

Aaron Grey

From: Ross Cooper <ross.cooper@tattico.co.nz>
Sent: Thursday, 18 May 2017 8:30 AM
To: Aaron Grey
Subject: RE: Park Estate Road - relevant planning provisions

Thanks very much Aaron.

Cheers,

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From: Aaron Grey [mailto:Aaron@civilplan.co.nz]
Sent: Thursday, 18 May 2017 8:07 a.m.
To: Ross Cooper <ross.cooper@tattico.co.nz>
Subject: RE: Park Estate Road - relevant planning provisions

Hi Ross,

Please find attached.

Regards

Aaron Grey
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From: Ross Cooper [<mailto:ross.cooper@tattico.co.nz>]
Sent: Wednesday, 17 May 2017 6:27 PM
To: Aaron Grey <Aaron@civilplan.co.nz>
Subject: RE: Park Estate Road - relevant planning provisions

Hi Aaron,

My apologies for the delay in responding to your email below. I've had a look through your table, and while I generally agree with your summary, I do have a couple of points of difference.

I'm just running a few things past Mel and Alina for the Council position (in case they have a standard approach to this type of thing), but in the meantime would you mind sending me a word version of your table please? I'll track some comments in and give you a call in the next day or two to discuss.

Kind regards,

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From: Aaron Grey [<mailto:Aaron@civilplan.co.nz>]
Sent: Tuesday, 9 May 2017 3:33 p.m.
To: Mel Chow <mel.chow@aucklandcouncil.govt.nz>; Ross Cooper <ross.cooper@tattico.co.nz>
Subject: Park Estate Road - relevant planning provisions

Hi Ross/Mel,

As discussed at our meeting yesterday, I am hoping that we can have an upfront agreement (prior to me drafting resource consent applications) as to which provisions of the various versions of the Unitary Plan are applicable for the Hingaia 1 precinct.

I have attached a table detailing how I am interpreting the precinct text and which sections of the PAUP NV are made relevant, and which parts of the AUP-OP are being replaced. I have underlined in the table the provisions I consider to be in effect.

Generally, the land use provisions rely heavily on the AUP-OP rules, while the subdivision provisions specify sections of the PAUP NV, leaving little of the AUP-OP being relevant.

There are a couple of areas where the distinction is not clear and so further discussion may be required – and input higher up from Council may be required. These include:

- Which general standards for subdivisions apply: H:5.2.1 (NV) or E38.6 (OP). I have interpreted E38.6 to be relevant as H:5.2.1 is not specifically mentioned, but E38.6 states it relates to activities in Tables E38.4.1 to E38.4.3, which are specifically replaced by Tables 1 and 2 in the NV.
- Whether there is any effect from the precinct lot size rule referring to the incorrect section of the NV (6.2.3 rather than 5.2.3).
- Whether the matters of discretion in section E38.12.1 (OP) apply, or H:5.4 (NV) applies in full.

Have a read through the precinct provision wordings and see if you agree with my interpretation. I will be happy to discuss anything further with you.

Regards

Aaron Grey
Planner

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Aaron Grey

From: Mel Chow <mel.chow@aucklandcouncil.govt.nz>
Sent: Friday, 23 June 2017 11:44 AM
To: Aaron Grey; Ross Cooper
Subject: RE: Park Estate - Applicable standards

Hi Aaron,

I have had another look at the wording, and I agree with you as the precinct clearly highlight 'vacant lot' rather than just 'subdivision.'

Initially when we reviewed the A16-A19 rules, we looked at the requirement of the size of subdivision i.e. parent sites of 1ha or greater, which is silent within the precinct.

Kind regards,
Mel

Mel Chow | Development Programmes Lead
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From: Aaron Grey [mailto:Aaron@civilplan.co.nz]
Sent: Friday, 23 June 2017 8:42 a.m.
To: Mel Chow; Ross Cooper
Subject: RE: Park Estate - Applicable standards

Thanks Mel,

On initial review, I can agree generally with these comments and will start drafting the subdivision consent based on this advice.

The only item I'd want to mention is your query on whether E38.4.2(A18) of the AUP-OP should apply (vacant site subdivision of sites 1 ha or greater). Given that that the Hingaia 1 precinct subdivision activities specifically refers to "vacant lot subdivision" rather than simply "subdivision", I have considered E38.4.2(A16)-(A19) to be replaced by the precinct activity table.

Regards,

Aaron Grey
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From: Mel Chow [<mailto:mel.chow@aucklandcouncil.govt.nz>]
Sent: Friday, 23 June 2017 8:26 AM
To: Aaron Grey <Aaron@civilplan.co.nz>; Ross Cooper <ross.cooper@tattico.co.nz>
Subject: RE: Park Estate - Applicable standards

Hi Aaron,

Thanks for sending the word document through.

I have provided my comments in tracked changes format, and the practice and training team, as well as Ross agree with these comments.

In general, we still believe most of the subdivision direct us to the PAUP provisions.

Happy to discuss once you've had a chance to review this.

Kind regards,
Mel

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From: Mel Chow
Sent: Friday, 16 June 2017 4:23 p.m.
To: 'Aaron Grey'; Ross Cooper
Subject: RE: Park Estate - Applicable standards

Hi Aaron,

Thanks heaps for the quick response.

I have sent this to the practice and training team. I will touch base with them again early next week.

