

Section 32 Evaluation Report

Proposed Plan Change to the Auckland Unitary Plan (Operative in Part) – Open Space



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1. Introduction

This report is prepared as part of the evaluation required by Section 32 of the Resource Management Act 1991 (**'the Act'**) for proposed Plan Change 36 Open Space (2019) to the Auckland Unitary Plan (Operative in Part) (**AUP**).

This section of the plan change is in relation to council owned sites that have been through the rationalisation process, that there is no identified service need for, and that have been approved for disposal. The sites are predominantly undeveloped land, or are used as car parks, and are zoned Open Space or road in the Auckland Unitary Plan (AUP).

1.1. Section 32 Evaluation

Section 32 of the Act requires that before adopting any objective, policy, rule or other method, the Council shall carry out an evaluation to examine:

- The extent to which each objective is the most appropriate way to achieve the purpose of the Act, and
- Whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objective.

The evaluation must also take into account:

- The benefits and costs of policies, rules, or other methods; and
- The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

In accordance with section 32(6) of the RMA and for the purposes of this report:

- i. the 'proposal' means this component of the plan change;
- ii. the 'objectives' means the purpose of the plan change – this is to ensure that land that has been deemed surplus to council requirements as part of the Panuku land disposal and rationalisation process is able to be sold and developed for future uses compatible with the site qualities and surrounding environment.
- iii. the 'provisions' means the method(s) used to give effect to the above objective – in this case the rezoning of land that has been approved for disposal, and the addition of other AUP overlays such as height variation controls and commercial frontages where applicable and to provide consistency with adjacent sites.

2. Issue

2.1. Issue definition

Panuku Development Auckland (Panuku) and the council's Stakeholder and Land Advisory team in Community Facilities have an ongoing review process of the council property portfolio. When a property is identified as non-service Panuku takes it through a multi-stage rationalisation process. The process involves historical, legal and technical analysis of the site, followed by consultation with council departments, relevant Council Controlled Organisations, local boards, ward councillors, mana whenua and the Independent Māori Statutory Board. If no service use, future-funded project or strategic purpose is identified for a property it is considered for disposal. Any proposed disposal recommendations are approved by the Panuku Board before they are presented to the Finance and Performance Committee which has the delegated authority to approve any proposed disposals.

Sites can also be identified for disposal or redevelopment as part of Panuku's priority area developments. These sites are identified within the High-Level Project Plans for the area.

All properties included in this plan change have been through the rationalisation process and are approved for disposal by the Finance and Performance Committee. Where sites were also subject to the Reserves Act 1977 the reserve status has been revoked or is in the process of being revoked.

The sites in this plan change are currently zoned for open space purposes in the AUP so are not zoned for future uses and development opportunities that may be compatible with the site characteristics. Because of this, development at these sites could be unnecessarily delayed by resource consenting requirements. There is also an inconsistency between the potential future use and development of the sites and the specific objectives and policies of the sites under their current zoning. To enable appropriate development to occur, and to ensure consistency between the intended future land uses and the zoning under the AUP, a plan change is proposed.

2.2. Objective of plan change

The objective of this plan change is to ensure that land that has been declared surplus to council requirements as part of the Panuku land disposal and rationalisation process is able to be developed for future uses compatible with the sites' qualities and surrounding environment. The method to achieve this is through zoning the sites in the AUP with a zone that is appropriate to the anticipated future use and development potential of the sites. Where relevant, and to provide consistency with adjacent sites, other AUP controls, such as height variation, frontage controls or inclusion in a precinct, are also applied to sites. The proposed change to zoning will clearly signal to potential buyers and to the public the level of development considered compatible with the site.

2.3. Scope of this plan change

The scope of this plan change is limited to addressing the issue described in Section 2.1 above. The only sites considered in scope are those listed in Section 3 below and

in Appendix A. The plan change does not seek to alter the provisions or policy direction of the AUP, rather it proposes a suitable zone for sites identified for disposal.

