



FRANKLIN 2 PRECINCT PROPOSED PLAN CHANGE

Subdivision and Consenting Assessment

Grafton Downs Limited
19/11/2024
Final

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CONTENTS

1. Introduction	4
2. Background	5
2.1. Franklin 2 Precinct	5
2.2. Existing Consents	5
3. Overview of Proposed Changes	6
3.1. Objectives & Policies	6
3.2. Sub-Precincts	6
3.3. Framework Plans	6
3.4. Subdivision Provisions	7
3.5. Show Homes	7
4. Proposed Changes to precinct Provisions	8
4.1. Objectives and Policies	9
4.2. Sub-Precincts	11
4.3. Framework Plans	11
4.4. Subdivision Provisions	13
4.5. Show Homes	25
5. Assessment of the proposed changes	26
5.1. Subdivision & Framework Plan Provisions	27
5.2. Show Home Provisions	30
5.3. Evaluation of Options	32
5.4. Risk of Acting or Not Acting	32
6. Recommendations	32

Appendices

Appendix 1 - Approved Resource Consents (Grafton Downs Limited)

1. INTRODUCTION

This report has been prepared to support a Proposed Plan Change to the Franklin 2 Precinct (**the Precinct**) under the Auckland Unitary Plan: Operative in Part (AUP:OP). This report examines the several aspects of the Precinct relating to subdivision and is intended to be supplementary to the Plan Change documentation being prepared by Boffa Miskell.

The overall purpose of the Proposed Plan Change (**Plan Change**) is detailed in the Plan Change documents. Since the establishment of the Precinct within the AUP:OP, several stages of development have been constructed. There has now been a shift in the overall vision for Paerata and how the undeveloped parts of the Precinct could be developed.

In relation to subdivision, the opportunity of enabling a higher density of development around the Paerata Train Station has been considered along with the resolution of the location of commercial zoning across the Precinct. Additionally, the Plan Change affords the opportunity to review the appropriateness of the Precinct Provisions, in particular the use of the Sub-Precincts and Framework Plans.

Additionally, the establishment of Show Homes within the development stages have been closely linked to the approval of subdivision and are an interconnected land use to the subdivision provisions. As Show Homes are not directly provided for within the Precinct or within the AUP:OP, an assessment of them has been included within this Report.

The provisions within the Precinct relating to subdivision addressed through this report include:

- Objectives & Policies;
- Sub-Precincts;
- Framework Plans;
- Subdivision Rules and Provisions; and
- Show Homes.

Any plan change application must address the requirements of s32 of the Resource Management Act 1991 (RMA). Section 32(1) requires an evaluation report to examine whether the objectives of the Plan Change are the most appropriate way to achieve the purpose of the RMA. The evaluation report must also examine the Plan Change against any other reasonably practical options for achieving the objectives (Section 32(1)(b)(i)); assess the efficiency and effectiveness of the provisions in achieving the objectives (Section 32(1)(b)(ii)); and provide a summary of the reasons for deciding the provisions (Section 32(1)(b)(iii)).

This report provides an analysis of the changes put forward through the Plan Change in relation to the subdivision provisions. It has not been drafted to meet the complete requirements of the RMA. Rather, we have relied on the work carried out by Boffa Miskell to address the relevant statutory tests and assessments set out under s32. This report should be viewed as supplementary and supporting information only.

This report has been structured as followed to address the matters in the Precinct relating to subdivision:

- Overview of the proposed changes to the Precinct provisions;
- Proposed changes to the Precinct provisions;
- Identification of other practicable options to achieve the objectives;
- Assessment of the efficiency and effectiveness of the proposed provisions; and
- Provides a recommendation on the provisions.

2. BACKGROUND

2.1. Franklin 2 Precinct

The Franklin 2 Precinct is anticipated to provide for the development of a sustainable community with a compatible mix of residential and supporting activities to meet the daily needs of the new residential community. The Precinct is intended to be an accessible, multi-modal, walkable residential neighbourhood, based on a passenger interchange, that achieves high quality environmental outcomes and that offers its residents access to a quality connected open space, water sensitive stormwater design, a local commercial centre that will provide a hub for the community as well as meeting their local service needs.

The Precinct is currently divided into three sub-precincts being the Residential A, Residential B, and Wesley sub-precincts:

- The Residential A sub-precinct is applicable to the northern portion of the land within the precinct, and the provisions are based on a Mixed Housing Urban (MHU) zone to achieve the desired medium density outcomes.
- The Residential B sub-precinct is applied to the central part of the precinct, adjoining the local centre, central park and higher ground where Sim Road intersects with the railway line. The Residential B sub-precinct provides for a higher density of development than that provided for by the Residential A sub-precinct.
- The Wesley sub-precinct currently has an underlying Local Centre zone and was intended to be developed with a range of commercial uses including retail, commercial services, offices, food and beverage and a small-scale supermarket.

The objectives and policies identified in the Franklin 2 Precinct and the policies included in the Neighbourhood Design Statement for the Franklin 2 Precinct and have underpinned the development of the various phases of development. This is elaborated on further below.

2.2. Existing Consents

Grafton Downs Limited (GDL) own a majority of the land within the Franklin 2 Precinct and their development is known as Paerata Rise. Phase 1 of Paerata Rise was initiated in 2016 and several resource consents have been granted to date to facilitate development and are considered relevant to inform the Plan Change and alignment with the AUP:OP.

As detailed in **Appendix A**, resource consents approved in relation to stormwater management, infrastructure, framework plans (Phases 1-4), bulk earthworks, staged subdivisions (Stages 1 - 12), and amenities (such as café and a childcare centre) that have facilitated development within the Precinct. It is noted the more recent resource consents include land use consents addressing blanket approvals for infringements to Precinct standards such as new buildings, privacy, and show homes.

Implementation of these resource consents has occurred since 2016, with significant areas of earthworks now completed and subdivision Stages 1-9 being completed. To date there are approximately 650 individual titles issued and a further 300 that are consented and ready to be constructed. This totals approximately 950 lots that have been granted consent.

A summary of the relevant approved consents is attached as **Appendix 1** to this report.

3. OVERVIEW OF PROPOSED CHANGES

Clause 22(1) of the RMA requires that a plan change request explains the purpose of, and reasons for a proposed plan change. The overall purpose of the Plan Change has been set out in the Boffa Miskell Plan Change documentation.

The following provides an overview of the proposed changes to the subdivision provisions within the Precinct, along with the rational for these changes. The changes put forward through the Plan Change are based on their effectiveness to date in enabling subsequent subdivision stages to progress and the ability and complexity of securing the necessary resource consents. The key drivers for the changes to the subdivision provisions have included:

- Removing any provisions within the Precinct that do not align with the overall planning framework of the AUP:OP;
- Removing duplication of provisions within the Precinct and provisions within the wider AUP:OP; and
- Achieving an appropriate urban layout.

In addition to the above, the Plan Change seeks to make provision for show homes. As urban development and subdivision occurs, enabling show homes to establish as a permitted activity (subject to short - medium timeframe standards) is essential for the development of greenfield areas.

3.1. Objectives & Policies

The Objectives and Policies specific to the Precinct aim to guide development in a way that ensures sustainable high-quality outcomes. A review of the Precinct objectives and policies proposed as part of the Plan Change documentation prepared by Boffa Miskell has confirmed they set out an appropriate planning framework for guiding development in the Precinct.

With respect to specific objectives and policies relating to subdivision and show homes, changes are proposed to Objectives 1, 6, 7, 9, and 11, and Policies 1, 22, 23, 25, 27-30. The changes primarily relate to the removal of Framework Plans from the Precinct provisions and broader amendments to reflect the current environment which is now largely a completed greenfield subdivision. These will be addressed in section 4 below.

3.2. Sub-Precincts

As detailed above the Precinct is currently divided into three sub-precincts being the Residential A, Residential B, and Wesley sub-precincts. The Residential A sub-precinct is applicable to the northern portion of the land within the precinct, while the Residential B sub-precinct is applied to the central part of the precinct, adjoining the local centre, central park and higher ground where Sim Road intersects with the railway line. The Residential B sub-precinct provides for a higher intensity of development than that provided for by the Residential A sub-precinct. The Wesley sub-precinct currently has an underlying Local Centre zone and was intended to be developed with a range of commercial uses

The Plan Change proposes to remove Sub-Precincts A and B and instead apply a universal set of provisions to the entirety of the Franklin 2 Precinct, with the exception of the Wesley Sub-Precinct. The Wesley Sub-Precinct itself will be substantially amended both in terms of sub-precinct boundary and provisions. As a result, there are consequential changes required to the Precinct provisions. Specifically in relation to subdivision this affects the minimum site size provisions. Further it is proposed to introduce show homes as a permitted activity. This is addressed further in the subdivision provisions section below.

3.3. Framework Plans

The Franklin 2 Precinct provisions were developed when the Proposed Auckland Unitary Plan (PAUP) was under consideration by the Independent Hearing Panel (IHP). The PAUP provided for the development of a Framework Plan as a way for landowners in certain precincts 'to demonstrate and achieve the integrated development and/or subdivision of land within brownfield and greenfield development areas'. For Franklin 2 Precinct, there was a particular focus on matters such as site layout and configuration, the location and physical extent of roads and open spaces, capacity of infrastructure and integration with neighbouring areas. The Precinct provided for Framework Plans as a restricted discretionary activity (where it complies with the applicable controls), and any subsequent development in compliance with an approved

Framework Plan as a restricted discretionary activity. Any development not in accordance with an approved Framework Plan, or prior to the approval of a Framework Plan is a non-complying activity.

In response to submissions and evidence given to the IHP, Council sought declarations from the Environment Court concerning the legality of the Framework Plan provisions. They concluded that it is ultra vires to require resource consent for a plan, as opposed to an activity. It is also ultra vires to incentivise Framework Plans by giving activities in accordance with an approved Framework Plan a more permissive activity classification.

Ultimately the IHP recommended the deletion of the requirement for Framework Plans in precincts on the basis that they did not consider them to be the best way of achieving the objectives of the PAUP. However, by the time this recommendation was adopted by the Council, the Franklin 2 Precinct provisions were operative and included requirements for Framework Plans.

This Plan Change requests that the Framework Plan provisions be removed and reliance is placed on subdivision as a restricted discretionary activity to enable development activity in line with the Precinct Plan.