On a side note, any updates on timeframe for consent lodgement or if you'll be looking to lodge an earthworks consent (for earthworks season in Oct)?

Cheers,
Mel

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From: Aaron Grey [<mailto:Aaron@civilplan.co.nz>]
Sent: Friday, 16 June 2017 4:12 p.m.
To: Mel Chow; Ross Cooper
Subject: RE: Park Estate - Applicable standards

Hi Mel,

I have added the requested column to the word doc.

Basically, everything in the precinct will apply on top of the relevant NV or OP provisions. There are only some land use consent development controls that get replaced by the zone standards, but this shouldn't affect any of the subdivisions we are proposing.

Regarding matters of discretion, I was of two minds whether E38.12.1 applies, and would probably prefer that it doesn't so that the reports don't end up being too repetitive (since Table 13 of the PAUP would cover all this anyway).

I haven't properly drafted reasons for consent for the subdivision application yet as I have been waiting on the feedback on Council.

Regards

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From: Mel Chow [<mailto:mel.chow@aucklandcouncil.govt.nz>]
Sent: Friday, 16 June 2017 3:45 PM
To: Ross Cooper <ross.cooper@tattico.co.nz>; Aaron Grey <Aaron@civilplan.co.nz>
Subject: RE: Park Estate - MHU zone - Alternative Height in Relation to Boundary

Hi all,

I've spoken to the Practice and Training team, as well as the Unitary Plan team regarding the precinct interpretation.

In relation to the land use component, we all agreed that the provisions of the AUP-OP applies.

However, for the subdivision component, we only agreed on the general principles. For the subdivision activity status that are based on the Notified Version of the plan (i.e. Tables 1 and 2 of H.5.2), then the PAUP development controls and its associated assessment criteria applies. While clause 6.31.5.1 of the Hingaia Precinct is silent on whether the notified version assessment criteria should apply, we felt that the associated assessment criteria in the PAUP should apply, rather than the criteria in the AUP-OP (i.e. E38.12.1).

It will be helpful if you can update your table to include an extra column of the Precinct Rules. This can go between the 'Reference in Precinct provisions' and 'PAUP (Notified Version)' column. This column should clarify the provisions in the precinct that applies. Council's practice and training team have asked for this, as they are going to obtain a legal opinion on the interpretation. Alternatively, if you're able to send me the word document, I can update this on my end.

If you're worked on the draft reasons for consent, it will also be helpful for us to see this, as this will reduce the scope of the plan interpretation.

Thanks heaps, and apologies for the delay in response.

Kind regards,
Mel

**Mel Chow | Development Programmes Lead
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From: Ross Cooper [<mailto:ross.cooper@tattico.co.nz>]

Sent: Thursday, 15 June 2017 4:14 p.m.

To: Aaron Grey

Cc: Mel Chow

Subject: RE: Park Estate - MHU zone - Alternative Height in Relation to Boundary

Hi Aaron,

Thank you for the email, and apologies for the delayed response.

I'm going to work with Mel to get a final response to you on the matter below, and your previous request for our view on the rules that apply within the precinct, early next week.

Mel – I think a quick meeting may be useful just to talk through and finalise. Have you heard back from the Practice and Training team on the relevant provisions? I'm clear in terms of my view, and I don't think we should keep Aaron waiting too much longer.

Kind regards,

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From: Aaron Grey [<mailto:Aaron@civilplan.co.nz>]

Sent: Tuesday, 13 June 2017 2:04 p.m.

To: Mel Chow <mel.chow@aucklandcouncil.govt.nz>; Ross Cooper <ross.cooper@tattico.co.nz>

Cc: Alina Wimmer <Alina.Wimmer@aucklandcouncil.govt.nz>; Russell Baikie <Russell@civilplan.co.nz>; Nick Rae (nick.rae@transurban.co.nz) <nick.rae@transurban.co.nz>

Subject: Park Estate - MHU zone - Alternative Height in Relation to Boundary

Hi Mel/Ross

Our team has recently been discussing the relationship and distinction between the MHU and MHS zones at Park Estate Road, given that the applicant has opted to prefer similar lot sizes across each of the zones. I have noted that due to the width of the proposed vacant sites, it would be very difficult for any three-storey buildings to be constructed in the MHU without requiring resource consent to intrude the recession planes. Smaller vacant lots (which had been favoured by Council) would have made this almost impossible. This would mean that two storey dwellings would be the norm across both zones, with so specific distinction.

I have proposed that we apply for blanket land use consent for each of the MHU sites (north of the escarpment road) to utilise the alternative height in relation to boundary standard. This would enable the three-storey built form to be achieved within the MHU zone without sites requiring further land use consent. This could also incentivise the construction of two dwellings on a single site as a permitted activity, better achieving the density goals of the MHU zone.

Hugh Green has confirmed that they would like to seek this allowance as part of the resource consent application for subdivision.

From a Council/processing perspective, can you flag any major issues with applying for this blanket land use consent? Effects would generally be internalised and the right would be established before any person purchases a lot. The depth of the sites provide for approximately 7 m at the rear where the standard HiRB control would still apply. I'd also note that it remains a possibility that using the AltHiRB standard becomes a permitted activity once the appeals are resolved.

Regards

Aaron Grey

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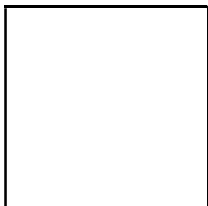
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