3. Sites

Nine sites are included in this plan change. Locational details, current zoning, proposed zoning and other background details of the sites are included in Appendix A. In brief, the sites are:

Table 1: Sites included in Proposed Plan Change 36 Open Space (2019)

Address	Legal description	Auckland Unitary Plan zone
22R Clyde Road, Ōtara	Lot 183 DP 50724	Open Space - Informal Recreation
Adjacent to 155 Bombay Road, Bombay	Part Allotment 13 Parish Mangatawhiri District	Open Space - Informal Recreation
Adjacent to 18 Edwin Freeman Place, Ranui	Lot 95 DP 104330	Open Space - Informal Recreation
30R Birmingham Road, Ōtara	Lot 31 DP 57902	Open Space - Informal Recreation
28-30 Pilkington Road, Mount Wellington	Lot 31 DP 52157, Part Lot 30 DP 52157	Open Space - Informal Recreation
Part 3 Kings Road, Panmure	Lot 2 DP 120243, Part Lot 1 DP 120243	Open Space - Informal Recreation
Part 303 Te Irirangi Drive, Clover Park	Part Section 6 SO 70224	Open Space - Informal Recreation
131 Clark Road, Hobsonville	Part LOT 55 DP 495850	Open Space – Conservation
5Z Butler Ave, Papatoetoe	Lot 2 DP 108054	Road

4. Options

4.1. Description of options

To consider the most appropriate means to respond to the resource management issue and achieve the objective of the plan change, two options have been considered. These are:

- I. Do nothing – leave the land that has been approved for disposal with its current zone. Future landowners will choose how to progress with any development on the sites through the resource consent process.

- II. Rezone land that has been approved for disposal, prior to sale, with a zone appropriate for the future development of the site and that is compatible with the land qualities and the surrounding environment characteristics. Rezoning will add value to the sites as it clearly indicates the level of development appropriate for the site through the zone, and as shown on the AUP maps. This will assist future owners and the general public.

4.2. Evaluation of options

In accordance with Clauses 32(1)(b) and 32(2) of the Act, the options have been assessed on their appropriateness, efficiency, effectiveness, costs, benefits and risks. The results of this evaluation and a summary of the reasons for deciding on the provisions are included in this section and in the table below.

Table 2 outlines the criteria to assess the options for addressing the resource management issue and provides an evaluation of the two options against the criteria.

Table 2: Evaluation of option against the evaluation criteria

Evaluation Criteria	Option 1 – Status Quo/Do Nothing	Options 2 - Rezone the land to an appropriate zone
<p>Appropriateness</p> <p>s32(1)(a) and s32(1)(b) of the RMA</p> <p>Is this option the most appropriate way to address the issue at hand?</p> <p>Is this option the most appropriate way to meet the objective of the AUP and the purpose of the RMA?</p>	<p>This option does not address the identified resource management issue.</p> <p>Sites will still be zoned inappropriately as open space where there is no future functional requirement for them to have this zone.</p> <p>Open space zoning of sites identified and approved for disposal limits the development opportunities for the land. It does not align with the objectives and policy directive for open space or development in the AUP.</p>	<p>Rezoning open space sites approved for disposal directly addresses the identified issue and will provide for the sites to be appropriately developed within the policy framework of the AUP. It clearly indicates the potential uses compatible with the sites prior to sale.</p>
<p>Effectiveness and Efficiency</p> <p>s32(1)(b)(ii) of the RMA</p> <p>How successfully can this option address the issue?</p> <p>How successfully does this option meet the objectives of the AUP and the purpose of the RMA?</p>	<p>This is not an effective option for meeting the objectives of the plan change or the AUP.</p> <p>This option does not effectively enable the future use and development of land identified for disposal.</p> <p>This option requires no change so is efficient in terms of staff and council cost and time.</p>	<p>Rezoning is an effective option in addressing the issue as it enables the use and development of sites for uses other than open space.</p> <p>It is more efficient to deal with the issue created through the disposal process in a single plan change than for resource consenting issues associated with each site to be dealt with on a case by case basis.</p>

