

RESPONSE TO CLAUSE 23 FURTHER INFORMATION REQUEST TABLE

| | Request | Response |
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| 1 | In the AEE/S32 report section 2.1 provides background to the plan change area. Can you please include a list of the current Auckland Unitary Plan provisions including the controls that are applicable to the plan change area. | Following discussions with Council, it is understood that this request is for a summary against each chapter/section of the AUP, including identifying what overlays are relevant within the Hingaia 1 Precinct area. This summary is attached as Appendix 8. |
| 2 | Auckland Plan 2050 is Auckland's long-term spatial plan for Auckland which looks ahead to 2050. It considers how we will address key challenges of high population growth, shared prosperity, and environmental degradation. Please provide an assessment of the proposal against the Auckland Plan 2050 to meet section 74(2)(b)(i) requirement. | Assessment of the requested changes under section 74(2)(b)(i) of the RMA by the requestor is not required by clauses 22 or 23 of Schedule 1 to the RMA. However, please refer to new section 6.3 of the evaluation report for a brief assessment. |
| 3 | A requirement of Section 32(1)(b) of the RMA is for an evaluation report to examine: a. If a plan change, compared to an alternative method, is the most appropriate way to achieve the objectives of the proposal; and b. If the proposed plan change amendments, are the most appropriate way of achieving the objectives of the proposal and provisions. Can you please complete the assessment identified in '3a' above. | The requirement of 32(1)(b)(i) is for "other reasonably practicable options for achieving the objectives" to be identified. This has been completed throughout section 5.2 of the evaluation report. There is no specific requirement for options other than a plan change to be considered. However, it is recognised that clause 25(3) of Schedule 1 to the RMA enables the Council to determine that the request should be dealt with as if it were an application for a resource consent and assessment in that regard would be helpful. Please refer to new section 5.3 of the evaluation report which specifies why resource consent applications are not a practicable option for achieving the objectives of the plan change. |

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| 4 | Can you please direct me to the Section 32(4) assessment. If this has not been undertaken, please complete and provide this assessment. | <p>As the proposed plan change does not impose any greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard. For that reason, specific assessment against section 32(4) was not included.</p> <p>The interaction of the requested changes with the rules of the National Environmental Standards for Freshwater were specifically addressed in section 6.1.2 of the evaluation report, recognising that the provisions in sections E3, E11, E12 and E15 of the AUP continue to apply, unchanged by the Hingaia 1 Precinct provisions and outside the scope of the requested changes.</p> <p>A note has been added to section 6.1.2 of the evaluation report in relation to section 32(4) of the RMA.</p> |
| 5. | <p>Throughout the evaluation report, references have been made to Plan Variation 1 to the Proposed Auckland Unitary plan and to specialist reports used to obtain resource consents. For council to determine if there is sufficient information under clauses 6 and 7 of schedule 4 of the RMA, these documents will need to be provided as part of this application as the plan change application appears to rely on them. These documents will assist council in determining if these reports address the effects of the proposed plan change. Can you please provide the following documents:</p> <ul style="list-style-type: none"> a. Geotechnical and contamination report b. Archaeological report c. Ecological report | <p>CivilPlan Consultants only has access to the listed reports that directly relate to the sites owned by Hugh Green Limited south of Park Estate Road, as the request for the rezoning of that land was lodged separately to the remainder of the land within the Hingaia 1 Precinct. Please find these documents attached as Appendix 9 through to Appendix 12.</p> |

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| 6. | <p>Drury Creek is part of the coastal marine area; please correct the reference to the meanders of the Manukau Harbour and coastal marine area. Please make any other consequential changes if necessary.</p> | <p>The evaluation report was prepared with the knowledge that Drury Creek forms part of the coastal marine area, with 'the coastal marine area' referenced multiple times throughout the elevation report (and the sites subject to the requested changes being recognised as wholly or partly within the coastal environment due to this).</p> <p>The evaluation report has been updated to directly reference that the Drury Creek forms part of the coastal marine area.</p> |
| 7. | <p>Section 7.5 of the evaluation report states:</p> <p><i>"All natural hazards risk will be appropriately assessed through the necessary assessment required under section E36 of the AUP. All rezoned land will need to demonstrate that risks of natural are not significant at the time of development"</i></p> <p>This statement sets out that natural hazards will be considered at the resource consent stage. It is an incomplete assessment as the proposal will increase the number of people that will reside within areas of natural hazard. An assessment is required to be considered under clause 7(f) of schedule 4 of the RMA. This therefore does not meet clause 32(1). Please complete and provide this assessment with relevant hazard specialist advice.</p> | <p>We disagree that the proposal will increase the number of people that will reside within areas of natural hazards.</p> <p>In accordance with Standard E38.8.8.1, vacant sites are required to demonstrate that each allotment provides a building platform that is <u>outside</u> of areas subject to natural hazards. Therefore, this provision makes it impossible for the number of people residing within areas of natural hazards to be increased regardless of the residential zone that applies, unless an application for a discretionary subdivision consent is made,</p> <p>From a land use perspective, the provisions in section E36 of the AUP requires resource consent (usually as a restricted discretionary activity, e.g. E36.4.1(A38)) for development that increases the number of people residing within areas of natural hazard.</p> <p>The assessment under clause 7(f) of Schedule 4 of the RMA required via clause 22(2) of Schedule 1 of the RMA relates to the effects from the implementation of the requested changes. As the requested changes do not change Standard E38.8.8.1 or any provisions in section E36 of the AUP, the implementation of the requested changes, whilst having the potential to increase the number of people residing within the precinct area, do not have the effect of directly enabling any increase in the number of people that will reside within areas of natural hazards. Therefore, the request for assessment by a hazard specialist does not correspond with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change.</p> <p>The updated section 7.5 of the evaluation report refers to the coastal reporting prepared to support resource consent applications at the sites south of Park Estate Road. This is attached as Appendix 13.</p> |

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| 8. | <p>Section 2.3 of the evaluation report indicates that a Master Plan has been 'socialised' for the proposed plan change area and is referenced as a reason for amendments required for infrastructure in the precinct.</p> <p>a. Please provide a copy of this Master Plan; and</p> <p>b. Please confirm whether the proposed plan change is consistent with the Master Plan, and provide reasons if there are differences</p> <p>If this report is relied upon in the AEE/S32, please attach the document as an appendix.</p> | <p>The Master Plan for Park Green is a live document that has been continuously updated during the planning of the Park Green development. The latest version of this master plan was at the end of the Urban Design Assessment report included as Appendix 10 to the plan change request. A master plan report has not previously been prepared.</p> <p>The proposed precinct plan is consistent with this master plan. In particular, it shows:</p> <ul style="list-style-type: none"> ▪ Collector roads in the actual locations constructed or proposed; ▪ Key local roads in the positions shown on the masterplan, including roads to access otherwise inaccessible areas of land (due to streams and wetlands) and roading over the existing transmission gas line; and ▪ Key on- and off-street cycle routes. <p>As outlined elsewhere in this response, it is not considered necessary for wetland and stream corridors to be shown on the precinct plan. It is also not necessary for the precinct plan to show the National Grid Corridor Overlay, since this is already provided on the AUP planning maps.</p> |
| 9. | <p>Throughout the section 32 there are various references made to revised roading approved in resource consents and also agreements via a master plan. It is not clear whether the roading network shown in the precinct plan is the same and it is not clear what part is yet to be approved via consent versus what has already been determined via a consent. Can you please: a. Provide copies of plans approved in any resource consent both north and south of Park Estate Road that show an approved road layout and any other infrastructure.</p> | <p>Please find a collection of all known and available roading plans approved by resource consent for sites within the Hingaia 1 Precinct attached as Appendix 14.</p> |

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| 10. | <p>Section 2.3.2 discusses Storm Water Management Plans (SMP) within the proposed plan change area but does not explain what has been approved north of Park Estate Road, some of which is under development. Can you please provide:</p> <ol style="list-style-type: none"> An explanation of how stormwater is being managed in the precinct north of Park Estate Road Whether a similar retention exemption has been approved in the precinct north of Park Estate Road Copies of any approved SMP and related documents for the area north of Park Estate Road. | <p>As mentioned in sections 2.3.2-1 and 4.1.1 of the evaluation report, the Hingaia 1 Precinct is subject to the Hingaia Network Discharge Consent referenced R/REG/2014/4245 and the Auckland Region-wide Stormwater Network Discharge Consent referenced DIS60069613, both held by Auckland Council.</p> <p>We do not have copies of any other Stormwater Management Plans in the Hingaia 1 Precinct that have been authorised under either of these resource consents. Healthy Waters has not yet publicly provided these as required by the conditions of DIS60069613. We therefore do not have the means to confirm whether the retention exemption has been approved for any other Stormwater Management Plans in the precinct.</p> <p>However, it is noted that the only other sites that would be within a coastal catchment would be parts of 257, 273, 277 and 279 Park Estate Road. All other sites are within the catchment of the stream network that discharges to the coastal marina area just south of 67 Bayvista Drive. Furthermore, of the four sites mentioned above, only 279 Park Estate Road has obtained a resource consent for urban development.</p> <p>Regardless, the key thrust of the requested changes is that the suitability of retention and detention requirements should be the responsibility of the Stormwater Management Plan, noting that the Auckland Region-wide Stormwater Network Discharge Consent expects, as a default, that this be provided for in all greenfield developments unless the SMP demonstrates that a more suitable stormwater management approach is appropriate. In a greenfield context, it is therefore considered inappropriate for requirements to be also enforced through district plan rules for which land use consent is also required in order to circumvent. Without the precinct provisions, future development will still be required to respond to the requirements of the NDC in order to demonstrate that the relevant objectives and policies of the AUP related to stormwater management are met.</p> |