3.4. Subdivision Provisions

With the removal of the framework plan provisions and sub-precincts A and B, modifications to the subdivision provisions are required. The removal of sub-precincts A and B also requires consideration of the existing standards for minimum site areas for vacant lots in the residential zone. With the removal of the sub-precincts, there is an opportunity to simplify and standardise the precinct provisions so that all vacant lots in the mixed housing urban zone reflects the current minimum lot size for sub-precinct B (200m²).

The proposed standardisation reflects the greater development potential for higher density residential developments in the central part of the Precinct and in proximity to the train station. It is noted the 200m² minimum lot size currently applies to the land zoned MHU in the Precinct. While the Auckland-wide urban subdivision chapter E38 specifies a minimum vacant site size of 240m² and average of 300m² (for sites greater than 1 hectare in the MHU zone), it is proposed to retain the vacant site size of 200m² in the Precinct. This recognises the comprehensive and integrated master planning that has been developed by GDL (as the majority land owner within the Precinct) to manage development within the Precinct and provides for lot sizes that are consistent with the high-quality development anticipated in the Precinct. An average lot size has not been specified for the same reasons.

3.5. Show Homes

As the Franklin 2 Precinct covers a greenfield development, show homes have been proven necessary to be established as urban development and subdivision occurs. With reference to the consenting background in Appendix 1, a resource consent was required to establish a show home ‘boulevard’ within Stage 1 of the development. The Stage 9 - 12 approved consent also includes provision for show homes as part of the scope of consent.

Show homes are not currently provided for by the Franklin 2 Precinct provisions, and their establishment is a discretionary activity (retail exceeding 200m²). This activity status is considered to be unsuitable for a greenfield development area. An enabling activity status and related standards for show homes is therefore considered necessary.

Additional provisions have been inserted into the Franklin 2 Precinct to provide for show homes as a permitted activity.

The insertion of an activity status for show homes would be consistent with that already provided for in the Drury 1, Hingaia 1 and Hingaia 3 precincts. The insertion of a permitted activity and standards for show homes will result in show home providers being able to establish and operate on a short to medium term basis without having to obtain resource consent, which will reduce costs and timeframes associated with marketing residential development within the Franklin 2 Precinct to future residents.

4. PROPOSED CHANGES TO PRECINCT PROVISIONS

The Tables included in this section set out the proposed changes to the Precinct provisions relating to subdivision. Each table provides a clear view on how the proposed provisions differ from the operative ones, with track changes applied to highlight to modifications within the existing text. Additionally, commentary has been included to provide further explanation for the rationale and intended outcomes associated with the changes that have been sought.

The tables have been separated into each of the sections of the Precinct that relate to subdivision including:

- Objectives & Policies;
- Sub-Precincts;
- Framework Plans;
- Subdivision Rules and Provisions; and
- Show Homes.

4.1. Objectives and Policies

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
Objectives		
1. The Franklin 2 precinct is developed <u>Subdivision and development occur</u> in a comprehensive and integrated way that provides for a compatible mix of residential living, housing typologies and locations designed to increase housing supply and to support passenger rail.	IXXX.2 Objectives (3) Subdivision and development occur in a comprehensive and integrated way that provides for a compatible mix of residential living, housing typologies and locations designed to increase housing supply and to support passenger rail.	Remove reference to Framework Plan and concept plan in line with the IHP recommendation and AUP. Refer to explanation in section 3.3 above. Include subdivision reference in Policy 1 to acknowledge the removal of framework plans from the Precinct. Recognise that the Precinct Plan will now form the high level urban form guidance for future subdivision, rather than a framework plan.
6. Subdivision and development are is sensitive to the precinct's built heritage values and natural ecological values, and those values <u>which</u> are a significant feature of the precinct's development.	(5) Subdivision and development are sensitive to the precinct's natural ecological values which are a significant feature of the precinct's development.	Remove strikethrough text so as to focus on the specific values associated with the precinct (natural ecological values). Other matters are appropriately addressed by the underlying AUP:OP Part D Overlays & E Auckland Wide Provisions (including E38.2(7)).
9. Subdivision and development provides a high level of recreation and open space amenity for residents through provision of a network of public open spaces and parks, catering for both active and passive recreational opportunities.	Removed in its entirety.	Remove objective as the AUP:OP Chapter 38 provisions adequately provide for consideration of these planning matters, including E38.2(2) & (6), and E38.3(10), (14) and (18).
11. Subdivision and development of the precinct depends on provision of adequate water and wastewater infrastructure.	Removed in its entirety.	Remove objective as the AUP:OP Chapter 38 provisions adequately provide for consideration of these planning matters, including E38.2(4).
Policies		
1. Require the all subdivision and development to incorporate the structural elements of the Franklin 2 Precinct Plans and, to be implemented of framework plans prior to subdivision, the establishment of land use activities or development to ensure that the precinct is developed in a co-ordinated, integrated and comprehensive manner consistent with the objectives of the precinct.	IXXX.3 Policies (7) Require all subdivision and development to incorporate the structural elements of the Franklin 2 Precinct Plans and, to be implemented in a co-ordinated, integrated and comprehensive manner consistent with the objectives of the precinct.	Remove reference to Framework Plan and concept plan in line with the IHP recommendation and AUP. Refer to explanation in section 3.3 above. Include subdivision reference in Policy 1 to acknowledge the removal of framework plans from the Precinct. Recognise that the Precinct Plan will now form the high level urban form guidance for future subdivision, rather than a framework plan.
22. Require the construction of new roads in accordance with an approved framework plan to achieve a highly interconnected pedestrian and road system that provides for all modes of transport, particularly cycling as shown in precinct plan 2.	(17) Require the construction of new roads to achieve a highly interconnected pedestrian and road system that provides for all modes of transport, particularly cycling as shown in precinct plan 2.	Remove reference to Framework Plan and concept plan in line with the IHP recommendation and AUP. Refer to explanation in section 3.3 above. No other modifications are necessary.

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
for all modes of transport, particularly cycling as shown in precinct plan 5.		
23. Require pedestrian and cycle links in accordance with an approved framework plans to allow for safe and efficient movements within the precinct and where practicable the surrounding network, as shown in precinct plan 5.	(18) Require pedestrian and cycle links to allow for safe and efficient movements within the precinct and where practicable the surrounding network, as shown in precinct plan X.	Remove reference to Framework Plan and concept plan in line with the IHP recommendation and AUP. Refer to explanation in section 3.3 above. No other modifications are necessary.
25. Require the construction of water and wastewater network services in conjunction with the staged subdivision and development of the project.	Removed in its entirety.	Remove policy as the AUP:OP Chapter 38 provisions adequately provide for consideration of these planning matters, including E38.2(4) and E38.3(19)-(21).
27. Require subdivision to give effect to an approved framework, concept plan and/or the precinct plan.	Removed in its entirety.	Remove reference to Framework Plan and concept plan in line with the IHP recommendation and AUP. Refer to explanation in section 3.3 above.
28. Require subdivision to be consistent with the Electricity Transmission overlay provisions.	Removed in its entirety.	Remove policy as the AUP:OP Chapter 26 provisions adequately provide for consideration of these planning matters, including E26.2(1) and E26.3(1).
29. Subdivision design should respond to the natural landscapes by: <ul style="list-style-type: none"> a. locating and designing roads, access and infrastructure in a manner which minimises earthworks; b. locating roads and blocks to follow land contours; c. enhancing the riparian margins of the stream network within the precinct. 	Removed in its entirety.	Remove policy as the AUP:OP Chapter 38 provisions adequately provide for consideration of these planning matters, including E38.3(3).
30. Require subdivision to be designed to create integrated communities and to provide a street and block pattern that supports the concepts of liveable, walkable and connected neighbourhoods including: <ul style="list-style-type: none"> a. a road network that: <ul style="list-style-type: none"> i. is easy and safe to use for pedestrians and cyclists; ii. is connected with a variety of routes in the immediate neighbourhood and between adjacent sites; iii. is connected to public transport, shops, schools, employment, open spaces and other amenities. b. vesting roads as public infrastructure; c. a road network which is set out in a manner that supports the needs of the public transport system; d. incorporating principles of crime prevention through environmental design 	Removed in its entirety.	Remove policy as the AUP:OP Chapter 38 provisions adequately provide for consideration of these planning matters, including E38.3(10). Also addressed by proposed Policy 11 and Policy 12 of the Plan Change.

4.2. Sub-Precincts

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
<i>This is addressed further in the subdivision provisions section below.</i>	<i>This is addressed further in the subdivision provisions section below.</i>	<i>This is addressed further in the subdivision provisions section below.</i>

4.3. Framework Plans

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments									
<p>1. Activity Table</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Franklin 2 sub-precinct A</th> <th>Franklin 2 sub-precinct B</th> </tr> </thead> <tbody> <tr> <td>A framework plan, amendments to an approved framework plan or a replacement framework plan</td> <td>RD</td> <td>RD</td> </tr> <tr> <td>New buildings on land subject to but not in accordance with an approved framework plan</td> <td>NC</td> <td>NC</td> </tr> </tbody> </table>	Activity	Franklin 2 sub-precinct A	Franklin 2 sub-precinct B	A framework plan, amendments to an approved framework plan or a replacement framework plan	RD	RD	New buildings on land subject to but not in accordance with an approved framework plan	NC	NC	Removed in its entirety.	Remove reference to Framework Plan and concept plan in line with the IHP recommendation and AUP.
Activity	Franklin 2 sub-precinct A	Franklin 2 sub-precinct B									
A framework plan, amendments to an approved framework plan or a replacement framework plan	RD	RD									
New buildings on land subject to but not in accordance with an approved framework plan	NC	NC									
<p>3.2 Framework plans</p> <p>A resource consent application for a framework plan, amendment(s) to a framework plan or for a replacement framework plan:</p> <p>1. Must comply with the rules, assessment criteria and special information requirements for framework plans specified for the Franklin 2 precinct;</p> <p>2. May seek consent for the following land uses:</p> <p>a. mix and location of housing types; and/or</p> <p>b. the design and location of public open spaces, community or social infrastructure; and/or</p> <p>c. the design and location of blocks, roads and pedestrian connections; and/or</p> <p>d. stormwater, water and wastewater infrastructure; and/or</p> <p>e. earthworks associated with the development; and/or</p> <p>f. vehicle accessways.</p> <p>3. Identify the location of pedestrian, cycle and other transport connections in the precinct and to the surrounding neighbourhood.</p>	Removed in its entirety.	Remove reference to Framework Plan and concept plan in line with the IHP recommendation and AUP.									