	<p>Resources (staff time) can be used for other projects – so there may be greater efficiency in the overall work programme.</p> <p>While open space zoned land could be developed for other purposes through resource consents there will be associated time and cost factors for the future property owners and for council in processing these applications.</p>	<p>There will be greater efficiencies when land is to be used and developed for future residential or business purposes.</p>
<p>Costs</p> <p>s32(2) of the RMA</p> <p>What are the social, economic, environmental or cultural costs and/or negative impacts that this option presents?</p>	<p>Open space zoning will generally trigger the need for resource consents to use and develop the land for other uses. This will result in additional costs for projects and time delays. This could cause delays to the sale and development of sites.</p> <p>There will be additional costs for council staff time having to process resource consent applications.</p> <p>This option does not signal to potential buyers the development potential of the sites. There could be economic and social costs to this.</p>	<p>There are time and money costs associated with undertaking a plan change and resolving any subsequent appeals. These costs would be offset by avoiding the need for resource consents further on down the track</p> <p>There are opportunity costs – staff resources could be directed to other projects.</p>
<p>Benefits</p> <p>s32(2) of the RMA</p> <p>What are the social, economic, environmental or cultural benefits and/ or positive impacts that this option presents?</p>	<p>There is no cost to council of developing the plan change – this could be perceived as a benefit.</p> <p>A plan change could be done at a later date when there are more sites to consider, thus increasing the economy of scale and reducing plan change costs. However this may delay the sale and development of sites.</p>	<p>Benefits of rezoning are that it will reflect the land's potential use and development opportunities. It will rectify the zoning anomalies that the disposal process creates. There is greater visibility for the general public of the development potential of the sites.</p> <p>The objectives, policies and provisions of the zones that the sites will be adopting have already been tested as part of the development of the provision under the AUP.</p> <p>Rezoning multiple disposal sites in one plan change will save money and time than undertaking separate</p>

		<p>processes for each of the sites in the future.</p> <p>Clearly indicating the appropriate level of development at a site through zoning can have environmental and social benefits.</p>
<p>Risks</p> <p>s32(2)(c) of the RMA</p> <p>What are the risks of addressing this issue? What are the risks of not addressing this issue?</p>	<p>There is a reputational risk for Council in disposing of inappropriately zoned land that could lead to an onerous development process for future property owners.</p> <p>There is a risk that developers could propose inappropriate levels of development for sites.</p> <p>There is risk that development would not be approved as it may be inconsistent with the AUP objectives and policy framework.</p> <p>By not removing the restrictions on development and use inherent in the open space zoning the development potential of the sites may not be realised. This would not be consistent with the planning framework or the purpose of the Act.</p>	<p>There are risks of appeals which could delay the plan change process and add to the cost.</p> <p>Rezoning sites currently zoned open space may create a perception from the public that Council is privatising land set aside for public open space use.</p>

4.3. Summary of evaluation table

Option 1 – Do nothing is the least costly option for council initially as there are no plan change costs and staff time and resources can be spent on other projects. Costs, in the form of resource consent requirements, will be passed on to the future land owners and to the time of resource consent processing staff in the future.

This option does not address the inconsistencies that disposal and sale for development of these sites creates within the AUP policy framework. It also does not signal to potential owners and the public the type of development that may be considered appropriate for a site. The need to apply for additional consents to develop land may also impact on the ability to sell sites and this will negatively impact the broader purpose of council’s land rationalisation process. This option does not directly address the identified resource management issue.

Option 2- Rezoning sites ensures the integrity of the AUP zoning regime and clearly indicates the potential future uses compatible with the sites, prior to sale, to

both potential developers and the general public. The initial costs of staff time and resources in developing the plan change will be offset by the reduction in costs to future landowners and council staff time in processing applications on a case-by-case bases.

Although the sites have gone through robust rationalisation processes and have been approved for disposal there is a risk that rezoning could be seen as an erosion of the public open space network. This option directly addresses the identified resource management issue.