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| 11. | Can you please provide on the precinct plans any permanent and intermittent streams, and wetlands to be retained and enhanced in the area. | <p>All wetlands and streams have been purposely not shown on the proposed precinct plan on the basis that it is not necessary for these to be identified in order for the objectives and policies of the AUP to be achieved.</p> <p>In particular:</p> <ul style="list-style-type: none"> ▪ The operative precinct plan did not include the full length of streams that have subsequently been identified through resource consents, recognising that the classification and location of streams can change over time. ▪ E3.4.1(A49) of the AUP and regulation 57 of the NES-FW allow resource consent to be obtained (as a non-complying activity overall) for the reclamation of streams and rivers. In addition, resource consents have already been obtained by Hugh Green Limited (BUN60325204 and BUN60339982) for the reclamation of 355 m of stream. ▪ Although reclamation of wetlands is a prohibited activity under reg 53 of the NES-FW, BUN60325204 and BUN60339982 continue to authorise (as they were granted prior to the gazettal of the NES-FW) the reclamation of 34,668 m² of existing/historical wetlands. ▪ In relation to the above points, when consents authorising reclamation are given effect to, use of the reclaimed areas of land will potentially conflict with precinct provisions referring to the precinct plan if those areas are shown to be wetlands or streams. ▪ Activities in, on and over wetlands and streams are controlled by E3 of the AUP and the NPS-FW and the precinct provisions do not result in any changes to the application of E3 or the NES-FW. ▪ The definitions of wetlands and streams do not rely on them being mapped on a precinct plan and therefore all rules related to wetlands and streams will continue to apply. ▪ There are no existing or proposed precinct rules that relate to wetlands and therefore there is no need for these to be mapped on the precinct plan. ▪ The only precinct rule that relates to streams is Standard I444.6.2.5 (previously Subdivision Control 5.4) which only relates to the streams already shown on the operative precinct plan and so this is the only reason why those same streams are included on the precinct plan. |

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| 12. | <p>Section 32(4A) of the RMA states:</p> <p><i>“4(A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—</i></p> <p><i>(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and</i></p> <p><i>(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.”</i></p> <p>Section 8.4 in your report relates to consultation with Iwi completed to date. The current evaluation report does not meet section 32(4A) for the following reasons:</p> <p>...</p> <p>Can you please complete the necessary steps to complete the requirement under Section 32(4A) by:</p> <ul style="list-style-type: none"> • providing a CVA Addendum from Ngati to Ata • providing other iwi with an opportunity to consider the plan change and providing the council copies of any advice from those iwi. | <p>We disagree with the conclusion that section 32(4A) has not been met.</p> <p>Section 32(4A) references “the relevant provisions of Schedule 1”. For a plan change request, only Part 2 of Schedule 1 applies (Part 1 would apply only if the request is adopted by Council pursuant to clause 25(2)(a)(iii) of Schedule 1 to the RMA). There are no provisions in Part 2 of Schedule 1 that directly refer to any requirement for consultation with iwi to be undertaken. It is also specifically noted that clauses 3(1)(d) and 3B of Schedule 1 (within Part 1) only places obligations on local authorities during the preparation of plans and public plan changes.</p> <p>Therefore, section 32(4A) does not obligate a requestor to consult with all potential iwi groups and ensure that they are fully satisfied. It only requires the requestor to summarise what consultation has been undertaken. This also aligns with clause 23(1)(d) of Schedule 1, which allows Council to request further information so that they can “<i>better understand ... the nature of any consultation undertaken or required to be undertaken</i>”, but not allow Council to require further consultation to be undertaken.</p> <p>All advice received from iwi authorities and the responses to this advice was provided in section 8.4 and Appendix 14 of the evaluation report. Furthermore, iwi will have the opportunity to submit on the plan change and all submission points will be appropriately addressed through the hearings process.</p> <p>Regardless, the following actions have been undertaken:</p> <ul style="list-style-type: none"> ■ A request for comment from additional iwi with potential interest in the Hingaia 1 Precinct area was sought via email on 18 February 2021. To date (30 March 2021), no responses have been received. ■ A formal response was finally received from Karl Flavell of Ngāti Te Ata on 24 February 2021, clarifying that they intend to prepare the CVA Addendum as part of their submission on the plan change, not prior to the consideration of the request by the Planning Committee under clause 25 of Schedule 1 to the RMA. <p>Copies of the relevant correspondence are attached as Appendix 15.</p> <p>Sections 8.4.3 and 8.4.5 of the evaluation report have been updated to reflect this additional information.</p> |

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| 13. | Have you considered any of Iwi Management Plans against the proposal? | We are not aware of any Iwi Management Plans that are applicable to the Hingaia 1 Precinct area, nor have we been directed to any through previous consultation with local iwi. |
| 14. | <p>The proposed amendments will alter the objectives, policies and rules of the entire Hingaia 1 precinct. This means that the zoning of the entire area is in scope. Can you please provide the following:</p> <ol style="list-style-type: none"> An explanation of why the area in the north of the precinct has not been included for rezoning. An evaluation of alternative zoning options for the area in the north. | <p>We disagree that the scope of the plan change includes the zoning of the entire Hingaia 1 Precinct area.</p> <p>In the AUP, precincts are an additional layer that sit ‘on top of’ zones, <i>“which can vary the outcomes sought by the zone or Auckland-wide provisions and can be more restrictive or more enabling.”</i> (section A1.6.5). Precinct provisions are therefore determined <u>after</u> zoning of land is determined. In the case of the land to the north of Park Estate Road, the zoning of this land was determined by Plan Variation 1 to the AUP and that decision is not sought to be revisited (similar to how the decision on the zoning of 158A Park Estate Road under Plan Change 36 is also not being revisited).</p> <p>Furthermore, the request has been prepared so that changes to land north of Park Estate Road are related to updating the precinct provisions to align with the decisions on the AUP as a whole. The requested changes that go beyond that position (such as the rezoning of land, the introduction of an activity status for show homes and changes to the precinct plan) are in relation to the land to the southern side of Park Estate Road only.</p> <p>In addition, it is noted that other plan changes that seek changes to the provisions of ‘layers’ of the AUP that sit independently to zones do not include the zoning of all land subject to that layer as part of their scope. For example, Plan Change 26, which amended the Special Character Areas Overlay provisions, did not reconsider the appropriateness of the Single House zone for the sites subject to this overlay, even when some SCA provisions were most similar to those applying in the MHU zone.</p> <p>For these reasons, and as the scope of the plan change has specifically excluded the zoning of land to the north of Park Estate Road, an evaluation of alternative zoning for this area is not required.</p> <p>If Council considers it necessary for the zoning to the north of Park Estate Road to also be within the scope of the requested changes, then Council can adopt the plan change pursuant to clause 25(2)(a)(iii) of Schedule 1 to the RMA.</p> |

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| 15. | <p>RPS Section 6.2 of the evaluation report provides a partial analysis of the Regional Policy Statement (RPS). The assessment is only of Chapter B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form of the AUP (OP). Can you please complete the assessment against the RPS by:</p> <ol style="list-style-type: none"> Identifying all relevant objectives and policies of RPS in all chapters; and Provide in section 5.1 an assessment under s32(3)(a) of which identifies the relevant provisions (objectives and policies in the relevant sections of the AUP (OP)). | <p>Section 6.2.1 of the evaluation report provides an assessment against all relevant sections of the RPS, including B3, B4, B5, B6, B7, B8, B9 and B10. The level of detail provided for sections other than B2 are in accordance with the scale and significance of the effects that are anticipated from the implementation of the requested changes (as per section 32(1)(c)). In particular, where no changes are being made to existing provisions of the AUP that give effect to sections of the RPS, the provisions of the RPS in those sections continue to be given effect to, regardless of the requested changes to the Hingaia 1 Precinct provisions.</p> <p>It is noted that there is no requirement under section 32 of the RMA for changes to district plan provisions to be assessed against the objectives and policies of a regional policy statement. Nevertheless, some amendments have been made in section 6.2.1 to provide additional references to specific objectives and policies.</p> |
| 16. | <p>15b above relates to the proposed amendments under section 5.1 and 5.2 of the evaluation report which provides an <i>"...examination under subsection (1)(b) must relate to - (a) the provisions and objectives of the amending proposal."</i></p> <p>The definition of 'provisions under section 32 of the RMA is:</p> <p>...</p> <p>Therefore, we consider that all relevant objectives and policies that are in the AUP(OP) need to be considered against all amendments of the amending proposal. Can you please provide this assessment.</p> | <p>The logic that section 32(1)(b) requires all relevant objectives and policies of the AUP to be considered against all requested changes is not followed. The opposite is instead read – that the requested changes are required to be considered against all relevant objectives of the AUP and the objectives resulting from the requested changes.</p> <p>In particular, we disagree that “the proposal” that is referred to in section 32(1)(b) is the AUP. Instead, “the proposal” is the requested plan change, as that is the proposal put before Council that requires an evaluation report under section 32 to be prepared (pursuant to clause 22 of Schedule 1 to the RMA).</p> <p>For the purpose of section 32(3), the requested plan change is the “amending proposal” and the district plan component of the AUP(OP) (noting that the precinct provisions are all part of the district plan and are not identified as being part of the regional plan, regional coastal plan or regional policy statement, as required by section A1.4 of the AUP) is the “existing proposal”.</p> |

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| | | <p>The long form requirement of section 32(1)(b) would therefore be:</p> <p><i>Examine whether the policies, rules, or other methods that implement, or give effect to, the objectives of the change</i> (the provisions, as per the definition in section 32(6) / as per section 32(3), only the provisions of the amending proposal are relevant, as the provisions of the existing proposal are not listed / the change is the proposal, as per the definition in section 32(6)) <i>are the most appropriate way to achieve the objectives, being:</i></p> <p>a) <i>the objectives of the change</i> (as per section 32(3)(a)) <i>as follows:</i></p> <p>i) <i>the stated objectives of the change</i> (as per (a) of the definition in section 32(6)); <i>and</i></p> <p>ii) <i>the purpose of the change</i> (as per (b) of the definition in section 32(6)); <i>and</i></p> <p>b) <i>the objectives of the district plan component of the AUP</i> (the existing proposal, as per section 32(3)), <i>to the extent that they:</i></p> <p>i) <i>are relevant to the objectives of the change</i> (as per section 32(3)(b)(i)); <i>and</i></p> <p>ii) <i>would remain if the change were to take effect</i> (as per section 32(3)(b)(i)).</p> <p>The assessment in section 5.2 of the evaluation report has been completed in accordance with the above interpretation of section 32(1)(b). This section has considered each of the policies and rules introduced by the change, grouped into Themes, against the relevant objectives of the Hingaia 1 Precinct (as requested to be changed), the relevant objectives of the AUP (i.e. relevant zone, overlays and Auckland-wide provisions) and the relevant purposes of the requested changes (which are listed in section 5.1.2 of the evaluation report). Each subsection in section 5.2 begins by identifying the relevant objectives in each of these three categories, which are the basis for which the subsequent assessment of the provisions are considered.</p> <p>Therefore, no changes to the evaluation report are considered necessary in response to this request.</p> |