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
<p>5.1 Restricted discretionary activities</p> <p>5.1.1. Matters of discretion</p> <p>The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the precinct activity table:</p> <p>1. Framework plans</p> <p>The council will restrict the exercise of its discretion to the matters listed below for creation of a framework plan, including any amendments to an approved framework plan or replacement framework plan, in the Franklin 2 precinct:</p> <p>a. site layout and configuration;</p> <p>b. the location, physical extent and design of public open space; c. the location and design of roads, access and parking;</p> <p>d. the location and capacity of infrastructure servicing;</p> <p>e. integration of development with neighbouring areas;</p> <p>f. staging of development;</p> <p>g. the location, form of control, function and layout of road connections and corridor treatments, in particular those connecting with SH22;</p> <p>h. the location and design of public transport and active mode infrastructure including walking and cycling;</p> <p>i. design, layout and proposed use in relation to the GLN-DEV A National Grid Line, including: i. impacts on the operation, maintenance, upgrade and development of the National Grid line; ii. compliance with NZCER34: 2001; iii. the risk of electrical hazards affecting public or individual safety;</p> <p>iv. the nature and location of any vegetation to be planted in the vicinity of the National Grid line.</p>	Removed in its entirety.	Remove reference to Framework Plan and concept plan in line with the IHP recommendation and AUP.
<p>5.2 Assessment Criteria</p> <p>For development that is a restricted discretionary activity in the Franklin Residential sub-precincts, the following assessment criteria apply:</p> <p>1. Framework plans</p> <p>When considering a restricted discretionary application for a framework plan, amendments to an approved framework plan or replacement framework plan, the council will consider the proposal against the following criteria:</p> <p>....</p>	Removed in its entirety.	Remove reference to Framework Plan and concept plan in line with the IHP recommendation and AUP.

4.4. Subdivision Provisions

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments															
<p>10. Subdivision controls</p> <p>The Auckland-wide Chapter H. 5 Subdivision rules apply in the Franklin 2 precinct unless otherwise specified below.</p>	<p>IXXX.4 Activity Table</p> <p>All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table IXXX.4.1 below.</p> <p>In addition to the provisions of IXXX.X Franklin 2 Precinct, reference should also be had to the planning maps (GIS Viewer) which shows the extent of all designations, overlays and controls applying to land within the Franklin 2 Precinct. These may apply additional restrictions</p> <p>The Auckland-wide Chapter E38 Subdivision rules apply in the Franklin 2 precinct unless otherwise specified below.</p> <p>(1) E38 Subdivision - Rule (A16) Vacant sites subdivision involving parent sites of less than 1ha complying with Standard E38.8.2.3</p> <p>(2) E38 Subdivision - Rule (A17) Vacant sites subdivision involving parent sites of less than 1ha not complying with Standard E38.8.2.3.</p> <p>(3) E38 Subdivision - Rule (A18) Vacant sites subdivision involving parent sites of 1ha or greater complying with Standard E38.8.3.1</p> <p>(4) E38 Subdivision - Rule (A19) Vacant sites subdivision involving parent sites of 1ha or greater not complying with Standard E38.8.3.1</p>	<p>The subdivision activity table has been incorporated into IXXX.4 Activity Table.</p> <p>Reference is made to E38. A further amendment is made to the preamble text above the activity table to ensure it is clear Rule C1.6(4) does apply to vacant site subdivision in a residential zone within the Precinct. This approach is consistent with Council's advice on precinct structure.</p>															
<p>1. Activity Table</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Activity Status</th> </tr> </thead> <tbody> <tr> <td><u>Subdivision in accordance with an approved land use consent for the purpose of the construction, or use of dwellings as permitted or restricted discretionary activities in the precinct, and meeting IXXX.6.15 Standards for controlled subdivision activities</u></td> <td>C</td> </tr> <tr> <td><u>Subdivision for up to three sites accompanied by:</u> <u>(a) A land use consent application for up to three dwellings one or more of which does not comply with any of Standards IXXX.6.2</u></td> <td>C</td> </tr> </tbody> </table>	Activity	Activity Status	<u>Subdivision in accordance with an approved land use consent for the purpose of the construction, or use of dwellings as permitted or restricted discretionary activities in the precinct, and meeting IXXX.6.15 Standards for controlled subdivision activities</u>	C	<u>Subdivision for up to three sites accompanied by:</u> <u>(a) A land use consent application for up to three dwellings one or more of which does not comply with any of Standards IXXX.6.2</u>	C	<p>IXXX.4.1 Activity Table</p> <table border="1"> <thead> <tr> <th colspan="3">Subdivision</th> </tr> </thead> <tbody> <tr> <td>(A15)</td> <td>Subdivision in accordance with an approved land use consent for the purpose of the construction, or use of dwellings as permitted or restricted discretionary activities in the precinct, and meeting IXXX.6.15 Standards for controlled subdivision activities</td> <td>C</td> </tr> <tr> <td>(A16)</td> <td>Subdivision for up to three sites accompanied by: (a) A land use consent application for up to three dwellings one or</td> <td>C</td> </tr> </tbody> </table>	Subdivision			(A15)	Subdivision in accordance with an approved land use consent for the purpose of the construction, or use of dwellings as permitted or restricted discretionary activities in the precinct, and meeting IXXX.6.15 Standards for controlled subdivision activities	C	(A16)	Subdivision for up to three sites accompanied by: (a) A land use consent application for up to three dwellings one or	C	<p>With the removal of the framework plan provisions from the Precinct, deletion of activities in accordance with and not in accordance with an approved framework plan is required. The reference to subdivision around existing buildings and development in accordance with an approved framework plan is removed. There is an appropriate activity status for this form of subdivision in E38.4.2 (A15). These are considered consequential changes.</p> <p>The changes facilitate the introduction of new subdivision activities relating to vacant site subdivision in the Precinct's residential zone. Reference is made to compliance with the minimum site areas for vacant lots in the residential zone. As most land within the Precinct is</p>
Activity	Activity Status																
<u>Subdivision in accordance with an approved land use consent for the purpose of the construction, or use of dwellings as permitted or restricted discretionary activities in the precinct, and meeting IXXX.6.15 Standards for controlled subdivision activities</u>	C																
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Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
<p>to IXXX.6.9 inclusive but does comply with all applicable zonal, Auckland-wide, precinct and overlay standards; or</p> <p>(b) A certificate of compliance for up to three dwellings each of which complies with Standards IXXX.6.2 to IXXX.6.9 inclusive and applicable zonal, Auckland-wide, precinct and overlay standards</p>		
Subdivision in accordance with an approved framework plan	RD	
Subdivision around existing buildings and development in accordance with an approved framework plan	RD	
Subdivision not in accordance with an approved framework plan	NC	
Subdivision not in accordance with the stormwater management rules 6.3.4	RD	
<p>2. Notification</p> <p>1. Restricted discretionary activities will be considered without public or limited notification, or the need to obtain written approval from affected parties, unless special circumstances exist in accordance with s. 95A(9) of the RMA that make notification desirable.</p> <p>2. To avoid doubt, discretionary and non-complying activities are subject to the statutory tests for notification under the relevant sections of the RMA.</p>	<p>IXXX.5 Notification</p> <p>(1) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public notification of an application for resource consent is precluded if the application is for the construction and use of one, two or three dwellings that do not comply with Standards IXXX.6.2 to IXXX.6.9.</p> <p>(2) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public and limited notification of an application for a controlled subdivision resource consent is precluded if the subdivision is associated with an application for the construction and use of one, two or three dwellings that do not comply with one or more of the Standards listed in IXXX.6.2 to IXXX.6.9.</p> <p>(3) Any application for a resource consent which is listed above which also requires resource consent under other</p>	<p>owned by a single party, there is no rationale to differentiate between parent lots greater than or less than 1 hectare. This is also consistent with the current Precinct provisions.</p> <p>It is noted any subdivision in the terraced housing and apartment (THAB) and business zones will be subject to the current E38 AUP standards (E38.91 and E38.9.2).</p> <p>Inclusion of additional controlled activity subdivisions in relation to Medium Density Residential Standards (MDRS).</p>

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
	<p>rules in the Plan will be subject to the normal tests for notification under the relevant sections of the RMA.</p> <p>(4) When deciding who is an affected person in relation to any activity for the purpose of section 95E of the Resource Management Act 1991, the Council will give specific consideration to those persons listed in Rule C1.13(4).</p> <p>(5) Restricted discretionary activities listed in Activity Table IXXX.4.1 will be considered with limited notification in relation to the application, including notice being given to the New Zealand Transport Agency.</p>	
<p>IXXX.6.15 Standards for controlled activity subdivision</p> <p><u>Purpose:</u></p> <ul style="list-style-type: none"> • To provide for subdivision of land for the purpose of construction and use of dwellings in accordance with MDRS permitted and restricted discretionary land use activities <p><u>Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct</u></p> <ol style="list-style-type: none"> (1) Any subdivision relating to an approved land use consent must comply with that land use consent. (2) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.1 to IXXX.6.1.9 except that Standard IXXX.6.1.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall. (3) No vacant sites are created as a controlled activity. <p><u>Subdivision around existing buildings and development</u></p> <ol style="list-style-type: none"> (4) Prior to subdivision occurring, all development must meet the following: <ul style="list-style-type: none"> (a) Comply with the relevant overlay, Auckland-wide, zone and precinct rules; or (b) Be in accordance with an approved land use consent . (5) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1 to IXXX.6.9 except that Standard IXXX.6.4(1) does not apply along the 	<p>IXXX.6.15 Standards for controlled activity subdivision</p> <p><u>Purpose:</u></p> <ul style="list-style-type: none"> • To provide for subdivision of land for the purpose of construction and use of dwellings in accordance with MDRS permitted and restricted discretionary land use activities <p><u>Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct</u></p> <ol style="list-style-type: none"> (1) Any subdivision relating to an approved land use consent must comply with that land use consent. (2) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.1 to IXXX.6.1.9 except that Standard IXXX.6.1.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall. (3) No vacant sites are created as a controlled activity. <p><u>Subdivision around existing buildings and development</u></p> <ol style="list-style-type: none"> (4) Prior to subdivision occurring, all development must meet the following: <ul style="list-style-type: none"> (a) Comply with the relevant overlay, Auckland-wide, zone and precinct rules; or (b) Be in accordance with an approved land use consent . (5) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1 to IXXX.6.9 except that Standard IXXX.6.4(1) does not apply along the 	<p>Additional wording to reflect the requirements of the MDRS.</p>

