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I hereby give notice that a hearing by commissioners will be held on:

**Date:** **Monday 1 November, Tuesday 2 November & Wednesday 3 November 2021**  
(Additional Overflow Day Thursday 4 November 2021 If required)

**Time:** **9.30AM**

**Meeting room:** **Council Chamber**

**Venue:** **Ground Floor, Auckland Town Hall**  
**301 Queen Street, Auckland**

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**PRIVATE PLAN MODIFICATION 59**

**HEARING REPORT**

**ALBANY 10 PRECINCT**

**BEI GROUP LIMITED**

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**COMMISSIONERS**

**Chairperson** **David Hill**  
**Commissioners** **Trevor Mackie**  
**Reginald Proffit**

**Laura Ager**  
**KAITOHUTOHU MATAAMUA WHAKAWĀ**  
**SENIOR HEARINGS ADVISOR**

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## **WHAT HAPPENS AT A HEARING**

### **Te Reo Māori and Sign Language Interpretation**

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

### **Hearing Schedule**

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

### **Cross Examination**

No cross examination by the applicant or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the applicant or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

### **The Hearing Procedure**

The usual hearing procedure is:

- **the chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- **The applicant** will be called upon to present their case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented their case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
  - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
  - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The applicant or their representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage. The applicants reply may be provided in writing after the hearing has adjourned.
- **The chair** will outline the next steps in the process and adjourn or close the hearing.
- If adjourned the hearing panel will decide when they have enough information to make a decision and close the hearing. The hearings advisor will contact you once the hearing is closed.

### **Please note**

- that the hearing will be audio recorded and this will be publicly available after the hearing
- catering is not provided at the hearing.

**A NOTIFIED PLAN MODIFICATION TO THE AUCKLAND UNITARY PLAN BY BEI GROUP LIMITED**

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**Reporting officer, Todd Elder, Planner**

Reporting on a proposed private plan modification to rezone approximately 13.72 ha of land from Residential – Mixed Housing Suburban to Residential – Terraced Housing and Apartment Buildings. It also seeks to amend Albany 9 precinct provisions and to introduce a new Albany 10 Precinct within the Auckland Unitary Plan (Operative in Part) 2016 at 473 Albany Highway, Albany.



## **Hearing Report for Proposed Plan Change 59: Albany 10 Precinct to the Auckland Unitary Plan (Operative in part)**

Section 42A Hearing Report under the Resource Management Act 1991

**Report to:** Hearing Commissioners

**Hearing Date/s:** 1, 2, 3 and 4 November 2021

**File No:** Hearing Report – Proposed Private Plan Change 59

### **File Reference**

**Report Author** Todd Elder, Policy Planner, Regional, North, West & Islands, Plans and Places

**Report Approvers** Eryn Shields, Team Leader, Regional, North, West & Islands, Plans and Places

**Report produced** 27 September 2021

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## Summary of Proposed Plan Change 59: Albany 10 Precinct

<b>Plan subject to change</b>	Auckland Unitary Plan (Operative in part), 2016
<b>Number and name of change</b>	Proposed Plan Change 59 – Albany 10 Precinct to the Auckland Unitary Plan
<b>Status of Plan</b>	Operative in part
<b>Type of change</b>	Private Plan Change Request
<b>Committee date of approval (or adoption) for notification</b>	03 December 2020
<b>Parts of the Auckland Unitary Plan affected by the proposed plan change</b>	Chapter I Precincts Auckland Unitary Plan GIS Viewer
<b>Date draft proposed plan change was sent to iwi for feedback</b>	03 December 2019
<b>Date of notification of the proposed plan change and whether it was publicly notified or limited notified</b>	Public notification – 28 January 2020
<b>Plan development process used – normal</b>	Normal
<b>Submissions received (excluding withdrawals)</b>	142
<b>Date summary of submissions notified</b>	25 March 2021
<b>Number of further submissions received (numbers)</b>	17
<b>Legal Effect at Notification</b>	No legal status
<b>Main issues or topics emerging from all submissions</b>	<p>Urban Design</p> <ul style="list-style-type: none"> <li>• Building height and set back</li> <li>• Special frontage and height control</li> <li>• Building dimension, design and location, special information requirement</li> </ul> <p>Landscape and Visual Effects</p> <p>Transport and traffic</p> <ul style="list-style-type: none"> <li>• Transport infrastructure development thresholds</li> <li>• Transport and traffic modelling</li> </ul> <p>Water and Infrastructure</p>

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## Abbreviations

Abbreviations in this report include:

Abbreviation	Meaning
PC59	Proposed Plan Change 59
RMA	Resource Management Act 1991
AUP	Auckland Unitary Plan
THAB	Terrace Housing and Apartment Buildings zone
MHS	Mixed Housing Suburban Zone
DBER	Days Bridge Esplanade Reserve
SEA-T	Terrestrial Significant Ecological Area
SEA-M	Marine Significant Ecological Area
GFA	Gross Floor Area
NPS	National Policy Statement
NPS:UD	National Policy Statement on Urban Development 2020



NPS:FM	National Policy Statement on Freshwater Management 2020
AP2050	Auckland Plan 2050
UPLBP	Upper-Harbour Local Board Plan
UHGWP	Upper-Harbour Greenways Plan

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<b>Appendix 1</b>	<b>Plan Change 59</b>
<b>Appendix 2</b>	<b>Section 32 Report</b>
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<b>Appendix 6</b>	<b>Submissions and further submissions</b>
<b>Appendix 7</b>	<b>Table of General Submissions Opposing PC59</b>

## EXECUTIVE SUMMARY

1. The application by Campbell Brown Limited on behalf of BEI Group Limited (the Applicant) seeks to make changes to the provisions of the AUP for the land at 451 – 473 Albany Highway. The objectives and purpose of the private plan change, as stated by the applicant, are to:

*“...enable the comprehensive and integrated development of a new residential community of up to 1,800 homes, including a small community hub, within a unique landscape setting while protecting and enhancing the ecological, landscape and amenity values of the area.”*

2. The Plan Change Request seeks to establish an area of Terrace Housing and Apartment Building Zone (**‘THAB’**) with a new Albany 10 Precinct on the site.
3. The PC59 applicants state that the normal plan change process as set out in Schedule 1 of the Resource Management Act 1991 (‘RMA’) was adhered to in developing PC59.
4. PC59 was notified on 28 January 2021, with submissions closing on 1 March 2021. The plan change was notified for 20 working days. The Summary of Decisions Requested was notified for 10 working days on 25 March 2021, closing on 12 April 2021.
5. 142 of submissions were received, and 17 further submissions were received.
6. In preparing for hearings on PC59, this hearing report has been prepared in accordance with section 42A of the RMA.
7. This report considers the issues raised by the technical assessment of the documentation provided by the applicant, site visits by Council specialists and submissions and further submissions on PC59. The discussion and recommendations in this report are intended to assist the Hearing Commissioners, and those persons or organisations that lodged submissions on PC59. The recommendations contained within this report are not the decision(s) of the Hearing Commissioners.
8. This report also forms part of council’s ongoing obligations, under the RMA; these are, to consider the appropriateness of the proposed provisions, as well as the benefits and

costs of any policies, rules or other methods, as well as the consideration of issues raised in submissions on PC59.

9. A report in accordance with section 32 of the RMA was prepared for this purpose by the applicant and is attached in Appendix 2. This 'Section 32 report' and associated documentation related to PC59 (on the council's website) should be considered in making decisions on PC59.
10. It is recommended that PC59 be approved with amendments that respond to submissions and the subsequent recommended changes that are attached in Appendix 5 to this report.

## 1. BACKGROUND

11. The private plan change request was lodged by BEI Group Limited on 8 May 2020 and the related documents are provided in Attachment A. The proposed private plan change seeks to rezone the land located at 473 – 461 Albany Highway, from Residential – Mixed Housing Suburban Zone to Residential – Terrace Housing and Apartment Buildings Zone.
12. The legal description for the site is Sec 1 SO 456618 Pt Allot 26 Parish of Paremoremo Lot 1 DP 191818.
13. In addition, the private plan change seeks to include a new precinct into the AUP entitled - Albany 10 Precinct. The following amendments are also proposed to the AUP:
  - a. Removal of the Albany 9 Precinct – sub-precinct C within the AUP maps.
  - b. Amendment of the I501 Albany 9 Precinct provisions to remove references to 'sub-precinct C'.
14. The request seeks to enable and facilitate a substantial new residential growth area with supporting commercial activities. This cannot be achieved within the current AUP zoning and that provisions that manage land use and development on the site.
15. The higher intensity development will involve enabling development to go to a greater height across the site. These heights range from 13 metres (3 – 4 storeys), 21 metres (5 – 6 storeys) and 35 metres (10 storeys). The applicant has undertaken a master planning process that seeks to ensure the site is developed in a comprehensive manner whilst managing the effects.<sup>1</sup>
16. PC59 would enable:
  - a. up to approximately 1,800 dwellings;
  - b. up to 4000m<sup>2</sup> of business land suitable to support a 'small community hub' which would enable a centre of shops and services; and
  - c. a privately managed central park.

## 2. EXISTING PLAN PROVISIONS

### 2.1. Current AUP Provisions

17. The site is approximately 13.72 hectares and is located at 473 and 461 Albany Highway to the west of Albany Metropolitan Centre. It contains small scale former university buildings, parking areas and open space. Albany Highway bounds the site to the north and west. The Albany Village Town Centre is located 800 metres to the north of the site. A recent aerial photo of the site is shown in Figure 1.