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| 17. | Further to point 14 above, section 5.1 of the evaluation report goes through the reasoning of amending the objectives of the precinct. This analysis does not speak to any of the RPS objectives and policies that are relevant objective topics, nor is there a section 32 analysis of these amended objectives and policies. Can you please complete this assessment. | <p>Section 32(1)(a) states that the evaluation report must “<i>examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act</i>”. The purpose of the Act is specified in section 5 of the RMA. The assessment provided in section 5.1 of the evaluation report is against the purpose stated in section 5 of the RMA.</p> <p>Section 32(1)(a) does not specify that assessment of each objective (or change to an objective) is required to be assessed against the objectives and policies of an RPS in order to evaluate whether they are the most appropriate way to achieve the purpose of this Act. Even if that were inferred, the assessment in section 5.1 of the evaluation report provides reasoning as to why doing so would not be appropriate to the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change or plan.</p> <p>Regardless, the requested changes are assessed against the objectives and policies of the RPS in section 6.2.1 of the evaluation report.</p> |
| 18. | For all sub-sections under 5.2 which provides an analysis against the requirements of section 32 of the RMA, can you please complete an assessment of the most effective and efficient option to meet the relevant 'provisions' as defined under section 32. This includes an assessment against the relevant RPS chapters for the topic, and the policies of the underlying zone and site controls. | <p>The relevant sub-sections do provide an assessment of the most effective and efficient option to the level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposed change (albeit, not in tabular form). A table of benefits and costs was not considered necessary for the reasons specified in those sub-sections.</p> <p>However, section 5.2 of the evaluation report has been updated to provide additional references to specific benefits and costs, including identifying where the differences between options is neutral.</p> |
| 19. | The following sections are incomplete assessments under sections 32 of the RMA as they do not provide a cost and benefits analysis, nor do they provide a complete evaluation of options: ... | Refer to the response to item 18 above. |

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| 20. | Section 5.2.1: Residential Zoning did you consider Terrace Housing and Apartment Buildings zone in the plan change and if not, why not? | The Terrace Housing and Apartment Buildings zone was not considered by the plan change as Section H6.1 of the AUP (THAB zone description) specifies that <i>"The zone is predominantly located around metropolitan, town and local centres and the public transport network to support the highest levels of intensification."</i> As the Hingaia 1 Precinct does not include any Local Centre, Town Centre or Metropolitan Centre zone, the use of the THAB zone is therefore not promoted. This is in part related to the height of development in the THAB zone (16 m) being greater than height enabled in the neighbourhood centre zone (11-13 m). |
| 21. | In Section 5.2.2 Development Opportunities for High Residential Densities, did you consider applying a higher intensity zone with a removal of the precinct controls? If not, why not. | The only available higher intensity zone would be the Terrace Housing and Apartment Buildings zone, which was not considered for the reasons specified above. In addition, Plan Variation 1 determined that the most appropriate mechanism to allow for higher densities within the Hingaia 1 Precinct was through development incentives rather than the application of high-density zones. The requested changes do not challenge that determination. |
| 22. | Under this section, you have stated "There is insufficient information regarding the likely uptake of provisions that promote higher densities.". Can you please provide the economic evidence or equivalent that this statement is based on. | This statement is made on the basis that the provisions are optional and are first dependant on the size of lots created at subdivision, then the number of dwellings to be constructed per lot (which may in some cases be limited by private covenants) and then the type and size of dwelling the lot owner decides to build (which may or may not take advantage of the additional coverage allowances). This statement acknowledges that there is no evidence to confirm the likely uptake of provisions that promote higher densities given each of these factors. Data to estimate the influence of provisions that promote higher densities on provided lot sizes (and therefore density) could be potentially sourced from development within the Drury 1 Precinct and Flat Bush Sub-precinct C, which have a higher building coverage allowance for lots less than 400 m ² in area, compared to South Auckland greenfield developments that do not have these provisions, such as Waiata Shores and Kauri Flats. The table below considers the size of developed lots, defined to be those less than 1,000 m ² in area existing (with a RT) as of February 2021 within each of these precincts. |

| | Drury 1 | Flat Bush C | Waiata Shores | Kauri Flats |
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| No. of lots less than 1.000 m ² | 155 | 575 | 289 | 272 |
| No. of lots less than 400 m ² | 127 (81.9%) | 386 (67.1%) | 154 (53.3%) | 221 (81.3%) |
| Land area of lots less than 1.000 m ² | 50,013 m ² | 217,963 m ² | 93,816 m ² | 94,446 m ² |
| Land area of lots less than 400 m ² | 36,315 m ² (72.6%) | 129,120 m ² (59.2%) | 33,267 m ² (35.5%) | 71,908 m ² (76.1%) |
| Density across lots less than 1.000 m ² | 31.0 sites per ha (323 m ² lot size) | 26.4 sites per ha (379 m ² lot size) | 30.8 sites per ha (325 m ² lot size) | 28.8 sites per ha (347 m ² lot size) |

This table details that a majority (both in absolute numbers and proportion of land) of the sites within the Drury 1 Precinct and Flat Bush Sub-precinct C are less than 400 m² and therefore are able to have building coverages of up to 50%. By comparison, this has also occurred in Kauri Flats, but approximately two-thirds of the land area of Waiata Shores consists of lots greater than 400 m². However, across all examples, a similar density is achieved.

It is not clear from this data the reasonings for the number of lots less than 400 m² and the influence that provisions allowing for higher development opportunities has on this, compared to other influences. Furthermore, this data does not consider the actual coverages on these allotments in order to determine whether lot owners chose to use these additional development opportunities. The necessary data to determine that would require access to a significant number of building consent plans.

However, based on my personal experience having prepared resource consent applications for vacant sites subdivision in Flat Bush Sub-precinct C, I am aware that the additional development rights for lots 400 m² or less in area is a strong consideration in determining the proposed yield of development. As purchasers will pay a higher price for a lot allowing for additional development opportunity, there is a clear incentive to the subdivider to provide for lots less than 400 m² (with building coverage for lots 320 m² to 399 m² and 400 m² to 499 m² in area being the same), which would result in a higher yield than would otherwise be provided for.

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| 23. | <p>Theme 3 under section 3.2.3, summarizes that the HIRB standard is not desired, and a more permissive approach to the AHIRB is sought. Can you please provide evidence that the plan change area, is unique, in comparison to other areas of Auckland to support the rational that the effects that are managed by the HIRB are not necessary and why more permissive HIRB is requested.</p> | <p>The commentary in section 3.1.1 of the evaluation report recognises that some of the issues being addressed by the requested changes to the AUP (including the Alternative height in relation to boundary) are considered to be region-wide issues related to greenfield areas and therefore not strictly limited to the Hingaia 1 Precinct area. However, the scope of the requested changes is limited only to the Hingaia 1 Precinct, not all greenfield areas.</p> <p>In relation to the permitted use of the alternative height in relation to boundary standard, it is noted that this is only for the Mixed Housing Urban zone, which is being applied south of Park Estate Road. This area (and other greenfield areas) is unique in comparison to Auckland residential areas in general as:</p> <ul style="list-style-type: none"> ▪ The zone standards have been prepared on the basis that they are suitable for development within an existing residential area. However, here there is no existing established built-form to which new buildings have the social expectation to be consistent with; ▪ As there is currently no existing urban development south of Park Estate Road, it would become the responsibility of designers to ensure that buildings and their outdoor living areas are not orientated towards side boundaries or rely on sunlight that could be blocked by development massed towards the frontage on adjacent sites; ▪ An urban built character can be achieved by development of single dwellings on vacant lots created through urban subdivision, without being stymied by height in relation to boundaries rules. <p>As referenced in section 5.2.3 of the evaluation report, there is precedent in the AUP for changes to the height in relation to boundary standards to apply in greenfield situations, specifically in the Flat Bush and Drury 1 precinct areas.</p> |
| 24. | <p>Section 5.2.5 analysis of options in summary that the neighbourhood centre zone overall is not suitable, and 'unique' precinct provisions are required to meet the section 32 analysis. Did you consider any other business zones in the area before considering ad-hoc plan objective and policy exceptions?</p> | <p>The exemption from Standard H12.6.3 is no longer proposed and therefore a response to this request is no longer necessary.</p> |

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| 25. | Theme 7: Esplanade cafes ... | Theme 7 is no longer proposed and therefore a response to this request is no longer necessary. |
| 26. | <p>Section 3.2.8 and 5.2.7 is on Theme 9: Coastal Density. This section outlines the reasons to remove the density limit for sites adjacent to the coast or an esplanade reserve. It is stated that the reasons for the lower density around the coast is due to the legacy framework. The options analysis under 5.2.7 of the evaluation report provides options under section 32 of the RMA. In your options analysis was the following considered:</p> <ul style="list-style-type: none"> a. A lower density zone such as mixed housing suburban. b. Chapter E36 Natural hazards and flooding of the AUP against the new density. | <p>A lower density zone was not considered in section 5.2.8 of the evaluation report as the assessment was against the revised versions of the objectives as per the requested changes. This is in accordance with section 32(3)(b) of the RMA. Only the operative precinct objectives referred to the creation of larger sites as a method to avoid erosion.</p> <p>Further, there are no Auckland-wide or zone objectives that suggest that lower residential densities are an appropriate mechanism to manage effects resulting from coastal natural hazards. Instead, the location and design of development is controlled through the provisions in section E36 and subdivision provisions in section E38 of the AUP, which are not affected by the requested change (with the sole exception of the E38 provisions not applying to lots over 4 ha being created).</p> <p>Additional commentary in relation to the relationship between the density provisions and section E36 of the AUP has been included in section 7.5 of the evaluation report.</p> |
| 27. | Section 5.2.9 Theme 10: Coastal and Reserve Interface establishes option 3 is the most appropriate option. In summary, it concludes that since one consent has been granted in the area, the whole esplanade should be given effect to this consent. Can you please provide the relevant detail on the consent, the effects it managed, to be a part of this proposal. We are trying to understand if the consent is site specific or could be a generic approach. | <p>The restrictions in the consent notice imposed under resource consent BUN60353348 for the interface with the esplanade reserve was developed as a generic approach to achieve enhancement and protection of coastal character, as per the objectives and policies of the Hingaia 1 Precinct. The existing development control dealing with this (4.7 Landscaping for Coastal Retaining Walls) was not appropriate in the context of other provisions in the AUP as well as outcomes expected by Council's Parks department (as outlined in section 3.2.9 of the evaluation report).</p> <p>Refer also to the response to this matter provided in the attached memo prepared by TransUrban (Appendix 16).</p> |
| 28. | Theme 12: Limited Notification Rules, can you please provide the High Court and Environment Court file numbers quoted or reference(s) in the evaluation report. | <p>It is assumed that this request relates to the Court appeals related to National Grid Corridor referenced in section 6.1.1-1 of the evaluation report.</p> <p>The references for these (as per Council's website) are ENV-2016-AKL-000218 and CIV-2016-404-002330.</p> |