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments		
<p><u>length of any proposed boundary where dwellings share a common wall.</u></p> <p><u>(6) No vacant sites are created as a controlled activity.</u></p> <p><u><i>Subdivision for up to three sites accompanied by a land use consent application or certificate of compliance for up to three dwellings</i></u></p> <p><u>(7) The subdivision application and land use consent application or certificate of compliance relate to a site on which there are no dwellings;</u></p> <p><u>(8) The subdivision application and land use consent application or certificate of compliance must be determined concurrently;</u></p> <p><u>(9) Each dwelling, relative to its proposed boundaries, complies with Standards IXXX.6.1.2 to IXXX.6.1.9;</u></p> <p><u>(10) A maximum of three sites and three dwellings are created; and</u></p> <p><u>(11) No vacant sites are created as a controlled activity.</u></p> <p><u>3—Development controls</u> <u>The subdivision controls in the Auckland wide rules—subdivision apply in the Franklin precinct unless otherwise specified below:</u></p>	<p>length of any proposed boundary where dwellings share a common wall.</p> <p>(6) No vacant sites are created as a controlled activity.</p> <p><i>Subdivision for up to three sites accompanied by a land use consent application or certificate of compliance for up to three dwellings</i></p> <p>(7) The subdivision application and land use consent application or certificate of compliance relate to a site on which there are no dwellings;</p> <p>(8) The subdivision application and land use consent application or certificate of compliance must be determined concurrently;</p> <p>(9) Each dwelling, relative to its proposed boundaries, complies with Standards IXXX.6.1.2 to IXXX.6.1.9;</p> <p>(10) A maximum of three sites and three dwellings are created; and</p> <p>(11) No vacant sites are created as a controlled activity.</p> <p>IXXX.6.16 Subdivision Precinct Plans</p> <p>(1) Vacant site subdivision shall provide for the following structural elements shown on Figure IXXX.10 Franklin 2 Precinct Plans, unless they are shown on the precinct plan to be within any proposed allotment 4 ha or greater in area or identified as a balance lot:</p> <p>(a) boulevard and collector roads;</p> <p>(b) riparian reserve separated cycleway, shared pedestrian/cycleway, and pedestrian walkway;</p> <p>(c) indicative Neighbourhood Parks and Open Space Informal Recreation areas in the locations indicated on the precinct plan; and</p> <p>(d) riparian margins and wetlands in the locations indicated on the precinct plan.</p> <p><i>Road design and design elements</i></p> <p>(2) Subdivision that includes the construction of new roads, or the upgrade of existing roads, must comply with Appendix 1: Road Function and Design Elements Table.</p> <p><i>Vacant sites subdivision in residential zones</i></p> <p>(3) All vacant sites within the Mixed Housing Urban Zone shall have a minimum net site area of 200m².</p>	<p>Amended wording to reflect compliance with listed subdivision standards.</p> <p>With the removal of the framework plan provisions from the Precinct, it is proposed that new text be introduced to the subdivision standards that refer to critical structure plan elements indicated on the Precinct Plan. These elements include boulevard and collector roads, separated cycleway, shared pedestrian/cycleway, and pedestrian walkways, parks and open spaces, and riparian margins and wetlands.</p>		
<p><u>3.1 Minimum site size</u></p> <p><u>All proposed sites shall comply with the minimum areas set out in the following table 1:</u></p> <p><u>Table 1: Minimum net site area</u></p>	<table border="1"> <thead> <tr> <th>Zone</th> <th>Minimum net site area</th> </tr> </thead> </table>	Zone	Minimum net site area	<p>With the removal of the Franklin 2 sub-precincts A and B, and the introduction of an amended zoning framework, the precinct provisions have been amended so that all vacant lots in the MU zone is 200m².</p>
Zone	Minimum net site area			

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments						
<table border="1" data-bbox="152 287 736 441"> <tr> <td data-bbox="152 287 444 335">Franklin 2 Residential sub-precinct A</td><td data-bbox="444 287 736 335">300m² for vacant proposed sites</td></tr> <tr> <td data-bbox="152 335 444 382">Franklin 2 Residential sub-precinct B</td><td data-bbox="444 335 736 382">200m² for vacant proposed sites</td></tr> <tr> <td data-bbox="152 382 444 441">Wesley sub-precinct</td><td data-bbox="444 382 736 441">200m² for vacant proposed sites</td></tr> </table>	Franklin 2 Residential sub-precinct A	300m ² for vacant proposed sites	Franklin 2 Residential sub-precinct B	200m ² for vacant proposed sites	Wesley sub-precinct	200m ² for vacant proposed sites		<ul style="list-style-type: none"> ▪ The MHU vacant lot size is consistent with the current Franklin 2 sub-precinct B minimum net site area standard. ▪ The amendments reflect the greater development potential for higher density residential developments in the central part of the Precinct and in proximity to the train station. ▪ Former sub-precinct A which had a higher minimum lot size (300m²) is almost wholly built out or consented. For the reasons provided in this table, assessment in section 5 of this report, and the Boffa Miskell reporting, 200m² minimum lot size will result in a more efficient and effective urban form for the entirety of the Franklin 2 Precinct. ▪ The Franklin 2 sub-precinct B provides for a higher density of residential development due to its central location within the precinct, proximity to central park and higher ground in proximity to Sim Road. ▪ The proposed minimum lot size of 200m² for the MHU zone continues to promote a higher intensity outcome for the central part of the Precinct. ▪ The proposed intensity in the central part of the precinct is supported by its proximity to amenities such as the central park, train station and riparian corridors. ▪ It recognises the comprehensive and integrated master planning that has been developed by GDL to manage development within the Precinct and provides for lot sizes that are consistent with the high-quality development anticipated in the Precinct. <p>Overall, the removal of the sub-precincts results in the need for a consequential change to minimum lot size standards. On the basis that the subdivision standards support the effective and efficient function of residential activities and the overall purpose of the Precinct, the minimum net site area has been retained as per the current sub-precinct 2 standards and applied to the entirety of the Precinct MHU zone.</p> <p>All other zoned land in the Precinct will rely on the AUP:OP Chapter 38 Subdivision Urban Provisions. It is considered that the underlying zone minimum site sizes will provide an</p>
Franklin 2 Residential sub-precinct A	300m ² for vacant proposed sites							
Franklin 2 Residential sub-precinct B	200m ² for vacant proposed sites							
Wesley sub-precinct	200m ² for vacant proposed sites							

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
<p>3.2 Size shape All proposed vacant sites shall contain the following: 1. Access and manoeuvring that meets the requirements of the Auckland wide and underlying zone rules 2. Private outdoor space required by the precinct rules 3. A rectangle measuring 8m by 15m shall be able to be located outside any of the following: a. natural hazard area identified in a council natural hazard register / database or GIS viewer b. slopes greater than an average of 1 in 5 c. protected root zone of a notable tree d. network utility installations, including private and public lines e. building line restrictions in the Unitary Plan and on a Certificate of Title f. right of way easements g. area of esplanade reserves and esplanade strips required by clause 2.1.6 h. yard setback i. riparian yard j. separation distance from national grid transmission lines.</p>	Remove size shape control in its entirety	appropriate urban form to complement and be consistent with the objectives and policies of the Precinct and intended built form. The current size shape controls in the Franklin 2 Precinct are superfluous and largely made redundant by the current AUP:OP standards detailed in E38.6.1. For plan efficiency reasons, it is recommended that these controls be deleted in their entirety and reliance placed on the AUP standards.
<p>3.3 Rear lanes/Rear accessways Vehicle access to residential sites where direct vehicle access to a formed legal road is not feasible shall be by way of a formed rear lane or accessway. A rear lane shall be a minimum width of 8m and shall provide a surface that creates a slow zone to allow shared pedestrian and vehicle movement.</p>	Remove control in its entirety	The control regarding the width of a rear lane in the Franklin 2 Precinct has been made redundant by the current AUP:OP standards detailed in E38.6.2 and Plan Change 79. For efficiency reasons, it is recommended that these controls be deleted in their entirety and reliance placed on the AUP standards.
<p>3.4 Stormwater Management 1. These rules control the management of stormwater that arises from subdivision in the Franklin 2 precinct. In applying the following rules reference shall be made to the Stormwater Management zones depicted in precinct plan 3. 2. Subdivision proposals shall demonstrate that the sites to be created can reasonably accommodate development able to comply with the stormwater management development controls in 5.3.1, including the actions to be taken to address the on-going operation and maintenance of at-source stormwater management devices (including covenants and/or consent notices under s. 221 of the Act).</p>	Refer to IXXX.6.14 Stormwater Mitigation Standards as per Boffa Miskell Plan Change documents.	Refer to IXXX.6.14 Stormwater Mitigation Standards as per Boffa Miskell Plan Change documents.

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
<p>3. In the case of sites where infiltration practices are required to meet the design criteria of 5.3.1 but are precluded by potential geotechnical instability or steepness of slope, the retention of stormwater runoff shall be met by a nearby at-source device. Where this is not practicable, the retention of stormwater runoff shall be provided by raintank or added to the detention volume 5.3.1.2.b. of a lower- catchment stormwater management control such as an ephemeral stream gully, restored wetland, or communal stormwater management device.</p> <p>It is anticipated that approaches to areas of land instability and steep sites, and the potential to utilise ephemeral streams, existing wetlands, and centralised stormwater devices for detention and attenuation of stormwater runoff, will be identified through the subdivision approval process.</p> <p>4. Stormwater Management zone A (SWMZ A)</p> <p>Stormwater management in SWMZ A shall be in accordance with rule 5.3.1.</p> <p>5. Stormwater Management zone Ai (SWMZ A.i)</p> <p>Stormwater management in SWMZ A.i shall be in accordance with rule 5.3.1 above except retention of stormwater runoff shall be achieved solely by infiltration practices, such as bioretention or infiltration devices or permeable paving, designed in accordance with the requirements of 5.3.1.2.a. in order to recharge upper catchment stream environments.</p> <p>6. Stormwater Management zone B (SWMZ B)</p> <p>Stormwater management in SWMZ B shall be in accordance with rule 5.3.1 above except:</p> <ul style="list-style-type: none"> a. detention of stormwater runoff may be directed to a stormwater device lower in the catchment, prior to discharge to the receiving environment; and b. attenuation of stormwater runoff from the 10 percent and 1 percent AEP events shall match pre- development flood peaks for properties outside the precinct boundary. <p>To achieve this, live storage volume of 20mm/m² of new impervious area and a weir type outlets shall be provided.</p> <p>7. Stormwater Management zone C (SWMZ C)</p> <p>Stormwater management in SWMZ C shall be in accordance with rule 5.3.1 above except the attenuation of stormwater runoff from the 10 percent and 1 percent AEP events shall match pre- development flood peaks for properties outside</p>		