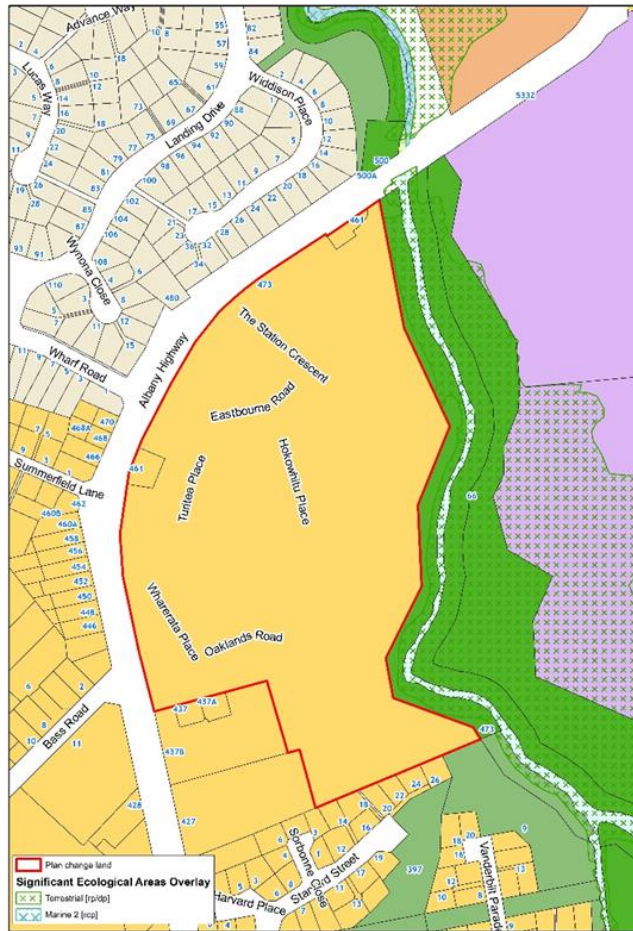
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<sup>1</sup> Section 7.3 Explanation, Assessment of Environmental Effects and Section 32 Analysis, prepared by Campbell Brown Ltd, Dated 17 August 2020.



**Figure 1 Recent aerial photograph of the site**

18. In the surrounding area, to the south and west (western side of Albany Highway) of the site is one to two-storey low density, detached houses. Land directly to the west of the site (western side of Albany Highway) also contains medium density housing. These areas are currently zoned Residential – Mixed Housing Suburban Zone. To the north, the housing characteristic is similar, being generally one to two-storey, detached houses. This area is zoned Residential – Single House Zone.
19. The Days Bridge Esplanade Reserve (DBER) is beyond the eastern boundary of the site. The DBER is defined by its natural vegetation edge, featuring the Fernhill Escarpment and reserve. This reserve contains a Terrestrial Significant Ecological Area (SEA\_T), but this is located outside of the PC59 area. The headwaters of Lucas Creek is immediately north of Albany Highway to the north of the site, which is an estuary containing Marine Significant Ecological Area (SEA\_M).



**Figure 2 - Current AUP (OP) Zoning**

20. The plan change request, being the change in zoning and inclusion of a new precinct, is considered by the applicant to be an appropriate method to enable this level of growth and ensure a well-functioning urban environment.
21. Bei Group has sought and obtained several resource consents under the current provisions of the existing zone and precinct provisions of the AUP. The consents are:
  - a. Land use consent (LUC60331333);
  - b. Stormwater discharge permit (DIS60331334);
  - c. Streamworks consent (LUS60331337)
  - d. Water permit (WAT60331358); and
  - e. Subdivision consent (SUB60331334).
22. The consents were granted on 23 March 2020 and allow for the construction of 156 residential dwellings and four apartment buildings, providing approximately 306 units. They also enable vegetation clearance with staged earthworks and the reclamation of 91 metres of an intermittent stream.
23. Resource consent has also been granted to construct a retirement village at the southern end of the site comprising 124 apartments and a 100-room care home (LUC60332056). This consent was granted on 4 May 2020.

## 2.2 Lodgement documents

24. The applicant provided the following reports and documents to support their application for PC59<sup>2</sup>:

- Private plan change request, including drafted changes to the AUP
- Section 32 evaluation report and assessment
- Assessment of Environmental Effects
- Master Plan and Design Report
- Integrated Transport Assessment
- Economic Assessment
- Urban Design Assessment
- Landscape and Visual Assessment
- Ecological Assessment
- Infrastructure Assessment
- Stormwater Management Plan
- Geotechnical Report
- Archaeological Report
- Approved Resource Consents
- Consultation Summary
- Cultural Effects Assessment.

## 2.3 Clause 23 Requests for Further information, Clause 24 Modifications, and acceptance under Clause 25

25. On 01 July 2020, prior to accepting PC59, the council requested that the applicant provide further information in accordance with Clause 23 of Schedule 1 to the RMA. This request is attached as **Appendix 3** to this report. The purpose of the further information request was to enable council to better understand the effects of PC59 on the environment and the ways in which adverse effects may be mitigated.

26. BEI Group Limited responded to the Clause 23 request on 17 August 2020. This response is also contained within **Appendix 3** to this report. In response to the Clause 23 request, the applicant provided the following material:

- Clause 23 Response table prepared by the Applicant
- Updated planning AEE/S32 analysis
- Ecological and biodiversity effects
- Wastewater and water supply capacity
- Clarification on certain precinct provisions

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<sup>2</sup> Please note that where applicable this includes documents that have been updated by the applicant in response to Clause 23 further information requests.

- Cultural values assessments being prepared
- Urban Design and Landscape effects
- Transport and traffic effects (requests from Auckland Transport and the Council)
- Stormwater and flooding
- Geotechnical assessments
- Economic effects.

27. On 3 September 2020, the council provided a second information request that the applicant in accordance with Clause 23 of Schedule 1 to the RMA. Bei Group Limited responded on to the Clause 23 request on 11 September 2020. In response to the Clause 23 request, the applicant provided the following material:

- Updated precinct provisions
- Updated integrated Transport Assessment (modelling update)
- Stormwater Management Plan (revised)
- Greenstar Communities Rating Tool
- Geotechnical reports.

28. Having reviewed the applicant's Clause 23 response and the reports and materials attached, I considered that the further information requests had been satisfied. In making this determination, I relied on the advice of Council's technical experts. The only outstanding matter at the time of notification was how the private shuttle service would be facilitated, and how certain other infrastructure was going to be provided, being transport related that were outside of the plan change boundary.

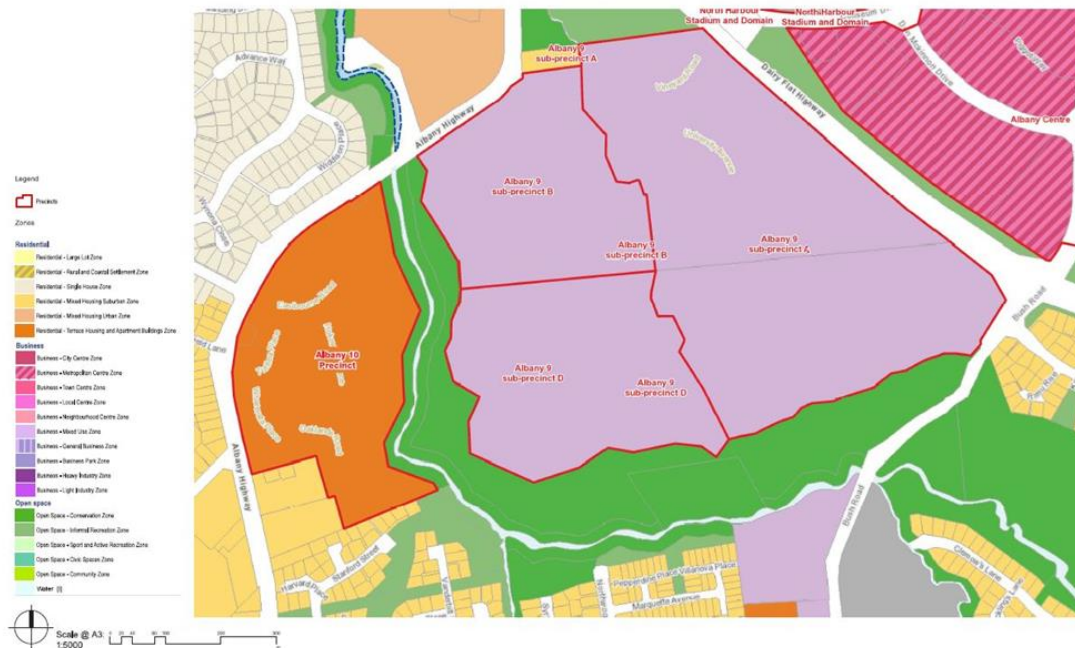
29. The Plan Change request was accepted for notification under Clause 25 to Schedule 1 RMA on 2 July 2020.

### **3. PROPOSED PLAN CHANGE PROVISIONS**

30. In summary, Plan Change 59 seeks to:

- a. rezone the land located at 473 Albany Highway, from Residential – Mixed Housing Suburban Zone to Residential – Terrace Housing and Apartment Buildings Zone.
- b. include a new precinct - Albany 10 Precinct
- c. Remove the Albany 9 Precinct – sub-precinct C within the AUP maps
- d. Amend I501 Albany 9 Precinct provisions to remove references to 'sub-precinct C'.

Precinct Plan 5  
Zoning map



**Figure 3 rezoning proposed land at 473 Albany Highway as part of private plan change 59**

31. The purpose and objectives of the plan change, as stated by the applicant is to:

*“...enable the comprehensive and integrated development of a new residential community of up to 1,800 homes, including a small community hub, within a unique landscape setting while protecting and enhancing the ecological, landscape and amenity values of the area.”*

32. Albany 10 Precinct will enable and facilitate a substantial new residential growth area with supporting commercial activities that cannot be achieved within the current AUP zoning and provisions that apply to the site. The following has been included in the precinct to achieve these outcomes:

- a. Precinct specific Objectives and Policies;
- b. Activity Table – to establish activities not currently provided
- c. Precinct standards, which will either replace THAB standards or are new and are included to manage identified effects, which include:
  - i. Density controls
  - ii. Building height
  - iii. Maximum building dimensions and tower separation
  - iv. Maximum building coverage, impervious area and landscaping
  - v. Building setback at upper levels
  - vi. Wind controls
  - vii. Commercial Gross Floor Area (GFA) and location control
  - viii. Front, side and rear fences and walls
  - ix. Stormwater



- x. Riparian planting
- xi. Special frontage and height control
- xii. Parking
- xiii. Transport infrastructure development thresholds
- xiv. Matters of discretion and Assessment Criteria.