4.4. Recommendation

Option 2 is the preferred option and is the recommended course of action as it is the option that most effectively deals with the identified resource management issue. Rezoning the land that has been approved for disposal with an appropriate zone best achieves the purpose of the RMA and the objectives of the plan change.

4.5. Risk of acting or not acting

Section 32(2)(c) of the Act requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. Consideration of risks are included in Table 2, above. There is considered to be sufficient information about the sites included in this plan change for the plan change to proceed.

The section 32 evaluation will continue to be refined in relation to any new information that may arise following notification, including information arising from submissions on the plan change and during hearings on the plan change.

5. Statutory Evaluation

5.1. Resource Management Act 1991

Part 2 of the Act

Section 5 of the RMA describes the purpose of the Act:

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The issue that is addressed by this plan change is what is the most appropriate method to provide for the sustainable management and future use and development of council sites currently zoned for open space that have been approved for disposal. Applying an appropriate zoning regime will help avoid, remedy or mitigate any adverse effects on the environment of the future development of these sites.

Section 6 of the RMA outlines matters of national importance. In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of protected customary rights:*
- (h) the management of significant risks from natural hazards.*

This plan change applies the already tested zoning regime of the AUP. The matters included in Section 6, where relevant, have already been applied to the sites through existing AUP overlays. None of the sites included in the plan change are in the coastal environment or have identified historic heritage or significant ecological areas.

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:*
 - (aa) the ethic of stewardship:*
- (b) the efficient use and development of natural and physical resources:*
- (ba) the efficiency of the end use of energy:*
- (c) the maintenance and enhancement of amenity values:*
- (d) intrinsic values of ecosystems:*
- (e) [Repealed]*
- (f) maintenance and enhancement of the quality of the environment:*
- (g) any finite characteristics of natural and physical resources:*
- (h) the protection of the habitat of trout and salmon:*
- (i) the effects of climate change:*
- (j) the benefits to be derived from the use and development of renewable energy.*

Section 7 Other matters that are relevant to this plan change include the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values and any finite characteristics of natural and physical resources. By applying the already tested zoning regime of the AUP, this plan change is consistent with Section 7.

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The Treaty principles include the principles of partnership, reciprocity, active protection, equity and equal treatment. Through consultation undertaken as part of the rationalisation process and the development of the plan change, I consider that the principles of the Treaty have been considered as part of the process

5.2. National and Regional Planning Context

5.2.1. Matters to be considered by a territorial authority

Sections 63-68 and 72-76 of the Act sets out the matters to be considered by a territorial authority when preparing or changing its regional and district plans. These matters include: any proposed regional policy statement, any proposed regional plan in relation to any matter of regional significance, any management plans or strategies prepared under other legislation, and any relevant entry on the New Zealand Heritage List/Rārangi Kōrero. The authority must take into account any relevant planning document recognised by an iwi authority to the extent that its content has a bearing on the resource management issues of the district and must not have regard to trade competition.

75(3) A district plan must give effect to—
(a) any national policy statement; and
(b) any New Zealand coastal policy statement; and
(ba) a national planning standard; and
(c) any regional policy statement.

A district plan must not be inconsistent with a regional plan for any matter specified in 30(1).

Section 80 of the RMA also sets out the approach to which local authorities may prepare, implement, and administer the combined regional and district documents. The Auckland Unitary Plan is a combined regional and district plan.

The AUP contains existing objectives, policies, rules and other methods that are of regional and district significance. This plan change seeks to rezone land that has been identified as surplus to council open space requirements. Land-use zones are a district plan level mechanism in the AUP, and the following sections evaluate the proposed plan change against Section 75.