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| 29. | Theme 13: Structures not Defined as Buildings, are you able to include further examples of structures that are not defined under Chapter J of the AUP. | <p>With reference to Table J1.4.1, this would include the following structures that may be anticipated in the Hingaia 1 Precinct:</p> <ul style="list-style-type: none"> ▪ Decks, steps or terraces up to 1.5 m in height ▪ Fences and walls up to 2.5 m in height ▪ Retaining walls up to 1.5 m in height that are located at least 1.5 m from a boundary with a road or public place ▪ Satellite dishes up to 1 m diameter ▪ Free-standing signs up to 1.5 m in height ▪ Swimming pools, spa pools and hot tubs up to 25,000 litres capacity and up to 1 m in height from ground level <p>In addition, the following structures are identified to be excluded from the definition of 'building', yet are anticipated as part of residential development:</p> <ul style="list-style-type: none"> ▪ Scaffolding and other temporary construction structures ▪ All paved surfaces, including parking areas and footpaths ▪ Aerials and water overflow pipes |
| 30. | Consents agreement - section 2.3.1 outlines a summary that was agreed with the councils' regulatory services. There are further references to agreements under section 5.2.25. Can we obtain a copy of this agreement(s). | <p>In relation to the summary of applicable provisions referenced in section 2.3.1 of the evaluation report, please refer to the emails from Mel Chow and Ross Cooper attached as Appendix 17..</p> <p>Otherwise, not all advice received from Council departments in respect to deviations from the operative precinct plan has been documented. However, as outlined in section 5.2.25-1, most changes are confirmed to be acceptable to Council through grant of the specified resource consents.</p> <p>For the relocation of the park within 152 Park Estate Road, Hingaia into 144 Park Estate Road, Hingaia, to the east of the National Grid Corridor, this has been verbally agreed to by Ezra Barwell, Senior Policy Advisor, Community Investment.</p> |

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| | | <p>For the use of 158A Park Estate Road for a park, this has been specified by The Council record of open space acquisitions settled in 2016/17 included in File No. CP2017/13300 (presented to the Environment and Community Committee) and Plan Change 36, which made the site subject to the Open Space – Informal Recreation zone.</p> <p>For the preferred bus route, please refer to correspondence received from AT attached as Appendix 18.</p> |
| 31. | <p>Section 6 provides an assessment against higher order documents. Please note, that at the time of lodgment that council had yet to respond or make amendments to the AUP (OP) based on the most recent NPS/NES. Please ensure this has been considered in your assessment as some more restrictive rules may need to be included to what is existing in the AUP (OP).</p> | <p>This is noted. Assessment against the relevant National Policy Statements and National Environmental Standards was included in section 6.1 of the evaluation report.</p> <p>In regards to the documents related to Freshwater Management, it is considered more appropriate for Auckland-wide rules, including those in E3, E11 and E15, to be amended as necessary to give effect to these documents. Changes to those provisions are outside the scope of the private plan change request.</p> <p>It is noted that the Hingaia 1 Precinct does not include any regional rules, with the rules in E3, E11 and E15 being in effect in full. Any changes introduced through a public plan change to ensure that the Auckland-wide provisions give effect to the Freshwater documents will therefore also apply to activities in the Hingaia 1 Precinct.</p> |
| 32. | <p>Further to the point 32 above, please note the use of consents to justify the loss of wetlands may not be suitable to transfer into the plan provisions as they are not a Schedule 1 RMA process. The right for those activities is retained under existing use rights, not through an amended plan.</p> | <p>The Hingaia 1 Precinct text as a result of the requested changes do not directly reference any activities within or around wetlands that are authorised by granted resource consents and which may no longer be supported by the latest freshwater NPS and NES.</p> <p>The only indirect reference is the positioning of the proposed local roads crossing over wetlands in the positions enabled by a granted resource consent. However, this is necessary as the land being accessed by the wetland crossings would be otherwise be surrounded by wetlands and the Southern Motorway, therefore being inaccessible. In addition, the road positions are only indicative and could be adjusted at development stage to positions where bridges over wetlands could be authorised in future.</p> |

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| 33. | <p>Activity table I444.4.1 activities (A2) - (A8) seem to be a combination of activities and standards in E38 and the underlying zone standards. Activities in Table I444.4.2 also provide subdivision activities. These seem to conflict and are confusing. Further, it seems your argument for consistency with the AUP (OP) rules and this precinct have not been transferred to this topic. Can you please provide justification, that the current AUP (OP) provisions are not adequate?</p> | <p>Activities (A2) to (A8) were a result of implementing Theme 2. It is noted that adjustment have been made to Theme 2, and so the following justifications are in accordance with the revised activities (and numbering):</p> <ul style="list-style-type: none"> ■ (A2) is necessary so that one to three dwellings that comply with the zone coverage standards and four or more dwellings with a density of less one dwelling per 400 m² continue to be considered under the relevant zone provisions (including the zone coverages, either as standards or matters of discretion). Standard I444.6.1.4 is also added as a standard to be complied with. ■ (A3) is necessary so that two or three dwellings in the MHS zone with a density of more than one dwelling per 400 m² that do not comply with the zone coverage provisions but do comply with the precinct coverage provisions for higher density development is specified to be a restricted discretionary activity, subject to the same matters of discretion that apply to four or more dwellings (providing for consideration of urban design matters). One dwelling in the MHS zone would not be able to utilise the precinct coverage provisions for higher density development. Without this activity, H4.4.1(A3) would instead apply and any infringement of the coverage standards would require assessment under matters of discretion H4.8.1(4) (which are restrictive) rather than matters of discretion I444.8.2(2) (which, given the reference to the precinct coverage standards, are more enabling), aligning with the expectations under the operative precinct provisions for 'integrated residential development'. Standard I444.6.1.4 is also added as a standard to be complied with. ■ (A4) is necessary so that four or more dwellings in the MHS zone with a density of more than one dwelling per 400 m² are subject to the matters of discretion in section I444.8.2(2), which differ from those in H4.8.1(2), which would otherwise apply via H4.4.1(A4) by replacing references to the zone coverage provisions to the precinct coverage provisions. Standard I444.6.1.4 is also listed as a standard to be complied with. |

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| | | <ul style="list-style-type: none"> ■ (A5) is necessary so that one dwelling in the MHU zone with a density of more than one dwelling per 400 m² that does not comply with the zone coverage provisions but does comply with the precinct coverage provisions for higher density development is specified to be a permitted activity, achieving one of the purposes of the requested changes to promote higher densities at the time of vacant sites subdivision. Without this activity, H5.4.1(A3) would instead apply and any infringement of the coverage standards would require resource consent for a restricted discretionary activity, with assessment under matters of discretion H5.8.1(4) (which are restrictive). This permitted activity also has the effect of promoting the creation of sites less than 400 m² as part of vacant sites subdivision. Standard I444.6.1.4 is added listed as a standard to be complied with. ■ (A6) is necessary so that two or three dwellings in the MHU zone with a density of more than one dwelling per 400 m² that does not comply with the zone coverage provisions but does comply with the precinct coverage provisions for higher density development is specified to be a restricted discretionary activity, subject to the same matters of discretion that apply to four or more dwellings (providing for consideration of urban design matters). Without this activity, H5.4.1(A3) would instead apply and any infringement of the coverage standards would require assessment under matters of discretion H5.8.1(4) (which are restrictive) rather than matters of discretion I444.8.2(2) (which, given the reference to the precinct coverage standards, are more enabling), aligning with the expectations under the operative precinct provisions for 'integrated residential development'. Standard I444.6.1.4 is also added as a standard to be complied with. ■ (A7) is necessary so that so that four or more dwellings in the MHU zone with a density of over one dwelling per 400 m² are subject to the matters of discretion in section I444.8.2(2), which differ from those in H5.8.1(2), which would otherwise apply via H5.4.1(A4) by replacing references to the zone coverage provisions to the precinct coverage provisions. Standard I444.6.1.4 is also added as a standard to be complied with. |

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| | | <ul style="list-style-type: none"> ■ (A8) is necessary so that so that integrated residential development (as per the AUP definition, therefore including retirement villages) in the MHS zone are subject to the matters of discretion in section I444.8.2(2), which differ from those in H4.8.1(3), which would otherwise apply via H4.4.1(A8) by replacing references to the zone coverage provisions to the precinct coverage provisions and inserting Standard I444.6.1.4. ■ (A9) is necessary so that so that integrated residential development (as per the AUP definition, therefore including retirement villages) in the MHU zone are subject to the matters of discretion in section I444.8.2(2), which differ from those in H5.8.1(3), which would otherwise apply via H5.4.1(A8) by replacing references to the zone coverage provisions to the precinct coverage provisions and inserting Standard I444.6.1.4. <p>Attached as Appendix 19 is a flowchart that clarifies the applicability and need for each of the activities related to dwellings listed in Table I444.4.1 ((A2) to (A7)).</p> <p>Alternative options to apply the same standards and matters of discretion in other sections of the precinct were disregarded due to their inefficiency. This was concluded primarily due to the approach in underlying zones for standards to only be complied with for some activities and only be matters of discretion for other activities. It was therefore considered necessary for this same approach used in the zone to be used for in the precinct, which necessitated the addition of the column “Standards to be complied with” and listing of the various activities for which different standards and matters of discretion would apply.</p> <p>The detail provided in Table I444.4.2 was a result of implementing Themes 14 and 23. However, since an alternative method to achieve Theme 14 is now proposed and Theme 23 has been amended to delete roading provisions in the precinct, Table I444.4.2 is able to be simplified substantially, with significantly increased reliance on the activity tables in E38.</p> |