33. The applicant has noted in their section 32 evaluation that THAB standards H6.6.8. Height in relation to boundary adjoining lower intensity zones, H6.6.9. Yards, (10m riparian only) H6.6.13. Outlook space, H6.6.14. Daylight, H6.6.15. Outdoor living space, and H6.6.16. Minimum dwelling size would apply to the Site.
34. To assist in achieving the objective of the PC59, the applicant has provided four precinct plans of which relate to the proposed precinct provisions. The Albany 10 Precinct has provided an activity status structure which means that development needs to consistent with the precinct plans. These precinct plans are:
- a. Albany 10 Precinct Plan 1 – Features
  - b. Albany 10 Precinct Plan 2 – Movement network
  - c. Albany 10 Precinct Plan 3 – Height and building coverage
  - d. Albany 10 Precinct Plan 4 – Frontage controls.

#### **4. HEARINGS AND DECISION MAKING CONSIDERATIONS**

35. Clause 8B of Schedule 1 of RMA requires that a local authority shall hold hearings into submissions on its proposed plan.
36. The Regulatory Committee have delegated to the Hearings Commissioners authority to determine council's decisions on submissions on PC59, under section 34 of the RMA. Hearing Commissioners will not be recommending a decision to the council, but will be making the decision directly on PC59.
37. This report summarises and discusses submissions received on PC59. It makes recommendations on whether to accept, in full or in part; or reject, in full or in part; each submission. This report also identifies what amendments, if any, are recommended be made to amend the Albany 10 Precinct provisions address matters raised in submissions. Any conclusions or recommendations in this report are not binding to the Hearing Commissioners.
38. The Hearing Commissioners will consider all the information in submissions together with evidence presented at the hearing.
39. This report has been prepared by the following author(s) and draws on technical advice provided by the following technical experts:

Author(s)	Todd Elder, Policy Planner, Auckland Council
Urban Design, Landscape and Visual Effects	Rebecca Skidmore - RA Skidmore Urban Design Ltd.
Economics	Shyamal Maharaj - Chief Economist Unit, Auckland

	Council
Transport and traffic	Don Mckenzie - Stantec New Zealand Ltd
Geotechnical	Nicole Li - Development Engineer, Regulatory Engineering, Auckland Council
Technical expert – Healthy waters	Gemma Chuah - Principal, Health Waters Infrastructure and Environmental Services, Auckland Council
Technical expert – Ecology	Carl Tutt, Ecologist - Environmental Services Specialist Services, Auckland Council

## 5. STATUTORY AND POLICY FRAMEWORK

40. Private plan change requests can be made to the council under Clause 21 of Schedule 1 of the RMA. The provisions of a private plan change request must comply with the same mandatory requirements as council initiated plan changes, and the private plan change request must contain an evaluation report in accordance with section 32 of the RMA (clause 22(1), Schedule 1, RMA). Clause 29(1) of Schedule 1 provides “except as provided in subclauses (1A) to (9), Part 1, with all necessary modifications, shall apply to any plan or change requested under this Part and accepted under clause 25(2)(b)”.
41. PC59 is a private plan change request made to the council by BEI Group Limited in accordance with Clause 21 of Schedule 1 RMA.
42. Further information was sought in accordance with Clause 23 to Schedule 1 RMA, which is summarised in Section 2.3 of this report.
43. PC59 was subsequently accepted by the council under clause 25(2)(b) of Schedule 1 of the RMA by way of Planning Committee resolution on 3 December 2020.
44. PC59 was publicly notified on 28 January 2021, with 142 submissions received by the council. The summary of submissions was publicly notified by the council on 25 March 2021 with 17 further submissions received.

## 6. STATUTORY AND POLICY ASSESSMENT

### 6.1. Resource Management Act 1991

45. The key directions of the RMA with regard to consideration of private plan changes is set out in the below paragraphs.

**Table 1 Sections of the RMA relevant to private plan change decision making**

RMA Section	Matters
Part 2	Purpose and principles of the RMA.
Section 31	Outlines the functions of territorial authorities in giving effect to the Resource Management Act 1991

RMA Section	Matters
Section 32	Requirements preparing and publishing evaluation reports. This section requires councils to consider the alternatives, costs and benefits of the proposal
Section 67	Contents of regional plans – sets out the requirements for regional plan provisions, including what the regional plan must give effect to, and what it must not be inconsistent with
Section 72	Sets out that the purpose of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act.
Section 73	Sets out Schedule 1 of the RMA as the process to prepare or change a district plan
Section 74	Matters to be considered by a territorial authority when preparing a change to its district plan. This includes its functions under section 31, Part 2 of the RMA, national policy statement, other regulations and other matter
Section 75	Contents of district plans – sets out the requirements for district plan provisions, including what the district plan must give effect to, and what it must not be inconsistent with
Schedule 1	Sets out the process for preparation and change of policy statements and plans by local authorities. It also sets out the process for private plan change applications.

46. In the development of a proposed plan change to a district plan, the RMA sets out mandatory requirements in the preparation and processing of the proposed plan change.

## 6.2. National policy statements

47. Pursuant to Sections 74(1)(ea) and 75 RMA, the relevant national policy statements ('NPS') must be given effect to in the preparation of the proposed plan change, and in considering submissions.

### 6.2.1. National Policy Statement on Urban Development 2020 ('NPS:UD')

48. The NPS:UD came into force on 20 August 2020, which was after the lodgement of the plan change request. The applicant has however during the Clause 23 stage provided a assessment of the PC59 against the NPS:UD in section 9.4.4 of the section 32 report:

*“Within tier 1 urban environments the PPC enables a predominant form of development of at least 6 storeys within a walkable catchment of existing and planned rapid transit stops and the edge of city centre and metropolitan centre zones. The NPS-UD does not define what is a ‘walkable catchment’. Adopting the walkable catchment measure used in the ITA for the PPC (a journey time of around 20 minutes at a distance of 1.5km and at 15th percentile walking speed), both the Albany Bus Station and the edge of the metropolitan zone covering the Albany Centre are within that walking distance.*

...

*The PPC is consistent with the policy direction to enable local authorities to be responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments.”*

49. The NPSUD 2020 requires local authorities to provide sufficient development capacity enabled in locations that meet the diverse needs of communities and encourages well-functioning, liveable urban environments. The NPSUD 2020 provides direction to ensure capacity is provided in response to demand and in accessible places. The Auckland Region is recognised under the NPSUD 2020 as a Tier 1 authority.
50. The Ministry for the Environment Guidance Introductory Guide (July 2020) states in its “Table 3 Overview of timeline for implementing policies” (on page 13) that the NPSUD 2020 Objectives apply immediately from commencement. Part 4<sup>3</sup> of the NPSUD 2020 specifies timeframes for implementing the NPSUD 2020 Policies, and none of those dates has arrived yet.
51. On 15 June 2021, Environment Court Judge L J Newhook issued Decision [2021] NZEnvc 082 regarding the timing and implementation of the NPSUD 2020. Judge Newhook states the following:

*“[29] The Court holds that it is not required to and will not be giving effect in this case to Objectives and Policies in the NPS-UD that are not requiring “planning decisions” at this time.”*
52. The Objectives and Policies that reference “planning decisions” are Objectives 2, 5 and 7, and Policies 1 and 6.
53. The decision is clear that other objectives and policies in the NPS:UD are not applicable, in particular Objective 3, Policy 3 and 4, which relate to intensification. Objective 3, Policy 3 and 4 of the NPSUD 2020 direct the level based on urban attributes. The implications of applying these policies before a ‘greater plan change’ initiated by the Council to the region as a whole, will mean the zoning of PC59 and its proposed provisions could become operative before the Council establishing the ‘greater’ NPSUD 2020 AUP amendments which will occur through Schedule 1 of the RMA.
54. Judge Newhook’s decision identifies that the Council [Auckland Council] is “...busy with workstreams”<sup>4</sup> which is underway. The Council as a Tier 1 Authority must implement changes before 20 August 2022, and this date has not been reached.
55. The Council has yet to determine its consideration of a walkable catchment. At the Planning Committee on the 2 July 2021, the Committee resolved that a walkable catchment of around 800m of a Metropolitan edge and 1200m from a city centre zone.

### **6.2.2. National Policy Statement on Freshwater Management 2020 (‘NPS:FM’)**

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<sup>3</sup> Page 30 Part 4:Timing of the Nation Policy Statement on Urban Development 2020

<sup>4</sup> Para 26 [2021] ENV-2020-AKL-079 Eden Epsom Residential Protection Society v Auckland Council

56. The NPS:FM has the overarching objective as follows:

*(1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:*

*(a) first, the health and well-being of water bodies and freshwater ecosystems*

*(b) second, the health needs of people (such as drinking water)*

*(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

57. The NPS:FW was approved by the government on 2 July 2020 and came into force on 2 September 2020. The applicant's section 32 report did not assess PC59 against these provisions.

58. Further information about the NPS:FW was provided after notification and, as of such, has not been considered in this evaluation report.

### **6.2.3. New Zealand Coastal Policy Statement 2010 ('NZCPS')**

59. Section 9.4.3 of the applicants' Plan Change Request, the NZCPS seeks to achieve the purpose of the RMA in relation to the coastal environment of New Zealand. The assessment of the NZCPS provided outlines the relevance of Objective 1 and Policy 23(4) of the NZCPS to the plan change request.

60. The applicant summarises that PC59 is consistent with the NZCPS and outlines the 'water sensitive design approach' for stormwater management at the site. In summary, the applicant considers that this approach will ensure stormwater is adequately treated and managed in terms of flow rates before being discharged into the Hauraki Gulf.

61. In my view, I consider PC59 will give effect to the NZCPS.

### **6.3. National environmental standards or regulations**

62. Under section 44A of the RMA, local authorities must observe national environmental standards in its district/ region. No rule or provision may duplicate or be in conflict with a national environmental standard or regulation.