5.2.2. National Policy Statement

National Policy Statements are instruments issued under section 52(2) of the Resource Management Act 1991 and state objectives and policies for matters of national significance. There are currently four national policy statements developed by the Ministry for the Environment. These are as follows:

- National Policy Statement on Urban Development Capacity;
- National Policy Statement for Freshwater Management;
- National Policy Statement for Renewable Electricity Generation; and
- National Policy Statement on Electricity Transmission

The objectives and policies in the National Policy Statement on Urban Development Capacity (NPS:UDC) are to ensure sufficient opportunities for developing housing and business land to meet demand. They also are also intended to ensure that planning decisions, practices and methods enable development and provide for the social, economic, cultural and environmental wellbeing of people and communities. This plan change seeks to enable the development of land parcels deemed to be surplus to open space requirements through rezoning. Rezoning to facilitate development of these sites gives effect to the NPS:UDC, in particular Policies PA1 to PA4, as it will provide a suitable alternative use for land that has been identified as underutilised and approved for disposal. These are included in Appendix B.

No other National Policy Statements are particularly relevant to the proposal.

5.2.3. New Zealand Coastal Policy Statement

The purpose of the NZCPS is to state policies in order to achieve the purpose of the RMA in relation to the coastal environment of New Zealand.

No site included in this proposed plan change is within the coastal environment.

5.2.4. National Planning Standards

The purpose of the National Planning Standards (Standards) is to improve consistency in plan and policy statement structure, format and content so they are easier to prepare, understand, compare, and comply with. The Standards will also support implementation of national policy statements and help people observe the procedural principles of the Act.

The Standards were introduced as part of the 2017 amendments to the Act and have been under development since that time. The Minister for the Environment and the Minister of Conservation approved the first set of Standards on 5 April 2019. The Standards must be implemented within the specified timeframes. Unitary councils have ten years to adopt the Standards, unless a full plan review is undertaken within this timeframe (in this case the new plan must meet the Standards when it is notified for submissions). As the first set of Standards has only recently been approved, this plan change is not required to implement them.

5.2.5. Relevant provisions of the Auckland Unitary Plan Operative in Part – Regional Policy Statement

The Regional Policy Statement (RPS) in the AUP sets out the direction for managing the use, development and protection of the natural and physical resources of the Auckland region. Issues of regional significance are identified and include:

- (1) urban growth and form;
- (2) infrastructure, transport and energy;
- (3) built heritage and character;
- (4) natural heritage (landscapes, natural features, volcanic viewshafts and trees);
- (5) issues of significance to Mana Whenua;
- (6) natural resources;
- (7) the coastal environment;
- (8) the rural environment; and
- (9) environmental risk.

Of particular relevance to this plan change are the objectives and policies related to urban growth and form. These seek to provide for growth in a quality compact urban form by providing for higher residential densities around established centres and on frequent public transport routes and near stations. The zoning proposed for the sites in this plan change give effect to the RPS by providing each site with a zone appropriate for its environmental qualities and compatible with its surroundings, thereby avoiding inappropriate or spot zoning.

5.3. Other relevant Acts and plans

5.3.1. Reserves Act 1977

The purpose of the Reserves Act 1977 (RA) is to provide for the preservation and management of areas of possessing recreational use/potential, wildlife, indigenous flora/fauna, environmental and landscape amenity or interest or special features or value for the benefit and enjoyment of the general public.

All necessary reserve revocations under the Reserves Act 1977 have been undertaken or are in the process of being undertaken as a separate process to this plan change. This proposed plan change is therefore not contrary to purpose of the Reserves Act 1977.

5.3.2. Heritage New Zealand Pouhere Taonga Act 2014

The Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) sets out Council's statutory responsibility to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development within the context of the purpose of the RMA and the HNZPTA. Although some disposal sites are adjacent to historic heritage, none of the sites included in this plan change are recognised as heritage sites.

5.3.3. The Auckland Plan 2050

The Auckland Plan 2050 is the council's long term non-statutory spatial plan that sets the strategic direction for the region to 2050. The plan includes six outcomes and a

Development Strategy that shows how Auckland will physically grow and change over the next 30 years.

This plan change is particularly relevant to the Homes and Places outcome, that Aucklanders live in secure, healthy, and affordable homes, and have access to a range of inclusive public places.