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
<p>the precinct boundary. To achieve this live storage volume of 20mm/m² of new impervious area and a weir type outlet shall be provided.</p> <p>8. Existing overland flow paths and post-development overland flowpaths shall be identified and provided for, taking into account the need for connectivity with overland flow paths above and below the site.</p> <p>9. Where stormwater devices are proposed to serve more than one unit title, or are located on public land or land vested in the council, then these shall be vested in council. If communally-owned measures are to be partly relied upon, then:</p> <p>a.bio-retention, rain tanks and other localised detention and treatment devices designed to serve a number of sites under the one unit title (e.g. multi-unit apartment building) shall be retained in private ownership and shall be managed by an appropriate management structure (e.g. body corporate); b.the use of proposed reserves for stormwater management will be accepted only where these are to vest as local purpose drainage reserves and will not be deducted from development contributions for parks and reserves.</p>		
<p>3.6 Water and Wastewater Subdivision proposals shall demonstrate that the sites to be created can be serviced for water and wastewater purposes and that there is sufficient capacity available in the respective networks.</p>	<p>Remove control in its entirety</p>	<p>The controls regarding water and wastewater have been made redundant by the current AUP:OP standards detailed in E38.6.3. For efficiency reasons, it is recommended that these controls be deleted in their entirety and reliance placed on the AUP standards.</p>
<p>3.7 Riparian Enhancement Purpose: Riparian yards ensure residential development is adequately set back from the open space and stream network within the precinct to enhance ecology and water quality respectively, to provide protection from natural hazards and to maintain a sense of open space. The Riparian Enhancement provisions are designed to facilitate the restoration of the riparian margins while enabling public access and enjoyment of these natural features. 1. All subdivision plans in the Franklin 2 precinct, excluding boundary adjustments, must show any stream or wetland depicted on precinct plan 1 that exist on, or on the boundary of, the land being subdivided along with the riparian yard requirement.</p>	<p>IXXX.6.16 Subdivision Riparian Margins</p> <p>(5) Where a permanent or intermittent stream or wetland is shown on Figure IXXX.6.16.1 and IXXX.10 Franklin 2 - Precinct Plan 3, riparian margins shall be established either side of the feature to a minimum average width of 10m measured from the bank of the stream or edge of the wetland.</p> <p>(6) For riparian margins, a restoration plan prepared by a suitably qualified person must accompany a subdivision application and must:</p> <p>(a) Identify the location, species, planting bag size and density of the plants;</p> <p>(b) Confirm detail on the eco-sourcing proposed for the planting;</p>	<p>Amended wording to simplify the subdivision standards. Wording introduced to enable average 10m width, and to promote the spaces being vested with Council in accordance with their primary purpose. Public access to the freshwater features is also promoted by enabling walkways and cycleways to be located in the riparian margins.</p>

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
<p>2. All subdivisions which include riparian yards shall be accompanied by a riparian enhancement plan that must give effect to objectives and policies that will facilitate the restoration of the riparian margins while enabling public access and enjoyment of these natural features.</p> <p>3. The riparian enhancement plan shall include the following information:</p> <p>a. identification of the area of land within the riparian yard to be set aside for planting;</p> <p>b. identification of stream banks, slope, soil type and existing or potential erosion;</p> <p>c. details of the areal extent of any existing and proposed structures (e.g. boardwalks, footpaths, cycleways, furniture) in the yard;</p> <p>d. identification of all existing areas of native and exotic bush and vegetation including that to be retained and removed;</p> <p>e. details of soil quality and depth including any required soil reconditioning of compacted areas as the result of previous land uses and site works;</p> <p>f. species types, source of plant material, size of plants and density of planting;</p> <p>g. details of noxious weed, pest and animal control;</p> <p>h. details of timing of planting and possible staging of planting;</p> <p>i. details of maintenance programme to be implemented and a programme for replanting where the survival rate of planting is less than 90 percent;</p> <p>j. details of any fencing or alternative stock proof methods proposed;</p> <p>k. proposed means of ownership and ongoing management.</p>	<p>(c) Confirm the maintenance of the planting, including weed and pest animal control;</p> <p>(d) Take into consideration the local biodiversity and ecosystem extent.</p> <p>(e) The riparian shall be offered to the council for vesting as local purpose (drainage) reserves.</p> <p>(7) Walkways and cycleways may be located within any riparian margins.</p> 	

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
 		
<p>IXXX.7 Assessment - controlled activities</p> <p>IXXX.7.1 Matters of control</p> <p>The Council will reserve control over all of the following matters when assessing a controlled activity resource consent application:</p> <p>(1) All controlled subdivision activities in Table IXXX.4.1:</p> <ol style="list-style-type: none"> compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance; compliance with the relevant overlay, Auckland-wide, precinct and zone rules; the effects of infrastructure provision. 	<p>IXXX.7 Assessment - controlled activities</p> <p>IXXX.7.1 Matters of control</p> <p>The Council will reserve control over all of the following matters when assessing a controlled activity resource consent application:</p> <p>(1) All controlled subdivision activities in Table IXXX.4.1:</p> <ol style="list-style-type: none"> compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance; compliance with the relevant overlay, Auckland-wide, precinct and zone rules; the effects of infrastructure provision. 	<p>Inclusion of matters of discretion for controlled subdivision activities in relation to MDRS standards.</p>
<p>IXXX.7.2 Assessment criteria</p> <p>(1) The Council will consider the relevant assessment criteria for controlled subdivision from the list below:</p> <ol style="list-style-type: none"> compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance: <ol style="list-style-type: none"> refer to Policy E38.3(6); compliance with the relevant overlay, Auckland-wide, precinct and zone rules: <ol style="list-style-type: none"> refer to Policy E38.3(1) and (6); whether there is appropriate provision made for infrastructure including: 	<p>IXXX.7.2 Assessment criteria</p> <p>(1) The Council will consider the relevant assessment criteria for controlled subdivision from the list below:</p> <ol style="list-style-type: none"> compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance: <ol style="list-style-type: none"> refer to Policy E38.3(6); compliance with the relevant overlay, Auckland-wide, precinct and zone rules: <ol style="list-style-type: none"> refer to Policy E38.3(1) and (6); whether there is appropriate provision made for infrastructure including: 	<p>Inclusion of assessment criteria for controlled subdivision activities in relation to MDRS standards.</p>

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
<ul style="list-style-type: none"> i. whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and ii. whether appropriate management of effects of stormwater has been provided; iii. refer to Policies E38.3(1), (6), (19) to (23). 	<ul style="list-style-type: none"> i. whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and ii. whether appropriate management of effects of stormwater has been provided; iii. refer to Policies E38.3(1), (6), (19) to (23). 	
<p>4. Assessment - Restricted discretionary activities</p> <p>4.1 Matters of discretion</p> <p>The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the Activity Table:</p> <p><u>1. Subdivision in accordance with an approved framework plan, including around existing buildings and development.</u></p> <p>a. consistency with approved framework plan;</p> <p>b. site sizes and dimensions;</p> <p>c. location and design of roads, lanes and reserves;</p> <p>d. location and design of reserves;</p> <p>e. location and capacity of infrastructure servicing;</p> <p>f. stormwater management.</p> <p><u>2. Subdivision not in accordance with the stormwater management rules 6.3.4.</u></p> <p>a. the council will restrict its discretion to the following matters when dealing with applications for stormwater management that fails to comply with the design criteria set out in development controls 6.3.5:</p> <p>i. geotechnical matters;</p> <p>ii. the extent of impervious area;</p> <p>iii. the best practicable option (BPO) for the management of adverse effects of stormwater runoff on receiving environments, buildings, and property;</p> <p>iv. the methodology and programme for implementing the BPO for both existing and, where relevant, future development;</p> <p>v. operations and maintenance requirements.</p> <p>4.2 Assessment Criteria</p> <p><u>1. Subdivision in accordance with an approved framework plan, including around existing buildings and development.</u></p> <p>a. matters should be in accordance with the approved framework plan;</p>	<p>IXXX.8 Assessment - Restricted Discretionary Activities</p> <p>IXXX.8.1 Matters of Discretion</p> <p>(6) For subdivision listed as a restricted discretionary activity in Activity Table IXXX.4.1:</p> <p>(a) consistency with Figure IXXX.X.10 Franklin 2 - Precinct Plans and Appendix 1 Road Design and Design Elements Table;</p> <p>(b) effects on the transport network;</p> <p>(c) infrastructure and servicing;</p> <p>(d) stormwater management;</p> <p>(e) The provision and maintenance of riparian planting for streams and natural wetlands.</p> <p>(7). Subdivision not in accordance with the stormwater management rules IXXX.6.14.</p> <p>a. the council will restrict its discretion to the following matters when dealing with applications for stormwater management that fails to comply with the design criteria set out in development controls IXXX.6.14(2):</p> <p>i. geotechnical matters;</p> <p>ii. the extent of impervious area;</p> <p>iii. the best practicable option (BPO) for the management of adverse effects of stormwater runoff on receiving environments, buildings, and property;</p> <p>iv. the methodology and programme for implementing the BPO for both existing and, where relevant, future development;</p> <p>v. operations and maintenance requirements.</p> <p>IXXX.8.2. Assessment Criteria</p> <p>(6) For subdivision listed as a restricted discretionary activity in Activity Table IXXX.4.1:</p> <p>(a) the extent to which any subdivision is consistent with and gives effect to the key elements in IXXX.10 Franklin 2 - Precinct Plans and Appendix 1 Road Design and Design</p>	<p>Removal of matters of discretion relating to subdivision in accordance with an approved framework plan.</p> <p>Introduction of new matters of discretion relating to vacant site subdivision in a residential zone complying with the minimum site size standards.</p> <p>Revised matters for discretion regarding Stormwater Mitigation Standards as per Boffa Miskell Plan Change documents.</p>
		<p>Removal of assessment criteria relating to subdivision in accordance with an approved framework plan.</p> <p>Introduction of assessment criteria relating to Vacant site subdivision in a residential zone complying with the minimum site size standards.</p>