63. The requirement under section 32 of the RMA relating to National Environment Standards (NES) is as follows:

*"32(4) If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect."*

64. There are six NES in force.

65. Section 9.5 of the applicants section 32 analysis provided detail on what NES documents are and are not relevant. This section states:

*"National environmental standards ('NES') are regulations that prescribe standards for environmental matters. There are currently six NES in force as regulations, but none of*

*these are relevant to the PPC. In respect of contamination it is noted that no evidence of contamination was found during the consent process or through any engineering investigative process. On this basis, no further regard needs to be given to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health or matters of soil contamination in respect of the Site.”<sup>5</sup>*

66. In regards to this statement and the fact the site has to obtain a resource consent for residential purposes which will include an investigation of ground contamination, I am satisfied that the NES for contamination does not need to be considered any further and will be specifically addressed at the consenting stage if necessary.
67. However, of the ‘Six NES’ in force, I consider that only National Environmental Standard on Freshwater Management (NES:FW) to be relevant to the proposed Albany 10 Precinct. The NES:FW came into force on 3 September 2020 which was after the date that Council received the Plan Change Request (5 May 2020) and after the first round for Further Information Request (01 July 2020).
68. This means that a consideration against the NES:FW was not made by the applicant; nor could the council request a consideration as there was no relatable clause 23 request in July connected to the NES:FW.
69. I do consider the NES:FW to be relevant as it could affect the proposal and its intention to be consistent with the applicants Master Plan, specifically the proposed work around rivers and wetlands on the site, which are illustrated on Precinct Plan 1 – Albany Features.

#### **6.4. Auckland Unitary Plan - Regional Policy Statement**

70. Section 75(3)(c) of the RMA requires that a district plan must give effect to any regional policy statement.
71. BEI Group Limited have provided an assessment against the objectives and policies of the AUP Regional Policy Statement (**‘RPS’**) in Section 9.9 of the Private Plan Change Request<sup>6</sup>. I have read the applicants assessment of the relevant RPS objectives and policies.
72. I agree with the following assessment (summary) of the RPS undertaken in the AEE/Section 32 assessment included in the plan change request:

*“It provides for rezoning of land within the Rural Urban Boundary that supports a quality compact urban form, through the provision of a range of transport modes, a small community hub, a well-connected open space network and local roading network and is integrated with the provision of infrastructure (B2.2.2(7) and B3.2.1).”*

*“The increased height of buildings enabled is consistent with a compact urban form and provides for a significantly increased efficiency in the utilisation of the land resource, promoting urban growth and intensification within the urban area B2.2.1(1) and B2.2.2(4) and (5).”*

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<sup>5</sup> Page 62 of the section 32 evaluation and assessment of environmental effects Prepared by Campbell Brown Ltd

<sup>6</sup> Page 69 Assessment of Environmental Effects and Section 32 Analysis, prepared by Campbell Brown Ltd, Dated 17 August 2020.

*“It provides for small scale non-residential activities to support the needs of the surrounding residential community (B2.4.1(5)).”*

*“It enables a small-scale centre in close proximity to a high intensity residential development (B2.5.2(4)(a)).”*

*“It will not undermine the sustainable distribution of existing retail centres in the wider surrounding area because the proposed community hub responds to a new area of intensive residential growth (B2.5.2(4)(b)).”*

*“It enables the effective, efficient and safe development of multiples modes of transport that enables the movement of people, goods and services and accessibility of the Site (B3.3.2 (2) and B3.352 (1)).”*

*“It not only maintains, but enhances indigenous biodiversity through restoration and enhancement of existing streams within the site through the identification and integration of streams and their habitats into the overall precinct and development layout. In addition, the proposal seeks to maintain significant existing trees within the site as identified on Precinct Plan 1 which contribute to biodiversity and native habitats. As noted within the Ecological Report, ‘[t]he planting plan required by the proposed provisions ([in accordance with the Appendix 16 guidelines of the AUOP(OP)]) for the Albany 10 Precinct means that additional planting will enhance the vegetation and habitat connectivity within and across the site, which will be a positive benefit for the ecological function’ (B7.2.1(2)).”*

*“It integrates the management of development and freshwater by ensuring the availability of infrastructure and managing the discharge of stormwater to ensure that adverse effects on the stream network are minimised through a water sensitive design approach that provides for treatment and appropriate hydrological recharge of the streams (B7.4.2(9) and B7.4.2 (1)).”*

*“It avoids adverse effects on the streams by making these areas part of the open space network and subject to ongoing use and maintenance as open space covenants and not subject to potential future development (B7.2.2(5)).”*

*“It provides a well-connected open space network, utilising riparian margins and stream banks, along with areas for informal recreation and community events (B2.7.2 (1), B2.7.2 (2) and B2.7.2 (9)).”*

*“It assists with addressing the current shortfall in the supply of housing in Auckland.”*

73. I have provided an assessment of the RPS against my recommendations in section 11 of this report.

## **6.5. Auckland Unitary Plan - District Plan**

74. The applicant has provided an assessment against the objectives and policies of the AUP(OP) district plan in section 9.10 of their section 32 assessment, and in particular the author(s) find that PC59 will not be contrary to the district plan provisions relating to:

### Chapter E Auckland-wide

- E1 Water quality and Integrated Management;
- E3 Lakes, Rivers, Streams and Wetlands

- E8 Stormwater – Diversion and Discharge
- E10 Stormwater Management Area – Flow 1 and 2
- E11 and E12 Land Disturbance – Regional and District
- E15 Vegetation Management and Biodiversity
- E36 Natural Hazards and Flooding
- E38 Subdivision Urban
- E27 Transport

#### Chapter H Zones

- H6 Residential – Terrace Housing and Apartment Buildings Zone

75. I agree with the assessment completed by the applicant for the reasons set out primarily in Section 10 of this report.

### **6.6. Other relevant legislation**

#### **6.6.1. National Planning Standards**

76. The Plan Change Request has provided an assessment against the National Planning Standards 2019. The purpose of the first set of national planning standards is to improve the efficiency and effectiveness of the planning system.

77. The Council is required to modify its planning documents within 10 years<sup>7</sup>, which will also require potential amendments to the AUP. I agree with the assessment provided under section 9.6 of the Plan Change Request that the Standards will have ‘no effect’ on this development. I consider that effect will be given by to the Planning Standards in the PC59 area when the greater change is made to the AUP that will be undertaken by the Council.

#### **6.6.2. Hauraki Gulf Marine Park Act 2000**

78. Section 9.7.1 of the Plan Change Request provides an assessment against The Hauraki Gulf Marine Park Act 2000 (HGMPA); and concludes:

*“The proposal is consistent with the purpose of the Hauraki Gulf Marine Park Act.”<sup>8</sup>*

79. I consider the assessment under section 9.7.1 to be sufficient and agree with the conclusion by the applicant.

### **6.7. The Auckland Plan 2050 (‘AP 2050’)**

80. Section 74(2)(b)(i) of the RMA requires that, in considering a plan change, a territorial authority must have regard to plans and strategies prepared under other Acts.

81. The AP 2050, prepared under section 79 of the Local Government (Auckland Council) Act 2009, is a relevant strategy document that council should have regard to in considering PC59, pursuant to section 74(2)(b) of the RMA.

82. The AP 2050 contains a 30-year high-level development strategy for the region which foresees managed expansion into the region’s future urban areas. The site affected by the private plan change request is located within the Albany ‘node’, to the west of the Albany Metropolitan Centre. The AP 2050 recognises that Albany has a strategic role as

<sup>7</sup> Section 17, National Planning Standards, November 2019

<sup>8</sup> Section 9.7.1, Page 66 Assessment of Environmental Effects and Section 32 Analysis, prepared by Campbell Brown Ltd, Dated 17 August 2020.



a node for growth in the north and is considered an area for significant residential and business growth and intensification.

83. Section 9.8 of the Plan Change Request provides an assessment of the proposal against the AP 2050. The section 32 assessment has identified that the plan change request is consistent with the following directions of the AP 2050:

Homes and Places Outcome:	<ul style="list-style-type: none"> <li>• Direction 1: Develop a quality compact urban form to accommodate Auckland’s growth</li> <li>• Direction 2: Accelerate the construction of homes that meet Aucklanders’ changing needs and preferences</li> <li>• Direction 4: Provide sufficient public places and spaces that are inclusive, accessible and contribute to urban living.</li> </ul>
Transport and Access Outcomes:	<ul style="list-style-type: none"> <li>• Direction 1: Better connect people, places, goods and services</li> <li>• Direction 2: Increase genuine travel choices for healthy, vibrant and equitable Auckland</li> <li>• Direction 3: Maximise safety and environmental protection</li> </ul>
Environment and Cultural Heritage Outcome	<ul style="list-style-type: none"> <li>• Direction 3: use Auckland’s growth and development to protect and enhance the natural environment.</li> </ul>

84. I consider a key consideration of the AP 2050 in regards to PC59 is the enabled growth of PC59 and the location in respect being located in the ‘Albany Node’<sup>9</sup> and the distance to the Albany Metropolitan Centre. The AP 2050 states:

*“By 2050, most growth will have occurred within this urban footprint, particularly focused in and around:*

...

- *Albany Node”*

85. Therefore, although PC 59 is located on the edge of the Albany node, the site is within the identified in AP 2050 as a growth node. I agree with the applicant’s conclusion that:

*“Overall, the PPC is consistent with the AP 2050 because it enables development within the Albany Node Area on a site with substantial capacity for residential development, and with the North Shore strategic public transport network on its doorstep. The proposal will contribute to a quality compact urban form. Furthermore, it provides for both low scale employment opportunities and housing on the one site, and the Site is*

<sup>9</sup> As identified by the Auckland Plan 2050

*served by sufficient existing or planned infrastructure to meet demand.”<sup>10</sup>*

86. In my view, the plan change request is consistent with the AP 2050 and I agree with the assessment set out in the evaluation report.

## **6.8. Non-statutory plans and strategies**

### **6.8.1. Upper-Harbour Local Board Plan**

87. The Upper-Harbour Local Board has documents relevant to the plan change site. PC59 request has considered two of these documents being:

- Upper-Harbour Local Board Plan 2017
- Upper-Harbour Greenways Plan 2019

88. The Upper-Harbour Local Board Plan 2020 became operative in October 2020 after the lodgement of the plan change request; and after the consideration of additional information.

#### Upper-Harbour Local Board Plan (UHLBP) 2017 and 2020

89. Section 9.12 of the Plan Change Request recognises the UHLBP 2017 and has ‘reviewed’ this document. The review identified the five outcomes but provides no analysis.

90. As the UHLBP 2017 has been superseded by the UHLBP 2020, I have provided an analysis of the 2020 plan below.

91. PC59 will assist in meeting some of the outcomes of the UHLBP 2020. Outcome 2 seeks an efficient and accessible travel network, with aspirations to improve sustainability and safety. I consider that the proposal contributes to this outcome by enabling a greater scale of residential development with 400m of a bus stop; and by being surrounded by active transport routes, whilst providing active transport options on site.