Rezoning suitable land for development addresses one of Auckland's key challenges – population growth and its implications, by providing for development of land within the existing urban areas that has been assessed as surplus to requirements, for other uses. This will help in achieving Direction 1 of the Auckland Plan – a quality compact urban form, through the application of the AUP zoning regime that has already been tested through the AUP hearings process.

5.3.4. Unlock Panmure High Level Project Plan

Two of the sites included in this plan change are within the Unlock Panmure High Level Project Plan area (HLPP) This project seeks to unlock Panmure's potential as a prime regeneration location. The HLPP was endorsed by the council's Planning Committee in March 2018. The plan identifies council owned sites with development potential that can work to achieve the regeneration goals of the plan.

The properties at 28-30 Pilkington Road and 3 Kings Road are both identified in the HLPP. Both sites will continue to operate as public car parks, with the accompanying Auckland Transport car park designation allowing for this use to remain in place until the time the sites may be considered for development as part of the wider Unlock Panmure regeneration programme.

The Unlock Panmure HLPP set out the creation of a strong community anchor in the centre of Queens Road with a new public open space and fit-for-purpose multi-purpose community facility as a key regeneration initiative. A new public open space up to 2,000m² in Panmure town centre has been approved by the Environment and Community Committee in accordance with council's Open Space Provision Policy

5.3.5. Open Space Provision Policy

The Open Space Provision Policy 2016 informs the investment decisions to create a high quality open space network that contributes to Aucklanders' quality of life. It provides direction on the provision of open space at a network scale (across multiple open spaces rather than an individual site). Provision is considered on the basis of four inter-related factors, function; distribution; location and configuration.

Open space included in this plan change has been considered under this policy prior to approval for disposal.

5.4. Iwi Management Plans

An iwi management plan (IMP) is a term commonly applied to a resource management plan prepared by an iwi, iwi authority, rūnanga or hapū. IMPs are generally prepared as an expression of rangatiratanga to help iwi and hapū exercise their kaitiaki roles and responsibilities. IMPs are a written statement identifying important issues regarding the use of natural and physical resources in their area.

The RMA describes an iwi management plan as "...a relevant planning document recognised by an iwi authority and lodged with the council". IMPs must be taken into account when preparing or changing regional policy statements and regional and district plans (sections 61(2A)(a), 66(2A)(a), and 74(2A) of the RMA).

I am aware of the following iwi management plans:

- Ngāti Whātua Ōrākei - 2018
- Te Kawerau-a-Maki - 1995
- Ngāti Rehua Ngataiwai Ki Aotea - 2013
- Ngāti Whatua o Kaipara (South) Environmental Protection and Management Plan - 2013
- Waikato -Tainui - 2013
- Te Uri o Hau - 2011

This plan change does not seek to alter the current policy direction of the AUP and is instead addressing specific zoning issues at specific sites. I consider it is not inconsistent with any relevant iwi management plan.

6. Development of the Plan Change

6.1. Rationalisation Process

Prior to a site being included in this plan change it has been identified as not required for any council service and has been through the rationalisation process. All sites have been approved for disposal by the Finance and Performance Committee.

The majority of sites included in the plan change were identified through the general review process. As discussed in Section 5.3.4 above, two sites are within the Unlock Panmure project area and their development will work to enable regeneration in the Panmure Town centre.

One site included in the plan change (Part 303 Te Irirangi Drive, Flat Bush) is part of a wider site that is required for *Transport Infrastructure* purposes. The section of the site included in this plan change is a landlocked portion of the site not required and it forms part of a land exchange agreement with the adjoining land owner. Inclusion of this site in the plan change allows for the site to be incorporated into the wider development of the area. All additional processes required to undertake this will be run concurrent with the plan change process.

One site (131 Clark Road, Hobsonville) is within the Scott Point Special Housing Area. Only a small part of the wider site approved for disposal is included in this plan change. The portion included is where the indicative zoning shown in the precinct plan and the AUP did not align with the already developed component of the site. The adjoining land owner has indicated incorporating this portion of the site into their larger development area. All additional processes required to undertake this will be run concurrent with the plan change process.