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments
<p>b. site sizes and dimensions should be appropriate for the intended housing typology and able to accommodate stormwater treatment devices;</p> <p>c. location and design of roads, lanes and reserves should be detailed including carriageway design, footpaths and berms, utilities and on-site stormwater management;</p> <p>d. location and design of proposed reserves and public spaces to be set aside and/or vested with the council;</p> <p>e. location and capacity of infrastructure servicing;</p> <p>f. stormwater management in accordance with the precinct design criteria;</p> <p>2. Stormwater devices that fail to comply with the design criteria set out in development controls 6.3.4.</p> <p>a. the extent to which the proposal prevents or minimises the adverse effects of stormwater runoff and discharge, including cumulative effects, having regard to:</p> <ul style="list-style-type: none"> i. ground stability and steepness of slope; ii. the nature, volume, and peak flow of the stormwater discharge; iii. the ecological functions of receiving environments; iv. the sensitivity of the receiving environment to stormwater contaminants and flows; v. avoiding the creation or increase of flood risk to other properties; vi. options for managing stormwater at source or through communal management devices; vii. degree of compliance with the criteria set out in clause 6.3.4; viii. practical limitations on the measures that may be used. <p>b. opportunities to reduce existing adverse effects and enhance receiving environments.</p> <p>c. bioretention devices are generally not suitable for meeting the intent of the rules in locations with ground instability or steep slopes.</p>	<p>Elements Table including roads, walkways and cycleways, and stream corridors;</p> <p>(b) the extent to which any subdivision is consistent with and achieves the Franklin 2 precinct.</p> <p>(c) on-going compliance with the on-site stormwater management requirements contained in any relevant Stormwater Management Plan will be achieved.</p> <p>(d) The extent to which the ecological values and water quality of existing watercourses and wetlands are maintained or enhanced by the proposed subdivision.</p> <p>7. Subdivision where stormwater devices do not comply with the design criteria set out in development controls IXXX.6.4(2).</p> <p>a. the extent to which the proposal prevents or minimises the adverse effects of stormwater runoff and discharge, including cumulative effects, having regard to:</p> <ul style="list-style-type: none"> i. ground stability and steepness of slope; ii. the nature, volume, and peak flow of the stormwater discharge; iii. the ecological functions of receiving environments; iv. the sensitivity of the receiving environment to stormwater contaminants and flows; v. avoiding the creation or increase of flood risk to other properties; vi. options for managing stormwater at-source or through communal management devices; vii. degree of compliance with the criteria set out in clause IXXX.6.4.(2); viii. practical limitations on the measures that may be used. <p>b. opportunities to reduce existing adverse effects and enhance receiving environments.</p> <p>c. bioretention devices are generally not suitable for meeting the intent of the rules in locations with ground instability or steep slopes.</p>	<p>Revised assessment criteria regarding Stormwater Mitigation Standards as per Boffa Miskell Plan Change documents.</p>

4.5. Show Homes

Current Franklin 2 Precinct Provision (track changes)	Proposed Change (clean version)	Comments						
<p>[N/A - Not provided for]</p>	<p>IXXX.4.1 Activity Table</p> <table border="1" data-bbox="770 393 1354 552"> <thead> <tr> <th data-bbox="770 393 1028 433">Activity</th><th data-bbox="1028 393 1354 433">Activity Status</th></tr> </thead> <tbody> <tr> <td data-bbox="770 433 1028 504">(A4) Show homes that comply with Standard IXXX.6.10</td><td data-bbox="1028 433 1354 504">P</td></tr> <tr> <td data-bbox="770 504 1028 552">(A5) Show homes that do not comply with Standard IXXX.6.10</td><td data-bbox="1028 504 1354 552">RD</td></tr> </tbody> </table> <p>IXXX.6 Standards</p> <p>IXXX.6.10 Show homes</p> <p>Purpose: to avoid, remedy and mitigate adverse effects on residential amenity resulting from show homes, including in relation to noise and traffic.</p> <ol style="list-style-type: none"> (1) The show home shall comply with all standards that are applicable to a dwelling on the site. (2) The show home shall not operate outside the hours of 9:00 am and 5:00 pm on any day. (3) The show home shall cease to operate five years after approval of code compliance certificate for that show home. From that date, the show home shall be deemed to be a dwelling. <p>IXXX.8. Assessment - Restricted Discretionary Activities</p> <p>IXXX.8.1 Matters of Discretion</p> <ol style="list-style-type: none"> (1) For show homes that do not comply with the standards at IXXX.6.10 Show Homes: <ol style="list-style-type: none"> (a) the matters in IXXX.8.1(1) (b) hours of operation (c) duration of show home use. <p>IXXX.8.2 Assessment Criteria</p> <ol style="list-style-type: none"> (8) For show homes that do not comply with the standards at IXXX.6.10 Show Homes: <ol style="list-style-type: none"> (a) The assessment criteria at IXXX.8.2(1); and (b) Policy H5.3(8). 	Activity	Activity Status	(A4) Show homes that comply with Standard IXXX.6.10	P	(A5) Show homes that do not comply with Standard IXXX.6.10	RD	<p>The recommended changes to the Franklin 2 Precinct text are proposed:</p> <p>Inserting a restricted discretionary activity status into the Franklin 2 Precinct activity table for show homes in the Residential - Mixed Housing Urban zone; and</p> <p>Inserting a new Show Homes standard for the Franklin 2 Precinct that:</p> <ul style="list-style-type: none"> ▪ Requires compliance with the core standards applying to dwellings in the MHU zone on the basis that the show home is deemed to be a dwelling; ▪ Limits hours of operation to the day time hours; and ▪ Limits the duration of show homes to a maximum of five years from approval of the building consent; and ▪ Inserting consequential Franklin 2 Precinct matters of discretion and assessment criteria for infringement of the show homes standard, where not meeting standards.
Activity	Activity Status							
(A4) Show homes that comply with Standard IXXX.6.10	P							
(A5) Show homes that do not comply with Standard IXXX.6.10	RD							

5. ASSESSMENT OF THE PROPOSED CHANGES

Amendments to the Franklin 2 Precinct subdivision text are for the most part consequential to the zoning changes and changes to the Precinct Plans. Additionally, the amended text will better align the provisions with the AUP:OP.

An evaluation of the provisions of the proposal to achieve the purpose of the RMA (s32(1)(a) relating to the amendments to the subdivision provisions and proposed inclusion of show homes within the Precinct has been addressed in the tables in the proceeding section of this report. The assessment has been separated into the two themes as follows:

- Section 5.1 Table addresses the subdivision provisions which have been amended in the Precinct objectives and policies, sub-precincts, and subdivision activities, standards, matters of discretion and assessment criteria.
- Section 5.2 Table provides consideration of the proposed inclusion of show homes within the Precinct.

To establish whether the provisions of the proposal are the most appropriate way to achieve the objectives (s32(1)(b)), the tables identify other reasonably practicable options for achieving the objectives and provide an assessment of the efficiency and effectiveness of the provisions. Several practical and non-fanciful options have been put forward for consideration. The options considered are:

1. Retaining the status quo;
2. Defaulting to the AUP:OP Auckland Wide Subdivision provisions within Chapter E38; and
3. Proposed amendments to the subdivision and show home provisions within the Precinct.

These options have been selected for assessment against the provisions to best align with the purpose of the Plan Change request, the existing and planned development within the Precinct, alignment with the structure and framework of the AUP:OP, and implement sound resource management practice. The benefits and costs of each option against the environmental, economic, social and cultural well beings has been thoroughly assessed in accordance with s32(2)(a).

5.1. Subdivision & Framework Plan Provisions

OPTION	Option 1: Do Nothing	Option 2 - Default to AUP:OP Chapter E38	Option 3 - Proposed Precinct Amendments (Plan Change)
Description of Options	<i>This option involves retaining the existing Precinct Provisions.</i>	<i>This option involves removing all subdivision provisions within the Precinct and defaulting to the provisions within Chapter E38 - urban Subdivision.</i>	<i>This option involves amending the existing Precinct subdivision provisions.</i>
Benefits			
Environmental	<ul style="list-style-type: none"> Preserves existing policy framework relating to planned intensity, built form, green spaces and natural features, maintaining the status quo of environmental considerations in development and providing a detailed policy framework to inform future subdivision and development. Requires the development of framework plans to comprehensively plan development and cumulatively address potential environmental effects. Current minimum subdivision sizes provide for a mix of lot sizes, including larger 300m² lots resulting in less impervious areas. Maintains higher density development options close to the public transport hub. 	<ul style="list-style-type: none"> Could lead to more expansive green spaces / less impervious areas due to increased restrictions on intensity in developments. 	<ul style="list-style-type: none"> Enables implementation of current best practices in sustainable urban design, potentially resulting in developments that better balance built form with natural environments by utilising scarce land resource more efficiently. Applies a site specific planning framework to give effect to the master-planned community anticipated for Franklin 2 resulting in a well functioning urban form. Will enable a greater intensity of subdivision (200m² minimum lot size) to occur on land well located within proximity to Paerata train station (fewer greenhouse gas emissions).
Economic	<ul style="list-style-type: none"> Developers familiar with current Precinct provisions can proceed without adapting to new regulations, potentially saving on short-term planning costs. Descriptive policy, activity status and standards framework to clearly guide development expectations. 	<ul style="list-style-type: none"> Simplifies the planning process by aligning with wider AUP:OP rules, potentially reducing administrative costs. Removes framework plan provisions which are ultra vires. 	<ul style="list-style-type: none"> Would enable developers to give effect to the planned and anticipated development of the Precinct area. Development will be enabled with a greater level of intensity than the underlying zoning, fostering the creation of well serviced communities and the associated infrastructure. Allows for higher yield developments, potentially increasing housing supply and supporting more diverse and vibrant local economies through mixed-use developments and housing choice. Streamlines the planning process, potentially attracting investment and facilitating appropriate development in the area. Removes framework plan provisions which are ultra vires.