92. I consider the PC59 request is consistent with Outcome 3, which seeks to support healthy and active communities. PC59 contributes to this outcome by providing a multi-purpose area of open space at the centre of the plan change site (as identified on Albany 10 Precinct Plan 1). This area of open space will be privately owned, but the applicant has indicated that there will be public access.

93. Outcome 4 seeks that the unique natural environment is protected and enhanced. PC59 provisions seek to improve the local streams and provide water management strategies to minimize the effects on the Ōteha Stream and Upper Harbour. The proposal also includes developing the entire precinct to meet the ‘Green Start Community Rating Tool’ to a minimum of 5 star<sup>11</sup>. For these reasons, I consider the proposal to be consistent with Outcome 4.

#### Upper-Harbour Greenways Plan 2019 (UHGWP)

94. PC59 recognises the UHGWP in section 5.4 of the section 32 assessment. PC59 for a shared path on site that will run along Ōteha Stream, which is considered a critical off-

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<sup>10</sup> Section 9.8 Assessment of Environmental Effects and Section 32 Analysis, prepared by Campbell Brown Ltd, Dated 17 August 2020.

<sup>11</sup> A minimum of ‘5 star’ is determined by meeting Standard

road connection through Burnside Escarpment and Fernhill Escarpment to The Landing and Kell Park.

95. I consider the PC59 consistent with the UHGWP as it will provide shared/active modes of transport through the site. The applicant has indicated that this could be funded through the development. However this route is currently identified as being unfunded by the UHGWP and no funding agreements with the applicant have been established.
96. For the remaining infrastructure identified in the UHGWP (but outside of the PC59 area), the funding has yet to be determined and agreements on the level of contribution (if any) by the applicant still needs to be determined.

### **6.8.2 Section 32 evaluation**

97. Section 74 requires that district plan change must have particular regard to an evaluation report prepared in accordance with Section 32 of the Act.
98. Section 32 requires an evaluation report examining the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act; and whether the provisions are the most appropriate way of achieving the objectives.
99. The applicant has prepared an assessment against Section 32 to demonstrate that the provisions are the most appropriate way to achieve the objectives of the plan change and district plan and achieve the purpose of the RMA. This is contained in Section 8.0 of the Plan Change Request. Some of my key observations of the options considered are:
- Option 1 – Adopting a ‘do nothing’ approach/retain the status quo; would provide approximately 500-600 dwellings which would likely be two storey detached and attached. This would keep the operative AUP Albany 9 Precinct on the site, which was established for Massey University purposes. However as Massey University has sold the site, the Albany 9 Precinct is now redundant.
  - Option 2 – deleting the AUP Albany 9 Precinct (Sub-Precinct C) overlay that applies to the land but retaining the Mixed Housing Suburban zoning. This option would result in similar outcomes to Option 1 but not enable non-residential activities that are currently provided for in the operative AUP Albany 9 Precinct.
  - Option 3 - Apply a mix of residential zonings and a Neighbourhood Centre zone. This option uses a mix of zones already established in the AUP to achieve an integrated development outcome. This would result in approximately 1,000 - 1,200 dwellings. This is a high number of dwellings enabled on the site,
  - Option 4 - re-identify the land as THAB zone but also introduce a new Precinct with a number of site - specific provisions. This option provides a greater level of intensity and density for the site as a whole. This allows for a new precinct to be implemented and is expected to provide positive environmental outcomes on site (open space and community areas).
100. Section 8.5 of the Plan Change Request, in my view appropriately summaries the options assessed and provides an evaluation of why option 4 is preferred by the applicant. In my view, I agree with the applicant that Option 4 will achieve the purpose of the RMA.

## 7. CONSULTATION

### Mana Whenua

101. S32(4A) of the RMA sets out the following:  
*“(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*  
*(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*  
*(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.”*
102. ‘Under S32(6) ‘proposal’ means a proposed plan.
103. In my view, for s32(4A) to be met, the proposal needs to be provided to iwi prior to notification so that feedback can be provided and included in the assessment of the options.
104. As part of the initial site investigations, the applicant advises that they have engaged with following Mana Whenua groups:
- a. Ngāti Whātua o Kaipara
  - b. Ngāi Tai ki Tāmaki
  - c. Ngāti Manuhiri
  - d. Te Kawerau Iwi Tribal Authority
  - e. Ngāti Maru Rūnanga Incorporated
  - f. Ngāti Paoa Trust Board
  - g. Ngāti Paoa Iwi Trust
  - h. Ngāti Tamaterā Settlement Trust
  - i. Ngāti Te Ata
  - j. Ngāti Wai Trust Board
  - k. Ngāti Whanaunga Incorporated
  - l. Ngāti Whātua Ōrākei Trust
  - m. Te Ākitai Waiohua Iwi Authority
  - n. Te Rūnanga o Ngāti Whātua
105. The applicant identified that representatives from Te Kawerau ā Maki, Ngāti Manuhiri Settlement Trust, Ngāti Whātua o Kaipara and Ngāi Tai ki Tāmaki were invited to participate in the development of the masterplan in December 2019.
106. Ngāti Paoa Iwi Trust deferred to the interests of Ngāti Whatua o Kaipara.
107. A hui was held on 31 January 2020 to introduce Mana Whenua representatives to the site, the owner, the design team and the project. The technical reports for the project were issued to Mana Whenua to review. The key themes discussed at this hui were:
- a. sustainable development and the understanding of the term;
  - b. discussion on raingardens and ongoing maintenance;
  - c. ecological enhancement in the area;
  - d. positive opportunities that could come from the proposed private plan change.
108. A second hui was held on the 9 March 2020 to discuss the proposals more fully and for representatives to provide their initial feedback on the draft reports. The key themes responded to have been discussed at this hui were:

- a. an overview of the Master Plan which included the opportunities regarding onsite stream ecology, Fernhill Escarpment and Days Bridge Esplanade Reserve;
  - b. discussion around the extent to which the precinct would connect to existing walking tracks and pedestrian networks;
  - c. building heights and how they would be staggered across the precinct to respond to the site context;
  - d. the Ngāti Whātua o Kaipara representative expressed the interest in having input on the design of the central park, and encouraged planting that would attract the right type of bird life;
  - e. the integration of the Green Star Community Rating Tool;
  - f. the prepared reports on ecology and water quality.
109. A third hui was held on 16 April 2020 remotely due to Covid-19 Level 4 restrictions. This hui focused on detail of ecology, stormwater and the Green Star Communities rating tool.
110. Mana whenua have expressed that their role as kaitiaki of the Ōteha Stream and its tributaries is of fundamental importance for this site.
111. Of the Mana Whenua who participated in the engagement, Ngāi Tai ki Tāmaki and Ngāti Manuhiri Settlement Trust have prepared Cultural Values Assessments (CVA).
112. It should also be noted that the applicant has considered a CVA that was prepared based on an earlier proposal for the subject site. The applicant has also referenced and considered the Māori Plan for Tāmaki Makaurau within the section 32 evaluation report.
113. Appendix R of the section 32 evaluation report summarises the responses received from mana whenua and other consulted parties.

#### *Community Engagement*

114. The applicant presented to the Te Poari ā-Rohe o Local Board (Upper-Harbour Local Board) on 13 February 2019, and gave the local board the opportunity to provide feedback. The summary provided by the applicant indicated the local board acknowledged the significance of the site and provided input on parking and their concerns about local school capacity with this proposed growth.
115. On the 25 July 2020, the applicant held an information day for the surrounding neighbours, to introduce and explain the proposed development. The applicant indicates in the section 32 assessment that the feedback received were neutral or positive, with some residents expressing concerns about the changes.
116. The applicant also set up meetings with the following stakeholders:
- a. Auckland Council
  - b. Ministry of Educations
  - c. Chorus
  - d. Vector
  - e. Watercare Services Limited
117. A summary of consultation undertaken in preparation of PC59 is provided in the 'Section 11.0 of the section 32 evaluation report, attached as **Appendix 2** to this report.

## **8. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT**

118. Clause 22 of Schedule 1 to the RMA requires private plan changes to include an assessment of environmental effects that are anticipated by PC59, taking into account the Fourth Schedule of the RMA.
119. An assessment of actual and potential effects on the environment (“AEE”) is included in the Section 32 Evaluation Report. The submitted Plan Change request identifies and evaluates the following actual and potential effects:
- Effects on Mana Whenua
  - Urban design effects
  - Landscape -
  - Economic effects
  - Transport and Traffic effects
  - Geotechnical effects
  - Stormwater, Flooding, Watersupply and Wastewater Capacity effects
  - Effects on Freshwater
  - Ecological effects
  - Social Effects
120. A review of the assessment of effects and AEE and supporting documents, taking into account further information provided pursuant to Clause 23 to Schedule 1 RMA, is provided below.
121. Please note, all references below to specific provisions in Albany 10 Precinct and Precinct Plans 1 – 4 are as notified.

### **8.1. Effects on Mana Whenua**

122. Of the Mana Whenua who participated in the engagement, Ngāi Tai ki Tāmaki and Ngāti Manuhiri Settlement Trust have prepared Cultural Values Assessments (CVA).
123. Matters raised in the Ngāi Tai ki Tāmaki CVA are:
- a. the importance of Ōkahukura/ Lucas Creek and the Ōteha Stream and its tributaries on the Site;
  - b. the importance of retaining the native trees;
  - c. the presence of taonga;
  - d. the effects on biodiversity, both terrestrial and marine species;
  - e. the effects on Fernhill Escarpment;
  - f. the impact on Ngāi Tai Ki Tāmaki during the development period.
124. Ngāi Tai ki Tāmaki also advocated for ongoing Cultural Inductions to educate staff, contractors and visitors of the cultural values of the site.
125. Ngāi Tai ki Tāmaki provided a CVA for the resource consents on site. This CVA (dated November 2019) was used when the precinct provisions were designed. Ngāi Tai ki Tāmaki also provided an Addendum Report Cultural Values Assessment (6 July 2020) and confirmed this covers the variation of matters between the consent and the private plan change.