6.2. Process for determining proposed zoning

In many, but not all, cases the new zone proposed for a site approved for disposal has been determined by the zoning of the surrounding sites. The AUP contains

existing objectives, policies and rules for zones that have been considered as part of this determination. Table 3 shows the zoning considerations that have informed the zone that is proposed as most suitable for each site:

Table 3: Zoning analysis

Site address	Current zone	Proposed zone	Zoning considerations
22R Clyde Road, Ōtara	POS - Informal recreation	Neighbourhood centre	<p>The site is located at the corner of Clyde Road and Alexander Crescent adjoining the Neighbourhood Centre zone and within the wider Mixed Housing Urban area.</p> <p>A business zone is proposed for this site to allow for expansion of the small Neighbourhood Centre that will serve the wider residential community. The adjacent property owner has previously expressed an interest in purchasing this site.</p>
Adjacent to 155 Bombay Road, Bombay	POS - Informal recreation	Rural and coastal settlement	<p>This small site is adjoining sites zoned Rural and Coastal settlement and adjacent to Rural Production land.</p> <p>The zoning proposed will provide consistency with the adjoining sites and avoid the creation of a 'spot' zone.</p>
Adjacent to 18 Edwin Freeman Place, Ranui	POS - Informal recreation	Mixed housing suburban	<p>This site is within a wider Mixed Housing Suburban area. It is proposed to rezone the site Mixed Housing Suburban to provide consistency with the adjoining sites on Edwin Freeman Place.</p>
30R Birmingham Road, Ōtara	POS - Informal recreation	Light Industry	<p>This is an underutilised site in a wider Light Industrial area. The Light industry zone proposed will align with the wider area activities and uses and avoid the creation of a 'spot' zone.</p>
28-30 Pilkington Road, Mount Wellington	POS - Informal recreation	<p>Town Centre</p> <p>Height Variation control – Panmure, 27m</p> <p>Building Frontage Control - General Commercial Frontage (at Pleasant view road boundary)</p>	<p>This site in part of the Unlock Panmure area. Surrounding sites are zoned Town Centre and Terrace Housing and Apartment and includes generally residential uses and the Mount Wellington Fire Station to the north, mixed commercial, retail and residential to the south and Council buildings, including the library, on the opposite side of Pilkington Road.</p> <p>The wider site currently has a split zone of Open Space and Town Centre, with the whole site functioning as public car park rather than any component serving as usable open space. The car park designation on the site and this usage will remain in place.</p>

			<p>Rezoning the eastern portion of the site as Town Centre, with the same height variation and building frontage controls as the remainder of the site will remove the spot zone and create consistency with the rest of the site. This will help enable the consideration of redevelopment schemes for the site that achieve improved utilisation of land that will provide housing, commercial, and parking outcomes in a cohesive manner.</p>
Part 3 Kings Road, Panmure	POS - Informal recreation	Terrace Housing and Apartment	<p>This site in part of the Unlock Panmure area. 1 Kings Road is the site of the historic heritage scheduled Panmure Stone Cottage. The 3 Kings Road site adjoins Mixed Housing Urban to the east. The opposite side of Kings Road is zoned Terrace Housing and Apartment (THAB).</p> <p>THAB zone is proposed at this site for the following reasons:</p> <p>The site was originally zoned as THAB in the proposed Auckland Unitary plan and this only changed through council submission in relation to issues with the boundaries of the site and the zone (the zone boundary was not consistent with the cadastral boundary).</p> <p>THAB zone is suitable for this site as it mirrors the 'step down' corner pattern of zoning evident at the intersection of Allenby and Queens Road further to the south. THAB zone will support the 'step down' from the Town Centre zone to the west of the site. It will facilitate the opportunity to ensure a 'gateway' level of development occurs at this site fitting its location and significance as the eastern gateway into the 'town centre'. It will also enable consideration of a range of redevelopment schemes for the site to achieve improved utilisation of the land to provide positive housing and public use outcomes in a cohesive manner.</p> <p>As part of the subdivision of the site the boundary will be realigned at the proposed zone change demarcation. Only the area currently serving as car park is approved for redevelopment and the rest of the site will remain as part of the extended open space site at 1 Kings Road. There will be no impact on the extent of place of the Historic Heritage scheduled Stone Cottage at 1 Kings Road.</p>