OPTION	Option 1: Do Nothing	Option 2 - Default to AUP:OP Chapter E38	Option 3 - Proposed Precinct Amendments (Plan Change)
Social	<ul style="list-style-type: none"> Maintains current community expectations regarding development patterns and density. Provides continuity for those familiar with the current provisions. 	<ul style="list-style-type: none"> May result in lower density developments with more private space per dwelling. Creates consistency across the wider AUP:OP, potentially making it easier for the public to understand and navigate. 	<ul style="list-style-type: none"> The proposed amendments seek to incorporate the master planning undertaken within the framework plans. The amendments retain the anticipated outcomes of development to foster the development of well serviced communities with well-planned infrastructure. Facilitates the creation of well-planned communities with integrated amenities, public spaces, and diverse housing options, fostering social interaction and community wellbeing.
Cultural	<ul style="list-style-type: none"> Preserves any existing cultural considerations in the established objective and policy framework. 	<ul style="list-style-type: none"> Aligns with the subdivision planning framework for the wider area, potentially creating a more cohesive regional identity. May give effect to broader cultural considerations reflected in the general AUP:OP subdivision chapter. 	<ul style="list-style-type: none"> Enables developments that reflect current community values and support cultural activities through purposely designed spaces and facilities. Allows for the incorporation of current cultural values and considerations specific to the area.
Costs			
Environmental	<ul style="list-style-type: none"> May result in developments that don't align with current environmental best practices, potentially leading to less sustainable urban forms by not maximising potential intensity around transport nodes and resulting in the inefficient use of natural resources (including land). 	<ul style="list-style-type: none"> Will result in increased urban sprawl failing to utilise the opportunity for increased intensity around transport nodes, increasing vehicle dependency and potentially negatively impacting natural habitats on the urban fringe. May not address specific environmental considerations unique to the area, leading to suboptimal outcomes. 	<ul style="list-style-type: none"> Intensification could lead to increased pressure on local infrastructure networks. Greater impervious areas anticipated.
Economic	<ul style="list-style-type: none"> Limits potential for intensification and efficient land use, possibly resulting in lower yields for developers and suboptimal economic outcomes for the area. Potentially hinders economic development due to confusing and outdated provisions, possibly deterring investment in the area. Current provisions are cumbersome and requires detailed consent applications, framework plans, analysis, and decision making, meaning time and cost for developers. 	<ul style="list-style-type: none"> Likely reduces development yield and housing supply, potentially increasing housing costs and limiting economic growth in the area. 	<ul style="list-style-type: none"> Developers may need to invest in more complex design solutions to meet new requirements, potentially increasing initial development costs.
Social	<ul style="list-style-type: none"> May lead to poorly integrated communities due to outdated planning, potentially lacking in modern amenities and well-designed public spaces that foster social interaction. 	<ul style="list-style-type: none"> Could lead to less diverse housing options and reduced opportunity for community facilities due to lower density, potentially limiting social interaction and community cohesion. 	<ul style="list-style-type: none"> Higher density living may require a cultural shift for some residents, potentially leading to initial resistance to change. May require a period of adjustment as the community familiarizes itself with the new provisions.

OPTION	Option 1: Do Nothing	Option 2 - Default to AUP:OP Chapter E38	Option 3 - Proposed Precinct Amendments (Plan Change)
		<ul style="list-style-type: none"> May not meet the specific social needs and expectations of the local community, potentially leading to dissatisfaction. 	<ul style="list-style-type: none"> Increased intensity may result in greater numbers of people in the community utilising the same community assets / competing for resources.
Cultural	<ul style="list-style-type: none"> May not adequately address evolving cultural needs in urban design, potentially resulting in developments that don't reflect current community values or support cultural activities. 	<ul style="list-style-type: none"> May not cater to specific cultural needs of the local area, potentially resulting in developments that don't support local cultural practices or community needs. Risks overlooking or diminishing unique cultural aspects specific to the area. 	<ul style="list-style-type: none"> Rapid change in the urban form could potentially challenge existing cultural landscapes, requiring careful management to preserve cultural heritage while allowing for progress. Requires careful consultation to ensure all cultural perspectives are adequately captured in the new provisions.
Efficiency & Effectiveness			
	<ul style="list-style-type: none"> This option retains the current subdivision and framework plan provisions for the Precinct. This includes retention of the framework plan wording which is required to be removed from the Precinct as they are ultra vires, and double up provisions which are already provided for within Chapter E38 and other chapters of the AUP:OP resulting in an inefficient and cumbersome planning framework within the AUP:OP, and adds costs and time to the planning process which outweigh the benefits of the four well-beings. Therefore, retaining the status quo is not the most efficient and effective means of achieving the objectives of the Plan Change. 	<ul style="list-style-type: none"> This option removes the framework plan wording and Precinct specific objectives and policies, falling back to the position of relying on the underlying Chapter E38 policy framework to deliver subdivision of the Precinct. However, the lack of precinct specific objectives and policies does not provide for the unique planning framework that has been established for the Franklin 2 area to achieve a comprehensive master-planned community. This includes specific provisions to recognise the area's location adjacent to a public transit hub which supports higher density development. In this regard, defaulting to the Chapter E38 objectives and policies framework is not an efficient and effective means of achieving the objectives of the Plan Change. 	<ul style="list-style-type: none"> The proposed amendments to the Precinct objectives and policies have been put forward to enable the continued build out of the Franklin 2 precinct in accordance with the overall comprehensive development goals of the Precinct. The amended objectives and policies will continue to support the planned pattern of subdivision within the Precinct, including the more intensive built form, whilst removing the framework plan provisions as required by the IHP recommendations. Further, additional amendments are proposed to the provisions to remove double up objectives and policies that already provided for elsewhere in the AUP:OP including Chapter E38 and Chapter D.

5.2. Show Home Provisions

OPTION	Option 1: Do Nothing	Option 2 - Proposed Precinct Amendments - RDA Activity	Option 3 - Proposed Precinct Amendments - Permitted Activity
Description of Options	<p><i>This option involves retaining the status quo. Applications for show homes require discretionary activity status in the MHU zone.</i></p>	<p><i>This option involves inserting a precinct rule providing for show homes in the MHU zone as a restricted discretionary activity.</i></p>	<p><i>This option involves amending the existing Precinct provisions by providing for show homes in the MHU zone as a permitted activity with a new standard managing potential adverse effects on residential amenity.</i></p>
Benefits	<ul style="list-style-type: none"> Residential amenity is maintained through conditions of consent on a case-by-case basis 		
		<ul style="list-style-type: none"> Show homes are enabled as an RDA within an emerging residential area, meeting the needs of developers and potential dwelling purchasers on a case by case basis. Provides more certainty to applicants that a consent will be granted to the development. Provides a long term activity solution in the form of future housing once the show home activity duration ceases, enabling seamless transition into the existing residential neighbourhood. 	<ul style="list-style-type: none"> Show homes are enabled within an emerging residential area, meeting the needs of developers and potential dwelling purchasers. Residential amenity is maintained through permitted activity standards that limit hours of operation and duration of the activity. Resource consent is not required (unless standards are infringed), resulting in no additional compliance costs. Provides a long term activity solution in the form of future housing once the show home activity duration ceases, enabling seamless transition into the existing residential neighbourhood.
Costs	<ul style="list-style-type: none"> All show homes require resource consent for discretionary activities, indicating that the activity is not anticipated and resulting in high compliance costs. The resource consent process allows for limitations on show homes to be flexible, which may result in inconsistent outcomes across similar activities. No specific matters for discretion are identified to direct a suitable outcome for the community (i.e. no recommended hours of operation / time limit activity duration). 		
	<ul style="list-style-type: none"> Show homes still require resource consent, with compliance costs remaining. 	<ul style="list-style-type: none"> Adverse cumulative effects from a larger number of show homes being established may arise. <p>In relation to the identified costs:</p> <ul style="list-style-type: none"> The relatively-small number of building companies that would require show homes considered to be an inherent limitation on the number of show homes that would be established, avoiding the need for Council to retain discretion in relation to cumulative effects; and It is noted that resource consent can be applied for (as a restricted discretionary activity where the standardised limitations on show homes are sought to be infringed. This results in the same outcomes as Option 2, which is considered to be the second-most 	

OPTION	Option 1: Do Nothing	Option 2 - Proposed Precinct Amendments - RDA Activity	Option 3 - Proposed Precinct Amendments - Permitted Activity
			<p>appropriate option to achieve the relevant objectives - Option 4 would therefore be more efficient.</p> <p>Any new provisions enabling show homes would apply only to the land proposed to be zoned Residential - Mixed Housing Urban in order to avoid potential adverse effects related to existing urban residential communities.</p>
Efficiency & Effectiveness			
	<ul style="list-style-type: none"> At present there are no provisions for show homes in the activity tables of the Precinct or AUP:OP. Therefore, consent is required as a discretionary activity. The discretionary consent status provides no certainty to developers that consent is able to be obtained, and requires significant outlay of consenting costs and time to process applications. Further, there are no standardised conditions of use that apply in the AUP:OP framework from which to guide the final form of consent. The non-provision of an activity status for show homes is not considered an efficient and effective means of achieving the objectives of the plan change to support the growth and development of Franklin 2 Precinct. 	<ul style="list-style-type: none"> Show homes are an important temporary activity in all greenfield developments across Auckland. They support the economic drivers of developers, assist future residents in selecting housing typologies, and ultimately become integrated into the development once the transitions to future residential ownership at the duration of their consent. Given that the proposed standards include both a time limit on consent duration and hours of operation on a daily basis thereby addressing the main anticipated effects from the activity, and that the show home will eventually be used for residential purposes, it is considered onerous to apply an RDA status to the show home activity status. A more efficient and effective way to achieve the purpose and objectives of the Precinct would be a permitted activity status (where compliance with standards are met) for show homes to support the growth and development of the Precinct. 	<ul style="list-style-type: none"> Show homes are an important temporary activity in all greenfield developments across Auckland. They support the economic drivers of developers, assist future residents in selecting housing typologies, and ultimately become integrated into the development once the transitions to future residential ownership at the duration of their consent. The proposed standards include both a time limit on consent duration and hours of operation on a daily basis thereby addressing the main anticipated effects from the activity, and that the show home will eventually be used for residential purposes, it is appropriate to apply a permitted activity status to show homes. This is an efficient and effective way to achieve the purpose and objectives of the Precinct, removing unnecessary costs to applicants, consent processing time for councils, and ensuring an acceptable outcome for the community in terms of addressing potential effects.

5.3. Evaluation of Options

Having regard to the comprehensive assessments above, it is considered that the most efficient and effective option for achieving the objectives is implementing the proposed subdivision amendments, removal of the framework plan and inclusion of show home provisions within the Precinct. This option best aligns with the existing and anticipated urban form of the area, reflects the planning and policy framework, addresses potential adverse environmental effects, balances costs and benefits, and is the most appropriate way to achieve the purpose of the RMA.

5.4. Risk of Acting or Not Acting

Section 32(2)(c), requires an assessment of risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. This matter is addressed fully in the Boffa Miskell reporting and it is our understanding that sufficient information is available to understand the effects of the Plan Change.