126. The CVA Addendum indicates that Ngāi Tai ki Tāmaki are supportive of the proposal's protection of streams and restoration of the wetland, in comparison to the approved consent which is to remove or reclaim.
127. The CVA provided by Ngāti Manuhiri provides the views, interests and areas of advocacy. The Ngāti Manuhiri CVA identified that Okahukura (Lucas Creek) is an important portage route originating from Ōkura/Long Bay. The CVA outlined key aspects in the area and provided a number of recommendations.
128. Bei Group Limited have provided a response to the recommendations provided by Ngāti Manuhiri. The responses, which can be found under Appendix R of the section 32 evaluation report, include how the recommendations will be achieved in the provisions and areas to explore for the future development of the precinct, being the design and consenting stage.
129. In regards to concerns raised by mana whenua, the following topics below address the environmental effects raised relating to Fernhill escarpment, Lucas Creek and Oteha Stream:
- a. 8.3 Landscape visual effects;
  - b. 8.4 Stormwater, Flooding, Watersupply and Wastewater Capacity Effects
  - c. 8.5 Ecological effects
130. Section 9.10.3.5 of the Section 32 evaluation makes the following statement:
- “the proposal seeks to maintain significant existing trees within the site as identified on Precinct Plan 1 which contribute to biodiversity and native habitats.”<sup>12</sup>*
131. This statement is backed by Standard I552.6.14.3 (2) Subdivision standard for open space areas, which contains:
- “(2)The first subdivision application must include an open space development plan for all areas of open space in the precinct which details the existing and proposed development, the existing trees to be retained in accordance with Albany Precinct Plan 1 – Features plan”*
132. The remaining matters raised by mana whenua can be addressed at a future resource consent stage.

## **8.2. Urban Design**

### Application

133. Effects in relation to urban design matters are addressed in Section 10.1 of the Plan Change Request and in an Urban Design Assessment (the “UDA”) prepared by Boffa Miskell Limited dated 8 May 2020.
134. The application makes the following observations:
- a. The Site is an appropriate location to provide quality, more intensive living opportunities within the Albany node;
  - b. The plan change seeks to ensure that a quality built form is achieved through the use of Albany 10 Precinct; ensuring the plan change establishes a strong framework of open space, ‘important’ visual connections and well-connected walking and cycling network;
  - c. Through the application of standards and assessment criteria, the proposed Albany 10 Precinct appropriately manages the adverse amenity effects

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associated with the design of buildings and layout of development and open spaces within the Precinct;

- d. The proposed height of the buildings and the potential adverse effects of shading, including internal shading within the precinct area, bulk, privacy, outlook, sunlight requirements and dominance are appropriately managed either by the precinct provisions and/or THAB zone provisions

#### Specialist Review

135. Urban design effects have been reviewed for the Council by Ms Rebecca Skidmore, R.A. Skidmore Urban Design Limited, attached in **Appendix 4** to this report.
136. Ms Skidmore considers that the methodology undertaken by the applicant to assess urban design effects, with references and clear linkages between the UDA, Master Plan and Design Report to the Albany 10 Precinct provisions. Ms Skidmore agrees with the overall summary and conclusion set out in the UDA. PC59 and the suite of provisions appropriately enable establishing a denser, more diverse and vibrant development pattern within the Albany node.

#### Assessment

137. As stated by Ms Skidmore, the Plan Change Request will enable a considerable change from the existing environment enabled by the current zone and precinct provisions. The key urban design issues are as below.

#### *Relationship to Wide Context*

138. Before acceptance of PC59 under Clause 23 Schedule 1 RMA, the applicant included in their response a diagram identifying the distance to a number of Albany features from the plan change site. In relation to PC59, the following features were identified to support the level of development:
  - a. North Harbour Stadium 1.7km
  - b. Albany Mega Centre 1.9km
  - c. Westfield Albany 2.4km
  - d. Albany Bus Station 2.8km
139. Importantly the distance from the northern edge to the closest edge metropolitan centre zone (Albany Metropolitan area) is approximately 800m – 1000m, depending on the route taken. As identified by Ms Skidmore, the NPS:UD has recently come into effect and sets out a number of objectives to be achieved. A key policy, Policy (3)(c) of the NPS:UD directs district plans to enable building heights of at least 6 storeys within at least a 'walkable catchment'.
140. I agree with Ms Skidmore's view that an 800m radius represents 10 minutes walking distance, and I agree that Albany's metropolitan centre zone could be said to be just within a walkable catchment. I would not consider the Albany Bus Station to be within a walkable catchment.
141. I agree with the assessment that Ms Skidmore has made in regards to a number of features that make it suitable to accommodate an intensive form of development, giving effect to the NPS:UD and RPS, being:
  - a. The marginal walkable distance to the Albany Metropolitan Centre zone edge;
  - b. The provisions for a 'community hub' embedded within the Precinct site;



- c. The Site identified under the Auckland Plan 2050 as a growth node;
- d. The large scale single ownership and the opportunity this presents to create well-functioning urban environment.

#### *Urban Structure*

142. I agree with Ms Skidmore that the detailed framework set out in the precinct plans will better ensure a suitable urban structure is created for this Site than may be achieved by applying a zone structure without a precinct. I also agree that the specific provisions within the precinct are helpful to ensure an urban structure is established that can support the scale and intensity of development proposed to protect and relate well to a number of key site and context features.
143. I also share Ms Skidmore concerns that this specificity of the precinct plans may present implementation problems if the land ownership of the Site becomes fragmented. My view on this matter is that the Albany 10 Precinct needs to be 'watertight' in meeting the precinct objectives and outcomes sought through the master planning processes. I consider the risk of land fragmentation falls on the landowners, and if future land wishes to develop the Site in an alternative manner to which Albany 10 Precinct Plan enables, a future plan change may be required.

#### *Development Scale and Form*

144. I understand that the scale and form of the development are related to the enabled building height, bulk and shadowing to the neighbouring properties across Albany Highway. The Precinct will enable building heights from 3 storeys up to 10 storeys and a 'nuanced approach' to distribute the building height and form across the precinct to limit these effects on the neighbouring properties.
145. During the Clause 23 stage before PC59 acceptance, further information was sought to clarify why buildings up to 35 meters in height in Area 3<sup>13</sup> and why 19 meters was determined as a suitable height for additional set-back. Ms Skidmore agrees with the explanation that accompanied the UDA explanation. In my view, the proposed heights and standards managing the effects associated with the enabled development scale and form of PC59, have been sufficiently justified, and Albany 10 Precinct has sufficient consideration to manage the associated effects.
146. Ms Skidmore has a concern about the building coverage threshold for detached or attached housing, which is proposed at 65%. Although Ms Skidmore is satisfied with the high-intensity style buildings, which are supported by a high level of open space, her concerns relate to the controls for detached and attached housing that will result in poor relationships between dwellings.
147. Ms Skidmore has identified that further design testing is needed to demonstrate that suitable amenity outcomes can be achieved, and until so, recommends that the building coverage percentage is lowered to 50%. I understand Ms Skidmore's concerns, and agree this information would be useful to allow for Standard 'I552.6.4 Maximum building coverage, impervious area and landscaping' to allow for building coverage up to 65%. I consider the applicant should address this in their evidence.
148. As the achievement of these amenity values have a level of uncertainty, I support reducing building coverage in areas of detached and attached housing to 50% in Albany

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<sup>13</sup> Area 3 of Albany 10: Precinct Plan 3 – Height and building coverage control area

10 Precinct. This is consistent with the Mixed-housing Suburban and Mixed Housing Urban zones of the AUP.

149. The proposed Albany 10 Precinct includes a number of controls that relate to the built form of the buildings and the way that they interact with the adjacent streets and other open spaces. These controls are alternative to what is operative in the AUP and are site-specific. These provisions are considered necessary by the applicant to manage the effects enabled by the PC59 provisions. These include provisions that relate to:
- a. Maximum building dimensions and separation (above 19m);
  - b. Building setback at upper levels (above 19m);
  - c. Wind effects;
  - d. Boundary walls; and
  - e. Special frontage and height controls.
150. All new buildings will require resource consent as a restricted discretionary activity in the plan change area. These consents will be assessed by applying the THAB provisions or the additional proposed precinct standards, matters of discretion and assessment criteria provided in Albany 10 Precinct. I consider this an appropriate method to manage the effects enabled by the PC59.
151. I agree with Ms Skidmore's concluding statement concerning the Development Scale and Form that PC59 will enable a considerable change. However, Ms Skidmore considers that this change is of a scale and form that relates well to the site, and assessment of the Albany 10 Precinct provisions at the time of resource consent processing will manage the effects to ensure sustainable outcomes.

#### *Connectivity*

152. Precinct Plans 1 – 4, which development is required to be in general accordance with through the resource consent process, provides the plans illustrating accessibility into and around the site. I agree with Ms Skidmore's view that the proposed precinct plan integrates the various aspects of development and sets out a clear framework for the outcomes sought.
153. However, I share the view of Ms Skidmore that access through the site, specifically the shared paths (walking and cycling) identified in Precinct Plan 2 should include in their Plan keys an annotation that they are publicly accessible, this addition would be consistent with the open space standard. Accessibility to the open space and shared paths is a key concern noted in the submissions and in the Upper-Harbour Local Board feedback.

#### *Open Space Network*

154. An observation of the UDA and Ms Skidmore's assessment is the identified area for open space on Precinct Plan 1, which acts as a central park that supports the community in the manner of function and use.
155. I am satisfied with the UDA and Ms Skidmore assessment of the open space network, and I also agree with the assessments about open space provided by the applicant.
156. In my opinion, like similar positive outcomes raised in the urban design assessment, there are risks associated with the landownership changing in the future. However, I do consider that this 'future administrative' issue can be managed through clear and certain precinct provisions.

### *Residential Amenity*

157. I understand from Ms Skidmore's assessment that for the level of development enabled by PC59, appropriate methods have been integrated into the Albany 10 Precinct to provide sufficient amenity. These methods provide the ability to manage development so that the level of the effects on residential amenity beyond those that the THAB provisions cannot manage, being the additional development scale, built form and urban structure.
158. I am therefore satisfied that matters relating to residential amenity have been sufficiently considered within the proposed PC59, subject to my recommendation in Attachment 5.
159. Therefore, I am satisfied that the AUP(OP) provisions, as proposed to be amended by PC59 and subject to the amendments outlined in **Attachment 5** to this report, will adequately address potential adverse effects arising from built form outcomes and urban design.