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| 34. | <p>Standard I444.6.1.1 in the proposed provisions outlines a standard of 70% impervious area is acceptable, which is 10% more than the MHU zone. The analysis in the section 32 report states that this is to enable high development opportunities. Can you please provide further detail on:</p> <ol style="list-style-type: none"> why this option is more appropriate than the THAB provisions which cater for 70% impervious area; and an explanation of what activities the phase “...for high density development” applies to. | <p>These provisions are in line with those already provided for in the operative precinct for “Integrated Residential Development”, using the definition specified in the operative precinct. Given the changes to the definition of “integrated residential development” through the AUP process after the decisions on Plan Variation 1, continued use of the precinct-specific definition that is very different to the definition used elsewhere in the AUP is not considered appropriate and is being rectified by the requested changes.</p> <p>What constitutes ‘higher density development’ has been determined in accordance with the precinct-specific definition for “integrated residential development”. As specified in section 5.2.2 of the evaluation report, <i>“Given that the existing integrated residential development provisions would be applicable when two dwellings are proposed on a site 800 m² in area, the density of 1 dwelling per 400 m² or higher is considered to be a suitable alternative trigger.”</i> Therefore, ‘higher density development’ refers to residential development where the site area per dwelling is less than 400 m², including integrated residential development (using the AUP-wide definition). This is given effect to through the standards specified for “higher density development” only applying to these activities. The standards are not listed in the activity table as to be complied with for any other activities, such as dwellings where the site area per dwelling is over 400 m² (as per (A6), the underlying zone standards for coverages apply).</p> <p>As the operative precinct provisions already provided for 70% impervious coverage within the MHS and MHU zones where higher residential densities are proposed (and it is noted that a similar allowance is also provided for in the Drury 1 and Flat Bush precincts), it has already been determined that the THAB zoning is not the most appropriate option. In addition, THAB zoning was excluded from consideration as specified in the response to item 20 above.</p> |
| 35. | <p>Under I444.6.2.1. Precinct Plan, the references for approval from NZTA and Auckland Council is ultra vires and does not manage effects. Please correct the third-party approval in a standard.</p> | <p>Standard I444.6.2.1 has been amended to remove mention of NZTA or Auckland Council.</p> <p>It is accepted that further changes to park locations will therefore require resource consent for a discretionary activity even if Auckland Council Parks has agreed to a new position.</p> |

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| 36. | Under Standard I444.6.2.2(2) there is a paragraph with no number or identification of its purpose. Can you please add a 'purpose', 'note' or a number to clarify its intension. Further to this, can you please clarify the purpose of Standard I444.6.2.2(2). | <p>A stated purpose for a standard is only required where necessary for assessment of an infringement as a permitted activity under section C1.9(3)(b) of the AUP. However, infringement of Standard I444.6.2.2 is specified in the activity table as being a discretionary activity and so a stated purpose is not necessary.</p> <p>In addition, Standard I444.6.2.2(2) provides the same explanatory text as Standard E38.8.3.1. There is no “purpose, note or a number to clarify its intention” for that standard either. However, the inferred purpose is that this is to ensure that a large number of ‘small’ sites are not created through the creation of a large number of ‘large’ sites that then are re-subdivided into ‘small’ sites, resulting in the average site size being lower than that anticipated in the zone.</p> |
| 37. | Under Rules I444.6.2.2 The proposed subdivision standards in table I4446.2.2.1 appear to apply to all vacant lot subdivision in residential zones, whereas the equivalent table E38.8.3.1.1 applies to sites of 1 hectare or greater. Please confirm whether this difference is intentional and what the purpose of it is. | Standard I444.6.2.2 has been amended to specify alternative rules depending on the site of the parent sites being subdivided, in line with the approach in E38 and also reflecting the existing precinct provision in section 5.2. The minimum of 400 m ² in the MHS zone is replaced with 300 m ² , in line with existing precinct provision in section 5.2. |
| 38. | Under Rules I444.6.2.4 Please amend the precinct plan to include the full length of the intermittent and permanent streams that this rule cross references to. Reference to the SMP indicates that these may have been partly omitted. | <p>This omission was intentional. The operative precinct plan only shows some of the streams that have since been determined to be at the sites through resource consent processes. The operative provisions also specify that riparian planting rules only apply to the extent of streams mapped on the precinct plan, and this approach was used by Council when granting resource consent for offset planting along the remaining length of the streams.</p> <p>Refer also to the response to item 11, above.</p> |

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| 39. | Under Standard I444.6.2.5, can you please clarify the purpose of the standard and why Chapter E8 does not apply to sites above 4ha. | <p>The purpose of this standard is to recognise that creation of allotments 4 ha or greater in area does not indicate 'urban development' for which urban matters must be considered. This is discussed in sections 3.2.12 and 5.2.13 of the evaluation report.</p> <p>4 ha was chosen due to alignment with the esplanade reserve provisions in the RMA.</p> <p>Specifically for stormwater, activities on allotments 4 ha or greater are anticipated to use on-size stormwater solutions that are permitted by E8 and outside the scope of any network discharge consent.</p> <p>E8 continues to be relevant to the establishment of impervious surfaces on allotments 4 ha or greater, but it is not considered necessary for assessment against E8 for allotments that site to be provided at subdivision stage.</p> <p>To avoid further confusion, and recognising that the Auckland-wide matter of discretion E38.12.1(7)(b) already requires consideration of stormwater management, Standard I444.6.2.5 has been deleted.</p> |
| 40. | Under I444.8.1 Matters of discretion (5)(c), can you please clarify what the 'cumulative effects' are? | Theme 7 is no longer proposed and therefore a response to this request is no longer necessary. |
| 41. | <p>Under I444.8.2 Assessment criteria (5)(c)(i), can you please clarify:</p> <ol style="list-style-type: none"> The effects (c)(i) is attempting to assess; and How a plan user would know if an unimplemented consented restaurant and/or café has occurred? | Theme 7 is no longer proposed and therefore a response to this request is no longer necessary |

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| 42. | <p>The Natural gas and transmission pipeline traverses the precinct. When the pipe was constructed, its subsequent enclosure with high density urban uses may not have been originally anticipated. There is therefore a potential risk to the health and safety as well as property damage if the pipeline is punctured after urbanisation. Can you please:</p> <ol style="list-style-type: none"> Complete a risk assessment by a professional with relevant expertise that addresses whether any additional physical pipeline protection or upgrade work is necessary for an intensive urban environment risk level; and A risk assessment by a professional with relevant expertise that addresses whether any additional physical pipeline protection or upgrade work is necessary for an intensive urban environment risk level. | <p>Plan Variation 1 has already confirmed that the land is suitable for urban residential development. The natural gas and transmission pipeline existed in the same state at the time that Plan Variation 1 was considered by Council. Effects on this line related to urbanisation are not within scope of the effects resulting from the requested changes and therefore the request for a risk assessment is not appropriate to the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change or plan (as required under clause 23(1) of Schedule 1 to the RMA).</p> <p>Consultation with FirstGas has occurred during the preparation of the master plan and for earthworks activities at 144 Park Estate Road. Please find relevant correspondence attached as Appendix 20.</p> <p>Existing easements protecting the interests of FirstGas where the line runs through the Hingaia 1 Precinct. Adherence with the provisions of these easements (and subsequently consultation with FirstGas) is necessary regardless of the AUP provisions that apply.</p> <p>No further consideration of the natural gas and transmission pipeline is considered necessary in relation to the requested changes to the AUP.</p> |
| 43. | <p>Auckland Transport has provided two memos being:</p> <ul style="list-style-type: none"> <i>Hingaia 1 Plan Change – AT Provisions feedback – 04.12.20 (Attachment 1)</i> <i>Hingaia 1 Plan Change – AT TA feedback 04.12.20 (Attachment 2)</i> | <p>Refer to the sections below for the responses to these attached memos.</p> |
| 44. | <p>Both of these memos are attached as part of this request. Some of these comments have been provided on a 'without prejudice' basis and AT reserves the right to lodge a submission. It is acknowledged that some of the comments are not requests for further information but pertain to merits (and wording) of the precinct provisions. Please respond to all requests for further information or explanation.</p> | <p>Refer to the sections below for the responses to these attached memos.</p> |

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| 45. | Traffic Planning Consultants Limited has addressed the transport/traffic issues on behalf of council as follows. | Refer to the responses below. |
| 46. | The Strategic Context included in Commute's Transport Assessment Report (TAR) dated 5 November 2020 does not make reference to the 'Supporting Growth' initiative or Auckland Transport Alignment Project (ATAP), under which a number of potential future transport improvements are being proposed within the wider South Auckland sub region to support future growth. While the funding and timing of some of these improvements may still be subject to uncertainty, it is important to understand their influence and significance in the context of the Proposed Plan Change on the subject site. Can you please include these two transport projects in the TAR. | Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21). |
| 47. | While modelling data referenced in Flow's Transport Update Report dated August 2018 may take account of future growth assumptions and associated transport improvements which remain valid, it would be useful for these to be confirmed in the TAR. Please confirm this modelling assessment is in the TAR. | Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21). |