If a Plan Change was not undertaken, the framework plans would remain in place, despite the recommendation of the IHP that they are ultra vires and should be removed from the Precinct. The required removal provides an opportunity to update the Precinct and apply current best practices in sustainable urban design, potentially resulting in developments that better balance built form with natural environments by utilising scarce land resource more efficiently.

6. RECOMMENDATIONS

This report has been prepared in support of the Plan Change to the Franklin 2 Precinct.

As a result of the above assessment, the following recommended changes to the AUP:OP are proposed:

- Minor updates to the objectives and policies relating to subdivision;
- Removal of reference to Framework plans to reflect the AUP:OP provisions resulting in modifications, amongst other things, to Activity Tables, controls, matters for discretion and assessment criteria, and special information requirements;
- Necessary amendments to the provisions resulting from the removal of Sub-Precincts A and B, especially in relation to the minimum site size table;
- Various changes to the subdivision provisions; and
- Inserting a permitted activity status for show homes in the Residential - Mixed Housing Urban zone and appropriate standards. Where the standards are not complied with, a new restricted discretionary activity status is applied.

These changes are intended to be supplementary to and should be incorporated into the Plan Change documentation being prepared by Boffa Miskell.

APPENDIX A - APPROVED RESOURCE CONSENTS (GDL)

Consent	Ref.	Date	Description
Phase Framework Plan 1	R/LUC/2016/1369	12th August 2016	The Paerata Rise Phase 1 Framework Plan resource consent granted facilitates the first phase of development within the Franklin 2 Precinct and covers an area of approximately 24 ha. The Phase 1 Framework Plan area has set out the development strategy for approximately the first 300 - 350 dwellings within the Wesley College SHA. It identifies the high-level layout of the development including network, open space network, urban structure, and built form.
Network Discharge Consent	R/REG/2016/3786	October 2016	The diversion and discharge of stormwater via the public stormwater network of the Wesley College: Paerata North Special Housing Area.
Stage Earthworks 1	R/LUC/2016/2769	September 2016	Land Modification works within the scope of this Application include bulk earthworks, contamination remediation, streamworks to remove existing culverts, install new culverts, and the removal of an on-line pond and associated stream realignment.
Stage Subdivision 1	R/JSL/2016/4174	January 2017	Stage 1 subdivision within the phase 1 Framework Plan area of the Wesley College SHA. Create of 96 fee simple residential lots, 3 comprehensive future development lots and associated infrastructure, reserves and roading to be vested in Council. This consent has been varied.
Earthworks - Wastewater Pump Station	R/LUC/2016/5110	February 2016	Earthworks required to install a pump station and associated structures, including the wet wells and storage tanks for the purpose of providing a reticulated wastewater system for the Stage 1 and subsequent stages of the Wesley Precinct Development.
Water Pump House and Reservoir	LUC60310430	February 2017	To construct a potable water supply pump house, an above ground reservoir, and associated structures, for the purpose of providing a reticulated public water system for the Paerata Rise Development.
Boundary Adjustment	R/SUB/2017/1642	July 2017	To relocate a boundary between two land parcels and transfer 11.0924 hectares of land to an adjoining certificate of title.
Stage Café/Showroom 1	LUC60314852	March 2018	To construct a temporary café and showroom with accessory car parking and signage.
Stage 1 Show Homes Activity	LUC60315086	March 2018	To establish a temporary show home 'boulevard' over 18 new residential lots, with associated signage.
Stage 2a Subdivision	LUC60320970 SUB60320971	October 2018	To establish a total of 54 vacant fee simple residential lots, one super lot, one JOAL, one riparian reserve lot to vest, associated roading, and infrastructure to service the development.
Phase Earthworks 2	BUN60325711	Nov 2018	To undertake land modification including bulk earthworks (52,900m ³) over an area of 6.85 hectares and the reclamation of an intermittent stream and two wetland areas. This consent has been varied.
Stage 2b and 2c Subdivision	LUC60329471 SUB60329472	April 2019	Stage 2(B and C) subdivision to establish 76 fee simple residential lots, 3 super lots, 2 JOALs, 1 lot to be transferred to Watercare. 1 balance lot, 4 local purpose (recreation) reserve lots to vest in Auckland Council, and associated

			roading and infrastructure. This consent has been varied.
Tip Remediation	BUN60331694	April 2019	To discharge contaminants and undertake land modifications, including bulk earthworks.
Phase Framework Plan 2	LUC60333082	3rd July 2019	<p>The Paerata Rise Phase 2 Framework Plan resource consent granted facilitates the second phase of development within the Franklin 2 Precinct covering an area of approximately 14.7 ha. The Phase 2 Framework Plan area has set out the development strategy for approximately 91 dwellings within the Franklin 2 Precinct and it identifies the high-level layout of the development including the movement network, open space network, urban structure, built form, whilst allowing a degree of design flexibility.</p> <p>The proposed Stage 5 (A and B) subdivision has been designed in general accordance with condition 1 of the approved Phase 2 Framework Plan resource consent, with some variations and improvements with respect to road layouts, and provision of pedestrian accessways arising as a result of the detailed design process.</p>
Phase 2 - Stage 4 Subdivision	BUN60338879	Aug 2019	To construct a new road to vest (extension of Jonah Lomu Drive) and infrastructure services associated with future development.
Phase 2 - Stage 5 Subdivision	BUN60338155	Dec 2019	To enable the development of new buildings (including fourteen affordable dwellings) and associated roads and infrastructure, on the land subject to an approved Framework Plan.
Phase Earthworks 3	LUC60343646	Oct 2019	To undertake the bulk earthworks required to enable Phase 3 of the Paerata Rise development. The earthworks consist of 630,000m ³ of cut to fill earthworks over an area of 60 hectares, and are to be undertaken in the form of three stages
Privacy Standard Global Consent	LUC60343357	November 2019	To enable dwellings constructed on the 143 residential lots within the identified area of the Paerata Rise Stage 2 (A, B and C) and Stage 1D subdivision area to be able to infringe the privacy standard of the Franklin 2 Precinct provisions (I6.30 Standard 4.9 Privacy) and comply with the outlook space standard for the Mixed Housing Urban zone (Standard H5.6.12) instead.
Phase Framework Plan 3	LUC60346622	March 2020	Framework Plan for the Phase 3 area of the Paerata Rise development within the Franklin 2 Precinct. The Framework Plan sets out the conceptual development strategy for approximately 700 dwellings and identifies the high-level layout for this development, including movement network, open space network, riparian margins, and urban structure.
Phase Streamworks 3	BUN60346218	March 2020	To undertake earthworks and streamworks within Phase 3 of the Paerata Rise development. The works include the reclamation of 43m of intermittent stream and the installation of three culverts over 30m in length, the removal of existing culverts and associated daylighting of the stream, and to undertake offset and compensation works for the reclamation and culverts.
Childcare Centre	LUC60358017	July 2020	To build, establish and operate a part single-storey, part two-storey childcare centre for up

			to 100 children and 18 staff, and associated works.
Phase 3 - Stages 7 and 8 Subdivision	BUN60358095	Nov 2020	<p>The stages residential subdivision of 741 Paerata Road, Pukekohe, being Stage 7 (7A, 7B, and 7C) and Stage 8 (8A, 8B, 8C, 8D, and 8E) to create 235 fee simple lots, roads, pedestrian links, reserves and associated infrastructure, land use consents to construct new vehicle crossings, and authorise the construction of new buildings and infringement to Frankline 2 Precinct privacy standard on all residential lots.</p> <p>This consent has been varied with the most recent variation (LUC60366178-F and SUB60357793-E) approved on 11 November 2022).</p>
Phase 1 Stage 3 Framework Plan and Subdivision	BUN60369884 LUC60369885 SUB60369886	19 March 2021	<p>To establish a framework plan and subdivide 24 lots (in accordance with the framework plan) on the land at 15 Puhitahi Hill Road, Pukekohe. In addition, the applicant seeks to authorise the construction of new buildings subject to an infringement to Franklin 2 Precinct privacy standard within all residential lots, and specifically to authorise the construction of dwellings on lots that are split zoned in line with the residential provisions of the precinct. Associated earthworks, infrastructure works, and parking and access are also proposed.</p>
Phase 3 - Stages 9 - 12 Subdivision	BUN60381811	16 Dec 2021	<p>The staged residential subdivision of 51 Puhitahi Hill Road, being Stages 9 (9A & 9B), 10 (10A & 10B), 11 (11A & 11B) and 12 (12A & 12B) to create 371 fee simple lots, roads, pedestrian links, reserves and associated infrastructure, land use consents to construct new vehicles crossings, and authorise the construction of new buildings and infringements to Franklin 2 Precinct privacy standard on all residential lots.</p> <p>This consent has been varied with the most recent variation (LUC60381813-C, SUB60381812-C, and DIS60389452-C) approved on 10 May 2023.</p>
Phase 4a Earthworks	LUC60409682 DIS60409891 WAT60410164	5 Dec 2022	<p>To undertake land modification activities across the subject site 51 Puhitahi Hill Road, Pt Lot 7 Deeds Reg 188, and SEC 3 SO 70783, SEC 4 SO 70783, and Lot 1 DP 97885 to prepare the land for future development in accordance with the Franklin 2 Precinct.</p>
Sales Office	LUC60416962	April 2023	<p>To establish a sales office associated with the consented Paerata Rise residential development at 34 Jonah Lomu Drive, Pukekohe. A 7-year duration is proposed.</p>
Phase 4 Framework Plan	LUC60409177	July 2023	<p>A resource consent to establish a framework plan to facilitate the fourth phase of development within the Franklin 2 Precinct. The framework plan provides for a high-level development strategy to establish approximately 1,870 dwellings across four stages.</p>
Northern Commercial Land Use	[2024] 122	NZEnvC 27 May 2024	<p>A resource consent for a 3,850m² supermarket including a 250m² online order pick up area servicing and loading areas, a 200m² office, a 250m² retail area within the supermarket building (containing food and beverage activities) and associated carparking</p>

Café	LUC60432603	16 July 2024	To operate a 220m ² GFA café, with associated signage, in an existing container building on a site in the Residential Mixed Housing Urban zone (Franklin 2 sub-precinct A and B) for a temporary period expiring on 14 March 2032.
Northern Commercial Subdivision	SUB60437719	1 November 2024	Creation of a new lot for the establishment of a supermarket as approved under land use consent (Lot 1), and two separate balance lots (Lots 2 and 3) that will amalgamated and held in the same record of title