### **8.3. Landscape and Visual Effects**

#### Application

160. Landscape and visual effects are addressed in Section 10.1.4 of the Plan Change Request and in the Landscape and Visual Effects Assessment (LVEA) dated May 2020 prepared by Boffa Miskell.
161. The applicant's landscape and visual effects assessment when considering the development of the PC59 site can be summarised as:
- a. The Site provides an opportunity for growth within the Albany Node as identified by the Auckland Plan 2050;
  - b. The Site is not significant in relation to landscape and visual values;
  - c. The main landscape attribute is the eastern backdrop of the site being the Days Bridge Esplanade Reserve and Fernhill Escarpment.

#### Specialist Review

162. Landscape and visual effects have been reviewed for the Council by Ms Skidmore, R.A. Skidmore Urban Design Limited, attached in **Appendix 4** to this report.
- a. Ms Skidmore agrees with the assessment and conclusions reached by Boffa Miskell and the applicant because the methodology set out in Section 2 of the LVEA is in accordance with:
    - i. New Zealand's Institute of Landscape Architects Best Practice Note: Landscape Assessments and Sustainable Management (10.1); and
    - ii. Auckland Council's Information Requirements for Assessment of Landscape and Visual Effects (September 2017).
163. I agree with the following points raised in Ms Skidmore's peer review:
- a. That the overall conclusion set out in Section 7 of the LVEA that the PC59 site is well-positioned to accommodate a built form that supports greater density and diversity of development;
  - b. The proposed plan change provisions include well-considered precinct provisions that manage landscape and visual effects;

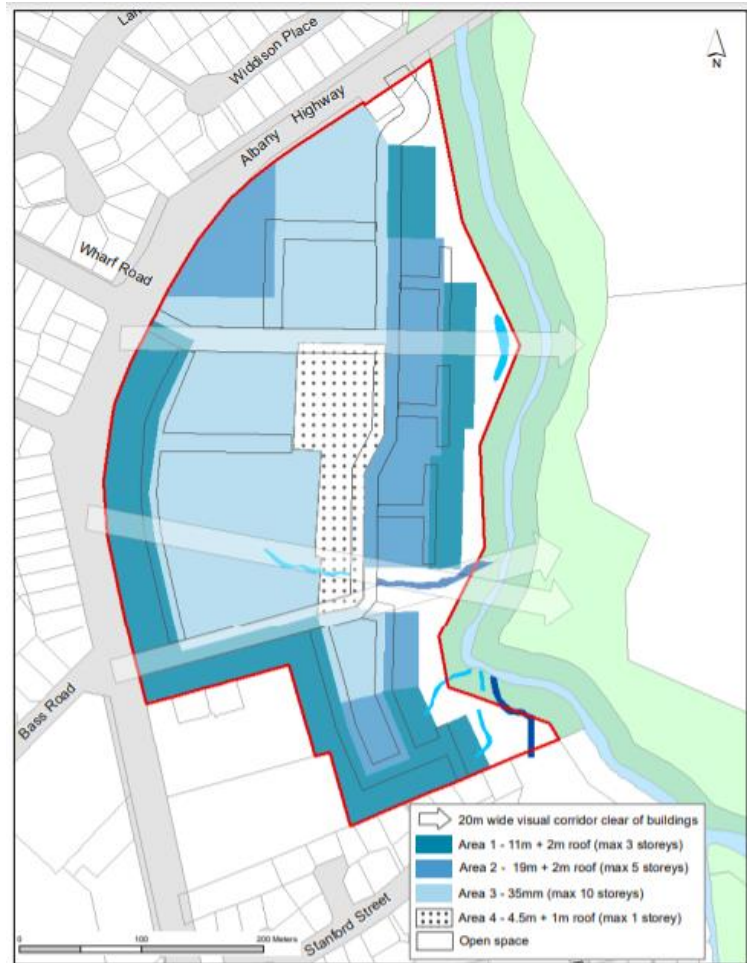
- c. The enabled development responds to and maintains a connection with the natural landscape attributes of the site and its wider context.
- d. PC59 will create a quality intensified residential development within the Albany Node as identified in the Auckland Plan 2050.

#### Assessment

164. Ms Skidmore generally agrees with the overall findings of the LVEA analysis and conclusions regarding potential landscape and visual effects. I agree with Ms Skidmore's position. Following is further detail regarding the analysis provided.

#### *Landscape Effects and Neighbourhood Character*

165. The key landscape feature affected by the level of development enabled by PC59 is the Fernhill Escarpment and views to it. This is an important topographical feature that forms part of the broader series of hills in the wider urban landscape.
166. Before the Plan Change request was accepted, a Clause 23 request sought further analysis of the proposed height strategy and its relationship to the surrounding escarpments. The Clause 23 response provided greater clarity and analysis of building heights in relation to the Fernhill Escarpment. Ms Skidmore indicates that the proposed precinct provisions will enable building heights that are considerably higher than the escarpment. Ms Skidmore concludes that the distribution of height across the Site with a generous setback of Height Area 3 (with lower height limits closer to the escarpment) provides a suitable transition to the landform. Please refer to figure 2 of Precinct Plan 3 – Height and building coverage control below that demonstrates the distribution of height areas in relation to the Fernhill Escarpment.



**Figure 2 Precinct Plan 3 - Height and building coverage control**

167. Ms Skidmore is satisfied that the Masterplan provides a clear analysis of the Site's relationship to the surrounding context, which has been appropriately assessed. It is also concluded by Ms Skidmore that the detailed provisions proposed for the precinct suitably manage the effects and, importantly, give effect to the RPS of the AUP, specifically what Ms Skidmore considers a key RPS objective, B2.2.1(1) which is as follows:

*B2.2.1 (1) A quality compact urban form that enables all of the following:*

- (a) a higher-quality urban environment;*
- (b) greater productivity and economic growth;*
- (c) better use of existing infrastructure and efficient provision of new infrastructure;*
- (d) improved and more effective public transport;*
- (e) greater social and cultural vitality;*
- (f) better maintenance of rural character and rural productivity; and*
- (g) reduced adverse environmental effects*

168. I agree and adopt with Ms Skidmore views.

#### *Visual Amenity Effects*

169. My view of both the Boffa Miskel LVEA assessment and Ms Skidmore's review is as follows:

- a. The proposed plan change provisions will enable a significant level of change in comparison to the existing Site and surrounding suburban characteristics;

- b. The analysis completed to date is at a policy level, and a more detailed assessment of the specific development proposal(s) can occur at the resource consent stage;
  - c. The timeframe for the build-out is over 10 – 20-years which will provide a gradual transition/evolution;
  - d. The Albany 10 Precinct will enable a development pattern that creates a visual 'landmark' in the wider urban environment.
  - e. Visual corridors have been integrated to 'strengthen' the visual connection through the development towards the Fern Hill Escarpment.
170. I agree with Ms Skidmore's view that the most sensitive group affected by the changing visual landscape will be those living in the immediately surrounding lower density residential neighbourhood residents. I also agree with Ms Skidmore's view that the final built form, which will be highly visible from the surrounding area, will be managed by the Albany 10 Precinct provisions and will reduce adverse visual effects.
171. I am satisfied with Ms Skidmore's opinion that visual corridors within the precinct will provide a meaningful visual connection to the landscape feature that is Fernhill Escarpment and contribute to the precinct's amenity by maintaining a visual connection from the Albany Highway.
172. Therefore, I am satisfied that the AUP(OP) provisions, as proposed to be amended by PC59 and subject to the amendments outlined in **Appendix 5** to this report, will address potential landscape and visual effects.

Submissions on Urban Design, Landscape and Visual Effects

173. Ms Skidmore has provided a review of the submissions where these matters raise relevant to urban design, landscape and visual effects considerations. This assessment has been integrated into Section 10 below.

*Summary and Recommendations*

174. In summary, after reviewing PC59, considering the submissions and supporting technical documents, Ms Skidmore has the following recommendations:
- a. The applicant provides further analysis at the hearing to demonstrate that an appropriate interface and transition to Albany Highway at the northern end of the Site will be achieved;
  - b. Amend the maximum building coverage for detached or attached housing to 50%;
  - c. Include clarification in the Precinct Plan 2 key that the shared path (pedestrian /cycle) is publicly accessible; and
  - d. Amend the shading assessment criteria for new buildings and additions to include specific reference to the guidance provided in the Auckland Design Manual for achieving reasonable sunlight access in mid-winter.

**8.4. Economic**

Application

175. Economic effects are addressed in Section 10.3 of the section 32 evaluation report and the separate report entitled 'Economic Assessment of Proposed High-Density

Residential Development in Albany' dated 7 May 2020 prepared by Fraser Colegrave at Insight Economics Ltd.

176. The Economic Assessment, section 32 evaluation and PC59 has been reviewed by Shyamal Maharaj of the Councils Chief Economist Unit, Auckland Council.
177. Mr Maharaj has provided in his assessment two main contextual observations, which are:
  - a. Auckland has a housing affordability problem
  - b. Multi-unit dwellings are more affordable than stand-alone dwellings, all else equal;
178. He also provides comment on PC59, and concludes that:
  - a. The proposed higher-density multi-unit development contributes to Auckland's goal of a compact urban form by using land more efficiently;
  - b. The proposed development is a more efficient use of existing bulk infrastructure in this area;
  - c. There will be no material negative economic impact on the nearby Albany Metropolitan Centre.

#### Peer review

179. Mr Maharaj's review considers that the assessment could benefit from providing a better sense of scale of the relative benefits and the costs. However, the following statement was also provided by Mr Maharaj:

*"Auckland has a worsening housing affordability problem, and housing shortage of at least 25,000 dwellings. The proposed development helps overcome these problems, in a way that uses the land and existing infrastructure far more efficiently than it currently does for housing. Any arguments against the levels of density being proposed should demonstrate they have considered the specific trade-offs being made by relegating the land to less efficient use for the next 30 to 50 years, in the middle of a housing affordability and supply crisis."*

180. My interpretation of this statement is Mr Maharaj general support for PC59.

#### Assessment

181. Mr Maharaj's assessment has been broken down into four topics, being the economic impacts of:
  - a. Transport/congestion
  - b. Density/height/zoning
  - c. School capacity
  - d. Infrastructure

#### *Economic impacts of transport/congestion*

182. The assessment by Mr Maharaj sets out the economic impacts of the increased transport, and considers that the additional congestion created on the transport network and that that needs to be balanced against the benefits of the PC59 location and its access to:
  - a. Nearby jobs (being the Albany Metropolitan Centre and Albany Village);
  - b. Goods and services.

