built environment	<p>B2.3 seeks to enable a high-quality built environment, with development responding to the characteristics of the site and area, and reinforcing the hierarchy of centres and corridors.</p> <p>The proposed plan change will be consistent with this goal, as it will respond to the characteristics of the site and area by providing for additional height in an appropriate location, while also providing an appropriate transition from the Botany Junction Local Centre to the east of the sites and the Light Industry zoned land to the west.</p>
2.4 Residential growth	<p>B2.4 seeks to enable residential intensification and an increased range of housing choice, particularly within or adjacent to centres, growth corridors, public transport, public open space or employment opportunities.</p> <p>The proposed plan change will be consistent with this goal, as it will provide for residential opportunities on a collection of sites that are adjacent to the Botany Junction Local Centre, a large park and several public transport routes.</p>
2.5 Commercial and industrial growth	<p>B2.5 seeks to enable commercial development, primarily within centres and growth corridors to support a compact urban form and employment opportunities.</p> <p>The proposed plan change will be consistent with this goal, as it will enable a wide range of employment opportunities, such as retail, commercial services or offices adjacent to a Local Centre.</p>

MIXED USE ZONE OBJECTIVES

<i>(6) Moderate to high intensity residential activities</i>	The proposed plan change will provide for high
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and employment opportunities are provided for, in areas in close proximity to, or which can support the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and the public transport network.

density residential and employment opportunities in a location that is in close proximity to a Local Centre and the public transport network.

(7) Activities within the zone do not compromise the function, role and amenity of the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone.

The proposed GFA caps for office, retail and commercial service use has been provided to ensure future development does not compromise nearby Town Centre and Metropolitan Centre zones.

(8) A mix of compatible residential and non-residential activities is encouraged.

The proposed plan change will enable a mix of compatible residential and commercial uses within the sites.

(9) Business – Mixed Use Zone zoned areas have a high level of amenity

While the proposed plan change will enable a far greater level of amenity than the Light Industry zone, this objective will be more relevant at the resource consent stage, when detailed design proposals can be scrutinised by Council.

MIXED USE ZONE POLICIES

(16) Locate the Business – Mixed Use Zone in suitable locations within a close walk of the City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone or the public transport network.

The sites are directly adjacent to a Local Centre and are within walking distance to the Ormiston Town Centre and the public transport networks, including a future rapid transit line.

(17) Provide for a range of commercial activities that will not compromise the function, role and amenity of the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone, beyond those effects ordinarily associated with trade effects on trade competitors.

The proposed GFA caps for office, retail and commercial service use has been provided to ensure future development does not compromise nearby Town Centre and Metropolitan Centre zones.

(18) Enable the development of intensive residential activities.

The proposed plan change will enable high-density residential dwellings and visitor accommodation.

(20) Promote and manage development to a standard that: (a) recognises the moderate scale, intensity and diversity of business, social and cultural activities provided in the zone; (b) recognises the increases in residential densities provided in the zone; and (c) avoids significant adverse effects on residents.

While the proposed plan change will provide for a greater scale, intensity and diversity of business, social and cultural activities than the current Light Industry zoning, any adverse effects on residents cannot be managed until the resource consent stage, when detailed design proposals can be scrutinised by Council.

(21) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.

While the proposed plan change will enable a far greater level of amenity than the Light Industry zone, this objective will be more relevant at the resource consent stage, when detailed design proposals can be scrutinised by Council.

7. Please provide geospatial shape files reflecting the extent of the PPC request area.



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RESPONSE

We understand this to mean that you would like the exact GIS boundaries for the proposed plan change. Please see below from the Auckland Council GIS server:



TRAFFIC MATTERS

Questions 8 – 16 have been addressed within the traffic memo attached to this letter. We trust that these matters are resolved.

ECONOMIC MATTERS

Questions 17 and 18 have been addressed within the economic matters memo attached to this letter. We trust that these matters are resolved.

LANDSCAPE MATTERS

Questions 19 - 24 have been addressed within the landscape memo attached to this letter. We trust that these matters are resolved.

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We trust that the above and attached information sufficiently responds to Council queries and allows the processing of the proposed plan change to continue

Please contact me to discuss should any further clarification be required.

Yours sincerely,

Hamish Firth
Mt Hobson Group

Attached:

- Urban Design Clause 23 Memo prepared by Ian Munro;
- Economic Clause 23 memo prepared by Urban Economics Ltd;
- Updated 3D massing models prepared by Williams Architects Ltd;
- Traffic Clause 23 memo prepared by TPC Ltd;
- Landscape Clause 23 memo prepared by Rob Pryor of LA4 Ltd; and
- Proposed precinct chapter (Florence Carter Avenue Precinct).