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| 48. | The TAR refers to previous Transport Assessment work having been undertaken, including a report by Opus which establishes triggers for transportation improvements, based on traffic volumes and numbers of households developed. However, Commute's TA does not elaborate on these triggers. It is important to understand the need for transportation improvements in the context of the currently Proposed Plan Change and its revised dwelling yield, including an indicative overview of improvements required upon completion of particular numbers of dwellings. Can you please complete this assessment. | Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21). |
| 49. | <p>Can you please complete a indicative overview of transportation interventions required at particular trigger points, in terms of completed numbers of dwellings, including:</p> <ol style="list-style-type: none"> New roading connections within the Hingaia 1 Precinct New roading connections external to the Hingaia 1 Precinct, namely connections through the adjoining Precinct areas, such as the southward extension of Hinau Road New and upgraded intersections, including future intersection forms, including new intersections off Park Estate Road, and any changes to existing intersections on the arterial road network The introduction of public transport services Development of pedestrian and cycle networks and linkages | <p>Plan Variation 1 purposely deleted any requirement for trigger points for transportation interventions in the Hingaia 1 Precinct, as per the following finding in the Hearings' Panel's decision (refer Appendix 22):</p> <p><i>6.40 Our finding is that the density (or dwelling number) threshold trigger for determining when certain traffic related works should occur is a clumsy and inequitable method and should be deleted from the variation. We agree with Ms Wimmer's advice that the Local Residential Growth Fund or a targeted rate method is a more appropriate vehicle to achieve the outcomes envisaged. The proposed trigger method is effectively a 'first through the door' control and we consider it has little merit in the context of the future development being enabled by the variation. ... Our view is that any trigger provision in the rules will prove to be problematic and that it and the relevant Table are to be deleted.</i></p> <p>This finding is considered to continue to be valid even with the requested changes to zoning the Hingaia 1 Precinct provisions being made.</p> <p>In addition, effects of subdivision and development on the transport network, and the need for any transportation interventions to be undertaken, are assessed under matter of discretion E38.12.1(7)(g), Rule E27.4.1(A3) and Policies E27.3(1) and E27.3(2), all of which continue to be applicable to subdivision activities within Hingaia 1 Precinct.</p> |

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| 50. | The TAR and other supporting application documents make references to future street names within the precinct area, which do not appear to be referenced on a site Masterplan or equivalent. We would thus recommend the inclusion of a masterplan showing street names, as well as incorporating other useful information such as intersection forms, bus routes, cycle routes, etc. | <p>Please refer to the drawings provided in Appendix 23.</p> <p>Street names for “Park Green Ave”, “Parkmore Drive” and “Port Way” are included on each. No other road names have been confirmed by Council.</p> <p>Drawing PC03 shows plans cycle routes and bus stops.</p> |
| 51. | <p>The following intersections are noted from the Flow Transport Modelling Update report to be experiencing future capacity issues which may be considered to result in potential adverse effects on the adjoining road network:</p> <ul style="list-style-type: none"> a. Hingaia Road / Hinau Road / Harbourside Drive – Peak hour assessments show some intersection arms to be operating at a poor level of service, with mainline queuing on Hingaia Road extending as far back as the motorway ramp intersections. b. Beach Road / Elliot Street / Chichester Drive – As above, Peak hour assessments show some intersection arms to be operating at a poor level of service, with mainline queuing on Beach Road extending as far back as the motorway ramp intersections. c. Park Estate Road / New Road – Proposed Give Way configuration results in Level of Service F on New Road | <p>This is noted.</p> <p>Refer also to the responses to the comments in AT’s memos, below.</p> |
| 52. | We would recommend that further work is undertaken to consider options to better mitigate the effects of traffic resulting from the Proposed Plan Change. | <p>As per the response to item 49 above, effects of traffic will be appropriately mitigated at the time of resource consents through existing AUP provisions.</p> <p>“Traffic resulting from the Proposed Plan Change” is also very marginal compared to the traffic enabled by the existing precinct provisions that are reliant on the existing AUP provisions in order for their effects to be appropriately mitigated.</p> |

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| 53. | The TAR Report does not discuss the potential impact of the Proposed Plan Change upon safety across the wider road network. It is noted that the future volumes of traffic associated with the development of the subject site would be expected to contribute to an increased collective safety risk on the adjoining road network, as well as potential congestion and operational issues. Can you please undertake an assessment of the road safety effects associated with traffic generated by the proposed plan change. | Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21). |
| 54. | As noted in previous email correspondence, the applicant does not appear to have provided information in relation to expected traffic flows on local roads serving the precinct area. We would thus recommend that this information is provided. | <p>Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21).</p> <p>As noted, the expected traffic flows for local roads are dependant on their design as determined through the subdivision consent process. All of the local roads shown on the precinct plan are identified only. Any adverse effects related to local road traffic volumes can be addressed through existing provisions of the AUP.</p> |
| 55. | <p>The lodged application has been reviewed by Sanjeev Morar of Veolia. The follow matters have been raised by Sanjeev:</p> <p>a. To understand if there is capacity within Hingaia Peninsula for higher density development, Veolia would need to understand existing and proposed demand for both water and wastewater. Can you please provide a full catchment analysis of existing, future and proposed development to determine if the current 450mm gravity wastewater main has sufficient capacity for the proposed higher density;</p> | <p>Please find attached as Appendix 24 relevant wastewater calculations.</p> <p>These calculations identify that there is sufficient capacity to cater for the whole wastewater catchment, subject to the pumping of wastewater from upstream pump stations occurring off-peak.</p> <p>This would already be required as a result of development provided for by the operative AUP and so the requested changes do not change this requirement.</p> |

| | Request | Response |
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| | <p>b. To determine the effect of higher density development on the water supply network, can you please provide a full catchment analysis of the proposed level of potential development. It would be useful for this analysis to evaluate the proposed demand against the planned and existing infrastructure.</p> | |
| 56. | <p>The lodged application has been reviewed by Connor Whiteley, Auckland Council Ecologist. Can you please address the points raised below:</p> <p>a. Please provide the ecology assessments used for the resource consents obtained in the area; and</p> <p>b. Provide an ecological assessment that specifically addresses the effects that may occur due to the content of the plan change request. It would be beneficial if this assessment contained details of the recently released National Policy Statement Freshwater Management 2020 and National Environmental Standards for Freshwater.</p> | <p>The ecological assessment reports and ecological management reports provided to support the approval of resource consents BUN60325204 and BUN60339982 are attached as Appendix 25.</p> <p>As stated in section 4.6 of the evaluation report, the requested changes are not considered to result in any ecological effects further to those already provided for by the operative plan provisions, including effects resulting from activities which resource consents have already been obtained under the operative rules.</p> <p>The land is already zoned for medium density residential development. The changes to zoning and precinct provisions result in only a modest increase to development opportunities but does not include any changes to the provisions that protect the existing ecology of the site (including E3, E11, E12, E15 of AUP) or the requirements for enhancement of streams (the revised rules having the same actual effect as the operative rules).</p> <p>For that reason, it is not considered necessary for an ecological assessment report to be provided to Council at this time.</p> <p>In terms of the National Policy Statement Freshwater Management 2020 and National Environmental Standards for Freshwater, these have already been considered in sections 6.1.1-4 and 6.1.2 of the evaluation report.</p> |
| 57. | <p>The attached memo (refer to Attachment 3) from Matt Riley from Barkers associates dated 28 January 2021 has been prepared on behalf of council and refers to the documents lodged.</p> <p>This memo is attached as part of this request, please provide a response to the matters raised in this memo.</p> | <p>Refer to the sections below for the responses to this attached memo.</p> |

| | Request | Response |
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| 58. | The attached memo (refer to Attachment 4) from Douglas Fairgray dated 28 January 2021 has been prepared on behalf of council and refers to the documents lodged. This memo is attached as part of this request, please provide a response to the matters raised in this memo. | Refer to the sections below for the responses to this attached memo. |
| 59. | Can you please provide the GIS shapefiles or dwg/dgn files in NZGD 2000 (datum) NZTM for Precinct Plans. The proposed precinct maps are required to be a part of the AUP precinct, and the council GIS team will put them in a format suitable for the AUP. Ideally this will be completed before notification. Council is happy to assist with this process and will arrange a GIS specialist to discuss if required. | A DWG file has been prepared and is provided simultaneous to this response. |
| | Appendix 1 – AT Provisions feedback | |
| | Table I444.4.1 Addition of Activity table (A1) Standards to be complied with should be referenced for clarity. Clarify if this activity has an activity status. | As stated above the activity table, a blank cell in the activity status means that the activity status (and any relevant matters of control or discretion) in the relevant overlay, Auckland-wide or zone provisions applies. The relevant standards in section E27.6 have been identified as E27.6.4.1. Vehicle Access Restrictions and E27.6.4.2. Width and number of vehicle crossings, noting that other provisions in E27 relate to the provision of parking and on-site access, which would still be captured by other provisions in E27. |
| | Table I444.4.1 Addition of Activity table (A28) Standards to be complied with should be referenced for clarity. | As rule (A28) is deleted in response to other matters raised in the RFI, a response to this request is no longer necessary. |
| | I444. 5.3 Roading Standards Removal of standards 1-10. AT supports removal of cross sections. | It is now proposed to delete in full the operative precinct road cross-sections. |

| Request | Response |
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| <p>I444.4 Development Controls (Land use)</p> <p>Inclusion of standard I444.6.1.6 to restrict or manage vehicle access to and from sites to shares paths or dedicated cycleways.</p> <p>AT support subject to Council being satisfied that this standard is not required at subdivision stage to ensure the management of vehicle access to and from sites to shared paths or dedicated cycleways.</p> | <p>The construction and use of a vehicle crossing is a land use activity and so its direct application to a subdivision activity is inappropriate. In addition, compliance with I444.6.1.6 at subdivision consent cannot be enforced where roads are proposed and not yet vested in Council (as proposed roads are not yet legally roads).</p> <p>However, matters of discretion I444.8.1(9)(c) and I444.8.1(10)(e) and assessment criteria I444.8.2(13)(e) and I444.8.2(14)(e) ensure that sufficient consideration of the land use standard is made at the time of subdivision and allows for subdivision to be refused if it would necessitate an unacceptable infringement to Standard I444.6.1.6</p> |
| <p>I444.5.2 Development Controls (Subdivision)</p> <p>New provision I444.6.2.1 (1) Precinct Plan.</p> <p>Recommend including a reference to Vehicle Access Restrictions – Cycle facilities under I444.6.1.6.</p> | <p>As per the above, proposed matters of discretion I444.8.1(9)(c) and I444.8.1(10)(e) and assessment criteria I444.8.2(13)(e) and I444.8.2(14)(e) are sufficient.</p> |
| <p>I444.6.2 Assessment Criteria</p> <p>Removal of e. pedestrian access to an Amenity Connector from all adjoining allotments</p> <p>Please clarify removal.</p> | <p>As a consequence of deleting the operative precinct road cross-sections in full, all references to Amenity Connector roads are being deleted. Therefore, a response to this request is no longer necessary.</p> |
| <p>I444.6.2.Assessment Criteria</p> <p>Inclusion of new assessment criteria relating to any subdivision that vests a road in Council.</p> <p>...</p> | <p>As a consequence of deleting the operative precinct road cross-sections in full, I444.6.2 Assessment Criteria is being deleted. Therefore, a response to this request is no longer necessary. The Auckland-wide provisions will apply for the assessment of roads proposed through subdivision.</p> |
| <p>I444.9.7 Special Information Requirements</p> <p>Removal of point 'for subdivision that includes a Collector and/or Amenity Connector Road, proposed vehicle crossings to proposed allotments adjoining these roads must be shown on the subdivision scheme plan'</p> <p>We need clarification of the reason for the removal.</p> | <p>This information will be required in order for Council to complete their assessment under matters of discretion I444.8.1(9)(c) and I444.8.1(10)(e) and assessment criteria I444.8.2(13)(e) and I444.8.2(14)(e). Therefore, there is no specific need for this requirement to be stated.</p> <p>In addition, as a consequence of deleting the operative precinct road cross-sections in full, all references to Amenity Connector roads are being deleted.</p> |