Part 303 Te Irirangi Drive, Flat Bush	POS - Informal recreation Flat Bush precinct	Terrace Housing and Apartment Flat Bush sub-precinct F	<p>Most of the wider site is required for transport infrastructure purposes. The portion included in this plan change will be incorporated into the adjoining property owners site as part of a land exchange agreement.</p> <p>The adjoining site is zoned THAB and forms part of the <i>Flat Bush sub-precinct F</i> Local Centre and THAB zoned sites. Rezoning this site to THAB, within the Flat Bush sub precinct F will provide consistency and allow for integrated development of the wider site.</p>
Part 131 Clark Road, Hobsonville	OS - Conservation	Mixed housing urban	<p>This site is part of one larger portion of the site that has been approved for disposal. The remainder of 131 Clark Road is required for open space and roading purposes. The wider disposal will allow for the development of the Neighbourhood centre and housing under the AUP zoning and the Scotts Point precinct plans.</p> <p>The general area to the north of the site is identified in the AUP for Mixed Housing Urban development. The delineation of the zones in the AUP planning maps does not align with the already developed portion of the site at 131 Clark Road. Rezoning the section of the site that is already developed land and is currently zoned as Open Space Conservation to Mixed Housing urban will provide for consistency with the existing environment.</p>
5Z Butler Avenue, Papatoetoe	Road	Town Centre Height Variation Control - Hunters Corner, 18m	<p>This site is a redundant service lane within a wider car park area that is zoned Town centre. The site has been confirmed by AT as not legal road. Immediate adjoining uses are car parking for the retail fronting Great South Road, and a car yard. To the east and on the opposite side of Butler Ave is generally residential detached housing, zoned mixed housing urban. As the immediately adjoining sites are zoned Town centre with an 18m height variation control this is also proposed for this site to avoid spot zoning and to provide consistency with the adjacent sites and existing environment and uses.</p>

6.3. Consultation

As part of the rationalisation process consultation has been undertaken with the relevant local boards and mana whenua groups for each site included in this plan change prior to disposal approval from the Finance and Performance Committee. The revocation of reserve status, where relevant, also underwent a public notification

process. The sites in the Unlock Panmure area have been discussed with the Maungakiekie Tamaki local board prior to their inclusion in this plan change.

Further consultation will be undertaken as required under the RMA for the wider plan change.

7. Conclusion

The purpose of this plan change is to ensure that land that has been declared surplus to council requirements, as part of the Panuku land disposal and rationalisation process, is able to be developed for future uses compatible with the site qualities and surrounding environments.

The rezoning of sites (Option 2) is the most appropriate method for addressing the planning related issues associated with Panuku's land disposal process. To provide consistency with adjacent sites AUP precinct provisions, height variation and frontage controls are also proposed for sites where relevant.

The rezoning of sites will avoid ad-hoc additional consenting processes for future land owners when they develop the properties. This will provide benefits to both council and future owners.

This option will ensure consistency of future land uses with the AUP planning framework by providing consistency between the objectives and policies of the zones and the future uses.

This option best achieves Part 2 of the Resource Management Act and the purpose or objectives of relevant national and regional planning documents. These include:

- New Zealand Coastal Policy Statement 2010;
- National Policy Statement on Urban Development Capacity
- Reserves Act 1977;
- The Auckland Plan 2018;
- The Unitary Plan's Regional Policy Statement 2016.

It is my opinion that Proposed Plan Change 36 Open Space (2019) is the most efficient, effective and appropriate means of addressing the resource management issue identified.