| Request | Response |
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| <p>Figure I444.10.1 Hangaia Precinct Plan</p> <p>Amend Hangaia Precinct Plan.</p> <p>“Potential interim bus routes” not correctly shown to reflect discussions with AT. The location of this bus route will require further discussions with AT and the developer. AT’s intent is to extend the current 377 service into Park Estate Road. Further discussion with AT is necessary to determine the extent of the interim route.</p> <p>AT support ultimate bus route shown on plan.</p> <p>Differentiation between ‘Amenity Connector Road’ and ‘Local Road (Indicative)’ is unclear.</p> <p>AT seeks further information regarding the extent of the ‘Amenity Connector Roads’ on the proposed Precinct Plan, it is not clear from the Precinct Plan what these are and their extent.</p> <p>Motorway cycle path should be shown as a different colour in the Precinct Plan to show connections from the developer’s roads and cycleways.</p> <p>AT would seek that road terminology aligns with AT road classifications, for example use of the term “Connector”.</p> | <p>The alignment of the ultimate and interim bus routes along Park Estate Road and Parkmore Drive are as per the diagrams provided by Auckland Transport during the processing of engineering approval ENG60335562. This is attached as Appendix 18.</p> <p>All bus routes (interim and ultimate) other than on Park Estate Road and Parkmore Drive are as per the operative precinct plan, with changes only to whether the routes were interim or ultimate. Therefore, the alignment of interim bus routes over (for example) Hinau Road and Park Green Avenue are not within scope of the requested changes.</p> <p>As a consequence of deleting the operative precinct road cross-sections in full, all references to Amenity Connector roads are being deleted.</p> |
| Appendix 2 – AT Transportation Assessment feedback | |
| General comments | |
| <p>The TA needs to address staging of development and how this aligns with the infrastructure upgrades. Identification of the threshold or trigger for implementing mitigation measures is required.</p> | <p>Refer to the response to item 49, above.</p> |

| Request | Response |
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| The TA needs to refer to the network upgrades that are being implemented to mitigate traffic effects identified by Flow in their 2018 modelling report, with particular regard to the Hingaia Road/Harbourside Drive/Beach Road/Hinau Road Intersection and Beach Road/Elliot Street/Chichester Drive Intersections. | Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21). |
| Further clarification is required around the reference to network upgrade triggers identified in the Opus report referenced in the Transport Assessment and whether this is referring to the 'Hingaia Special Housing Areas, Staging Analysis of Transport Infrastructure Improvements, Opus International Consultants, July 2015'. | Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21). The Opus report referred to in this request and response is attached as Appendix 26. |
| The TA needs to incorporate the Hingaia masterplan as part of the assessment. This includes the proposed transport network developed through the master planning process and any information on the street layout and design to provide further explanation of the internal road network servicing the precinct e.g. circulation, characteristics of the internal roads. | Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21). The design of local roads are a matter for future subdivision consents. The local roads shown on the precinct plan are indicative only. The changes to local roads on the proposed precinct plan (compared to the operative precinct plan) reflect road positions approved by existing resource consents (refer to Appendix 14) and in acknowledgement that a road along the edge of the Southern Motorway is not feasible. |
| Public transport/ walking and cycling | |
| Describe the existing and future public transport services, routes and upgrades as identified in the Precinct Plan. The TA needs to discuss the level of accessibility to the public transport in relation to walking catchments. | Refer to the response to AT's comments on Figure I444.10.1, above, as well as Appendix 18. Interim bus routes are as per the operative precinct plan. Drawing PC03, provided as part of Appendix 23, shows various catchments of each of the existing and proposed bus stops. This shows that the majority of the land south of Park Estate Road is within walking distance of the proposed bus stops. The lower portions of 144 and 152 Park Estate Road are then within an 800 m radius of a proposed bus stop (with relatively direct pedestrian access to this stop) or an existing bus stop on Great South Road (with access under the motorway proposed by NZTA). |

| | Request | Response |
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| | <p>“Potential interim bus routes” not correctly shown on the Precinct Plan to reflect discussions with AT. The location of this bus route will require further discussions with AT and the developer. AT’s intent is to extend the current 377 service into Park Estate Road. Further discussion with AT is necessary to determine the extent of the interim route.</p> | |
| | <p>All roads shown to accommodate the interim bus route as shown on the Precinct Plan must be to collector standard.</p> | <p>Both the operative and proposed precinct plans only show bus routes (interim and ultimate) along collector roads.</p> |
| | <p>The existing and future walking and cycling networks in terms of the network connections, paths, links, crossing facilities, etc needs to be considered. Confirmation is required that the expected traffic volumes on the network will safely accommodate walking and cycling.</p> | <p>Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21).</p> <p>Road cross-sections are no longer included as part of the Hingaia 1 Precinct. These matters will more appropriately be considered at subdivision consent and engineering approval stage when detailed design of the roads are proposed.</p> |
| | <p>The site configuration at 144 Park Estate Road appears to be a relatively narrow and long site (about 1.3km at its longest point). The walking catchment to the nearest bus stops and the level of accessibility to the local bus services needs to be assessed.</p> | <p>As mentioned above, Drawing PC03, provided as part of Appendix 23, shows various catchments of each of the existing and proposed bus stops. The lower portions of 144 and 152 Park Estate Road are then within an 800 m radius of a proposed bus stop (with relatively direct pedestrian access to this stop) or an existing bus stop on Great South Road (with access under the motorway proposed by NZTA).</p> |
| | <p>Connectivity to Shared Strategic Cycleway path – please clarify whether all areas will be well connected to the Shared Strategic Cycleway path that will be on the SH 1 corridor.</p> | <p>The Auckland-wide matter of discretion E38.12.1(7)(e) (<i>“the effect of the layout, design and pattern of blocks and roads in so far as they contribute to enabling a liveable, walkable and connected neighbourhood”</i>), which will apply to all subdivision in the Hingaia 1 Precinct (via I444.8.1(7)) is considered to be sufficient to ensure connections to the proposed shared path along the Southern Motorway are provided for, without the need for any precinct-specific provisions.</p> |

| Request | Response |
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| <p>Transport Modelling (Flow modelling report 2018)</p> <p>AT has undertaken a review of the 2031 SATURN model analysis undertaken by Flow in their report dated August 2018. Further analysis is sought at the following intersections to be able to determine effects on the network:</p> | <p>Refer to the comments below.</p> |
| <p>1. Hingaia Road/Harbourside Drive/Beach Road/Hinau Road Intersection</p> <p>Extract from Flow report 2018:</p> <p>Based on the existing layout of Beach Road, the predicted queues will extend to the Beach Road/SH1 northbound ramps intersection for the 1,500 dwelling scenario.... We note that the SIDRA models used in this assessment are isolated intersection models. Some further investigation using SIDRA network may provide a better representation of queues through a corridor with closely spaced signalised intersections, as a result of signal coordination. We recommend that HGG's consultants consider this in their transport assessment.</p> <p>Auckland Transport Response:</p> <p>FLOW has reported that a development of 1500 dwellings (Commute TA proposes 1660) could cause an issue with the operation of the SH1 interchange in the PM peak hour. AT seeks that further modelling be undertaken at this interchange to better understand the traffic effects.</p> | <p>Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21).</p> |

| | Request | Response |
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| | <p>2. Beach Road/Elliot Street/Chichester Drive Intersection</p> <p>Auckland Transport Response:</p> <p>Queues on the western approach at this intersection are predicted to extend to the Beach Road/SH1 northbound ramps intersection in the PM peak hour for the 1,500-dwelling scenario. Delays on the northern and eastern approaches are predicted to be over 5 minutes with queue lengths of 600 & 800 respectively.</p> <p>The Hingaia Road/Harbourside Drive/Beach Road/Hinau Road Intersection and Beach Road/Elliot Street/Chichester Drive intersections should be incorporated with the SH1 interchange in a corridor model. This will provide a better understanding of how these intersections would likely operate in 2031.</p> | <p>Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21).</p> |
| | <p>2. Beach Road/Elliot Street/Chichester Drive Intersection</p> <p>Auckland Transport Response:</p> <p>Queues on the western approach at this intersection are predicted to extend to the Beach Road/SH1 northbound ramps intersection in the PM peak hour for the 1,500-dwelling scenario. Delays on the northern and eastern approaches are predicted to be over 5 minutes with queue lengths of 600 & 800 respectively.</p> <p>The Hingaia Road/Harbourside Drive/Beach Road/Hinau Road Intersection and Beach Road/Elliot Street/Chichester Drive intersections should be incorporated with the SH1 interchange in a corridor model. This will provide a better understanding of how these intersections would likely operate in 2031.</p> | <p>Please refer to the response provided in the attached memo prepared by Commute Transportation Consultants (Appendix 21).</p> |
| | <p>Roading standards/ Cross-sections</p> <p>...</p> | <p>It is now proposed to delete in full the operative precinct road cross-sections.</p> <p>The Auckland-wide provisions for roading will subsequently apply.</p> |

| | Request | Response |
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| | Appendix 3 – Urban Design | |
| 1. | <p>Site and context analysis</p> <p>...</p> <p>It would be very helpful, however, to have a diagrammatic representation of the site and its context. I have no information that tells me where the planned school is or where some road names Mr Rae refers are – for example, Park Green Avenue and Parkmore Drive.</p> <p>Although I have made some assumptions on where these features/elements are located, it would be useful to have these confirmed.</p> <p>A site and context analysis might visually record this information, together with relevant environmental information referred to above. On the same or a different diagram a record of opportunities and constraints would also be useful.</p> <p>...</p> <p>A visual record on an opportunities and constraints plan as to where these particular areas are would be helpful.</p> | <p>Please refer to the response provided in the attached memo prepared by TransUrban (Appendix 16) and the plans attached as Appendix 23.</p> |
| 2. | <p>Operative Precinct Map</p> <p>At page 12 / section 7.2, Mr Rae notes the importance of referring to the most recent / current Precinct Plan dated 31/03/2016 'available from Council.' I do not have a copy of this Plan. It would be useful if one could be provided either by the applicant team or Council.</p> | <p>A copy of the Hingaia 1 Precinct Plan dated 31/03/2016 is attached as Appendix 27.</p> <p>Also attached is the clause 20A which specifies that this version of the precinct plan is the operative version.</p> |

| | Request | Response |
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| 3. | <p>Shared path through to the coast</p> <p>...</p> <p>I am unclear where the route Mr Rae refers to is as I don't have confirmation where Park Green Avenue is. Could Mr Rae clarify?</p> <p>...</p> <p>It would be useful to receive a copy of this application (BUN670363825). Could one be supplied, ideally with an accompanying summary of the shared path / cycleway being proposed.</p> <p>...</p> <p>Mr Rae refers to an 'application', not a 'consent.' ... For this reason, it seems sensible to me that the Precinct Plan is amended to show the shared path / cycleway all the way south to the coast that Mr Rae refers to.</p> <p>Unless clarification could be provided why this is not appropriate, I recommend that an amended version of the Precinct Plan is provided showing this connection.</p> | <p>For road names, please refer to the plans attached as Appendix 23.</p> <p>The proposed precinct plan has now been updated to show a shared path along the full length of Park Green Avenue, as proposed by BUN670363825.</p> <p>Refer also to the response provided in the attached memo prepared by TransUrban (Appendix 16).</p> |
| 4. | <p>Zoning pattern – extent and position of</p> <p>...</p> <p>It would be helpful if Mr Rae or CivilPlan could provide a 's32' analysis of the zoning options – including, for example THAB zoning (noting Mr Rae's reference to this around part of the Auranga centre) in this area and the pros and cons of each.</p> | <p>Refer to the response to item 20 above. The application of THAB zoning adjacent to a Neighbourhood Centre zone would not be in accordance with existing provisions of the AUP.</p> <p>It is noted that the Auranga Centre is zoned 'Local Centre' and therefore the AUP seeks THAB zoning adjacent to this.</p> <p>Refer also to the response provided in the attached memo prepared by TransUrban (Appendix 16).</p> |

| | Request | Response |
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| 5. | <p>Activities A2 and A3</p> <p>...</p> <p>At an initial review, however, I do not consider proposed Activities A2 and A3 to be equivalent with IRDs in the Operative Hingaia 1 provisions, in terms of how built form outcomes are managed. In the Operative provisions, IRDs are Restricted Discretionary, with discretion reserved to a number of matters on design and appearance. Proposed Activities A2 and A3, however, are Permitted. They would enable the same bulk as IRDs in the Operative provisions, however, there would be no opportunity to assess building bulk and appearance.</p> <p>I have not found in the planning report or Mr Rae's assessment a clear assessment of why this change is proposed (other than allowing more intensification), why the change is appropriate in this location or upon other grounds, and what the environmental/built form effects of this change are. This is requested.</p> | <p>On review of these comments, a series of changes are proposed.</p> <p>The use of the higher precinct coverages for higher density development will now be a restricted discretionary activity for up to three dwellings in the Mixed Housing Suburban zone and two and three dwellings in the Mixed Housing Urban zone, with the matters of discretion being the same as those for four or more dwellings in either zone. This results in much closer alignment with the operative IRD precinct provisions and allow for the assessment by Council referred to in this request to be provided.</p> <p>However, we continue to propose that the use of the higher precinct coverages be a permitted activity for one single dwelling on a front site less than 400 m² in the Mixed Housing Urban zone only. We recognise that this is a deviation from the approach in the operative precinct provisions, specifically in relation to the activity status being permitted rather than restricted discretionary. By limiting the permitted activity status to one dwelling only and only to front sites (which must have street frontage of at least 7.5 m), the potential for adverse effects on residential amenity of the street and neighbouring sites as a result of higher coverages are not considered to be significant, with single dwellings expected to inherently be designed to address the street and provide for a sufficient urban design outcome, without the need for a resource consent process.</p> <p>The use of the higher coverages for a single dwelling in the Mixed Housing Suburban zone is no longer proposed. Any infringement of the zone coverages would require assessment against the zone provisions.</p> <p>Refer also to the response provided in the attached memo prepared by TransUrban (Appendix 16) and the 3D modelling attached as Appendix 28.</p> |

| | Request | Response |
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| 6. | <p>Permitted activity status for use of Alternative HIRB</p> <p>...</p> <p>No information has been provided to quantify the extent of effect on sunlight access, either in Mr Rae's report or in the planning report. This empirical analysis is requested, with associated further comment. Further commentary from Mr Rae would also be useful on the streetscape, on-site and neighbouring amenity effects of development proposals that would no longer be assessed against the MHU zone operative discretions of attractiveness and safety of the street, visual dominance and overlooking and privacy.</p> <p>The following questions present themselves:</p> <ul style="list-style-type: none"> o Noting that MHU zone policy H5.3(4) uses the work 'require', would Permitted activity status for the Alternative HIRB enable: (1) a reasonable standard of sunlight to be achieved on an adjoining site?; (2) a reasonable standard of privacy to be achieved on an adjoining site?; and (3) enable visual dominance effects to be minimised? <p>It would be helpful if Mr Rae could analyse this through 3D modelling where he tests plausible / typical development scenarios (house models, lot sizes and multi-unit development on a site) and shows, for example, that at least four hours of sunlight would be retained on an outdoor space for each dwelling where the building on the adjoining site uses the Alternative HIRB.</p> | <p>In response to these comments, various amendments have been made to the provisions that enable use of the alternative height in relation to boundary standard as a permitted activity. A new Standard I444.6.1.5 has been proposed as a result.</p> <p>Specifically, additional requirements have been introduced for buildings that use the alternative height in relation to boundary provision as a permitted activity, in order to require a reasonable standard of sunlight to be achieved on the site, a reasonable standard of privacy to be achieved on adjoining sites and visual dominance effects to be minimised. These new requirements are based off the assessment criteria in section H5.8.1(5)(c) of the AUP, as identified in the notes on the tracked changes in Appendix 6.</p> <p>Refer also to the response provided in the attached memo prepared by TransUrban (Appendix 16). As part of that response, modelling has been undertaken to demonstrate the different in built form and shading between the status quo, the change to the MHU zone and the use of the alternative height in relation to boundary standard, which is attached as Appendix 28.</p> <p>In addition, various changes have been made to the evaluation report to reflect these changes, including updating the evaluation of options in section 5.2.3.</p> |

| | Request | Response |
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| | <p>As part of 3D modelling testing, it would valuable if Mr Rae could test each of the options referred to at 5.2.3 'Theme 3' of the planning report.</p> <p>This modelling should also test variables – including various site sizes, block orientations (relative to north), what happens on corner sites, feasible housing typologies, and effects on amenity on adjoining sites in a multi-unit situation. The modelling would be useful to substantiate Mr Rae's conclusions about:</p> <ul style="list-style-type: none"> o How effective limiting the Alternative HIRB to side boundaries, as the applicant team's preferred Option '4a' (with reference to page 45 of the planning report), is; and o The effectiveness of the proposed standard as against various alternatives/options. <p>In undertaking this testing I suggest it would be desirable to a robust framework for analysis, including desired outcomes, what the benchmark/level to achieve is, etc.</p> <p>Further comments and thoughts on the Alternative HIRB</p> <p>...</p> | |
| 7. | <p>Neighbourhood Centre zone – Residential at ground floor</p> <p>....</p> | <p>The exemption from Standard H12.6.3 is no longer proposed and therefore a response to this request is no longer necessary.</p> |

| | Request | Response |
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| 8. | <p>Maximising visual and physical connections to the coast</p> <p>From a review of the area and the proposal, an evident opportunity is supporting the proposed increase in potential residential capacity by maximising visual and physical connections to the coast.</p> <p>It would be helpful to have some direct commentary on how and to what extent this opportunity is achieved. I note, for example, that proposed policy 15 refers to ‘maximising coastal views.’ Presumably this is secured through the subdivision process? It would be helpful if I could be directed to the relevant provision in the Precinct that acts on this policy.</p> | <p>The reference to “maximising coastal views” is part of an existing precinct policy, although there has been no clear mechanism to require this as part of the precinct rules, matters of discretion or assessment criteria.</p> <p>In order to ensure this outcome is achieved, additional matters of discretion and assessment criteria have been added to the proposed provisions, requiring the provision of viewshafts to be considered as part of a subdivision consent application.</p> <p>Note being changed.</p> <p>Refer also to the response provided in the attached memo prepared by TransUrban (Appendix 16).</p> |
| | Appendix 4 - Economics | |
| 1 | <p>1. Population and Household projections. Further detail is sought on the population and household projections in the primary and secondary catchments, including:</p> <ul style="list-style-type: none"> a. the SA2 areas (or equivalent) which are contained in each catchment. b. The projections for the SA2 areas c. Specific reference to StatsNZ source. | <p>Please refer to the response provided in the attached memo prepared by Urban Economics (Appendix 29).</p> |
| 2 | <p>Detail on the land area of each housing component. Figures 16 and 17 identify the number and mean lot sizes for the assumed development compositions. Further information is sought to confirm the land areas to be taken up by each dwelling type (Apartments, Terrace Houses and Standalone dwellings) in the MHS and MHU options.</p> | <p>Please refer to the response provided in the attached memo prepared by Urban Economics (Appendix 29).</p> |

| | Request | Response |
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| 3 | Terrace Houses – what category of dwelling type do these correspond with in the StatsNZ Building Consent statistics ? | Please refer to the response provided in the attached memo prepared by Urban Economics (Appendix 29). |
| 4 | Confirmation that the dwelling mixes in the Development Compositions tables are indicative / scenarios. | Please refer to the response provided in the attached memo prepared by Urban Economics (Appendix 29). |

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