183. The balance falls on the adverse effects on the transport network and the level of disruption on existing neighbouring properties caused by PC59 and the wider Auckland need to overcome the social challenges associated with a housing affordability and supply crisis.
184. Mr Maharaj indicates in their assessment that a level of disruption due to PC59 needs to be evaluated against the benefits of the development, both short and long term. Transport effects are discussed and assessed in section 8.6 below, and in my view, the effects of transport/traffic need to manage to an appropriate level.

#### *Density/height/zoning*

185. Mr Maharaj's has assessed the level of proposed development enabled by PC59. In summary, Mr Maharaj considers that when an area of land is 'up zoned' land values increase. However, the individual cost to the buyer is lower as with greater density the costs are distributed across more housing units, and each pays a smaller share of those costs.
186. In conclusion, I accept Mr Maharaj's assessment of the economic effects of density, height and zoning and agree that PC59 is acceptable if there are supporting services and amenities.

#### *Infrastructure*

187. Regarding the infrastructure and its associated costs, Mr Maharaj considers that even though there are likely to be significant construction costs for infrastructure, denser development enables the more efficient use of existing urban infrastructure. As indicated above, higher density land use enables a greater distribution of costs across more dwelling units meaning that individual house costs are reduced. Therefore, PC59 is a more efficient and effective use of the land.
188. While Mr Maharaj has indicated that there will be significant costs associated with the development, he considers that this is not a reason to reduce the density of development. Mr Maharaj considers that this would be an inefficient use of the Site, which is close to amenities and transport links.
189. I agree with Mr Maharaj's statement in part. In my view, I agree that a higher dwelling density is a more efficient use of the land, however while infrastructure costs and transport management costs increase with greater density, in my view the environmental effects associated with enabled growth also need to be managed.

#### Submissions

190. In regards to the submissions received, no submission made specific reference to 'economic effects'.
191. The general submissions have been addressed in Section 10 below.

#### Conclusion

192. In summary, Mr Maharaj considers the following:
- a. *"On balance of the considerations presented in the Assessment of Economic Effects, it is our opinion that the effects on the environment related to economic effects are likely to be net positive."*



- b. *“This private plan change contributes toward achieving the Auckland Plan 2050 goals and associated benefits of a “Compact Urban Form” by adding 1800 dwellings to a growing urban population in the Albany area near to existing amenities and transport links.”*
  - c. *“While the economic assessment does not strictly report on the costs and benefits of the proposed plan change, which would make the analysis much easier for the decision maker, the assessment presented captures enough of the positive impacts for us to conclude that the benefits are very likely to outweigh the costs.”*
  - d. *“Overall recommendation: The Chief Economist Unit supports the private plan change.”*
193. I accept the conclusion and recommendation from Mr Maharaj, and no amendments are required to be made to the provisions as proposed to respond to the matters raised in this section.

## **8.5. Transport/Traffic**

### Application

194. Transport and Traffic effects are addressed in Section 10.4 of the Plan Change Request and in the Integrated Transportation Assessment Report (ITA) dated 6 August 2020 prepared by Commute Transportation Consultants.
195. Transport and Traffic have been reviewed on behalf of Council by Mr Don McKenzie of Stantec New Zealand Limited, and this review is attached in **Appendix 4** to this report. Observations by Mr McKenzie about the ITA are:
- a. Compared to the status quo, the land-use change is considered to be a high-intensity traffic-generating activity compared to the existing activities;
  - b. PC59 seeks to introduce a range of precinct specific measures to manage the site specific effects and the wider transportation network effects.
196. To manage the transport effects enabled through PC59, Albany 10 Precinct includes provisions and a series of infrastructure thresholds to address potential adverse effects through the different stages of development. These tools include:
- a. Objective (9) and Policies (10), (11), (12) to reduce car reliant transport, which promotes active transport outcomes;
  - b. Objective (14), (15) and (16); and policies (15) – (20) to manage infrastructure delivery;
  - c. A requirement for subdivision and development to be consistent with infrastructure upgrades and Precinct Plans 1- 4;
  - d. Standards which manage parking, transport development thresholds, key roading and access; and
  - e. Matters of discretion and assessment criteria.
197. Mr McKenzie’s assessment has identified five key transport issues associated to the Plan Change Request, which are:
- a. The sites access to transport alternatives, including future accessibility, once improvements to the transport network are implemented;
  - b. The ability of the existing road network to accommodate additional traffic movements enabled by the Plan Change Request and generated by the proposed future development scenario;

- c. The appropriateness of the Plan Change structure and format relating to future stages and phases of development, and the supporting transportation assessment to ensure timely delivery of transport improvements to accommodate the future growth;
- d. Whether the onsite parking provided is sufficient and whether it is appropriate for this to be detailed at a future resource consent stage(s) or if it should be assessed within the current plan change process; and
- e. The ability of the development enabled by PC59 to be consistent with and to encourage key regional and district transport policies.

### Peer Review

198. Mr McKenzie's peer review covers nine general topics, of which are as follows:

- a. The existing transport environment
- b. Trip generation
- c. Assessment of effects -Modelling
- d. Parking
- e. Access

### *Existing Transport Environment*

199. Mr McKenzie has identified that the methodology taken in terms of the applicant's assessment of the existing transport environment is appropriate. Mr McKenzie agrees with the assessment that the development is not expected to significantly affect the operation of the nearby intersections within the context of the threshold rules included in the Albany 10 Precinct. However, this is conditional on the outcome of the future Integrated Transport Assessments and accompanying traffic modelling that will be required at the resource consent stage. I agree with Mr McKenzie's position.
200. It has been identified in the applicant's ITA that the following existing transport infrastructure supports the Plan Change Request:
- a. The site is well connected with regards to road connectivity to the wider Auckland region;
  - b. The site is considered to be well connected to public transport; and
  - c. The site is excellently connected to local transport hubs, schools and commercial/retail facilities.
201. Mr McKenzie agrees with points (a) and (c) above but not (b). The applicants ITA identifies that Bus Route 917 goes along Albany Highway, via the Albany Town Centre and through the Albany Metropolitan with a stop at the Albany Bus Station. This service has a morning and evening peak hour focus.
202. Mr McKenzie considers that this route is disadvantaged by negotiating the Albany area and does not provide a direct connection between the Plan Change area and the Albany Bus Station. This affects patrons' access to Auckland's CBD and the wider metropolitan area. I agree with Mr McKenzie's view of (b).
203. Albany 10 Precinct attempts to mitigate transport effects is via a private shuttle service, restriction on dwelling density and limiting the number of car parks in the precinct. Further assessment on these matters is provided below.
204. Mr McKenzie has identified a concern that the transportation modelling has not supported the maximum residential development of up to 1800 dwellings. This concern

is based on the extent of intersection upgrading signalled in support of 770 dwellings. Mr McKenzie's view is that there are broader implications, such as significant network improvements beyond that anticipated within the ITA and supporting modelling has not been done for dwelling numbers beyond 930 (or 600 vph).

205. I agree and adopt Mr McKenzie's concerns which are discussed in the assessment section below.

*Trip generation*

206. The ITA has relied upon the Census 2018 and has completed traffic modelling and two traffic counts conducted in peak periods during May 2018. The ITA states that the number of dwellings or scale of the retirement village is uncertain at this stage and that, accordingly, the anticipated trip generation cannot be calculated.<sup>14</sup>
207. Mr McKenzie disagrees with this modelling assumption and considers that the trip generation assessment needs to consider the potential level of development enabled by PC59 to enable the appropriate assessment of the traffic effects and, where necessary, provide appropriate mitigation measures. I agree with Mr McKenzie's statement and adopt it as my own. In my opinion, to enable the level of development proposed by PC59, it is necessary to understand potential effects on the wider network of the full build-out at the plan change stage. This also ensures that infrastructure is considered and delivered at an appropriate time to ensure the transport outcomes anticipated are able to be practically achieved.
208. Mr McKenzie has provided two solutions in addressing this matter. These being:
- a. A "maximum" dwelling yield of 930 dwellings. This is based on medium density residential dwellings enabled by PC59; or
  - b. An equivalent maximum car parking provision to restrict the total number of car parking spaces, which will likely reduce trip generation.
209. In my view, the total number of dwellings is dependent on the balance of all effects. Section 10 below provides my recommendations for managing these effects.

Assessment

*Modelling Summary*

210. The Revised ITA has assessed the Albany Highway / Wharf Road and Albany Highway / Bass Road signalised intersections during the morning and afternoon peak hour periods. These are broken into three scenarios:
- a. Existing Intersection Performance (as per original ITA);
  - b. Development Intersection Performance (Existing Arrangements); and
  - c. Development Intersection Performance (Including Mitigation Measures)
211. Mr McKenzie agrees in part with the analysis of modelling included in the ITA. Mr McKenzie has, however, made the following observations:

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<sup>14</sup> Section 4 Integrated Transport Assessment, 473 Albany Highway, Albany, Proposed Plan Change 6 August 2020, prepared by Commute Transport Consultants.

- a. In reviewing the SIDRA models, the pedestrian protection phases to allow pedestrians to start their crossing journey has not been applied for left-turning vehicles at the intersections. This could result in delays and longer queues.
  - b. There is a potential for the trip generation to be greater than 600 vph, therefore a maximum generation threshold should be considered for inclusion in the Albany 10 Precinct.
  - c. The applicant has sourced the 'background traffic' input into the modelling from ART (regional transport model). The outcomes from this modelling suggests that future movements on Albany Highway are similar to the existing traffic volumes, with the proposed development generating a significant portion of the growth in the area.
212. I adopt Mr McKenzie's position and have recommended amendments in section 10 below.

### Parking

213. Mr McKenzie has made the following observations about the parking assessment :
- a. On-street parking numbers and locations on internal roading can be determined at the future resource consent stage and should be provided at a rate of one space per five dwellings;
  - b. Parking bays should be designed and constructed to Auckland Transport standards;
  - c. The total cycle parking provisions can be determined at the resource consent stage(s) as the site can accommodate the required number of cycle parking spaces.
  - d. Mr McKenzie agrees with the requirement of one cycle park for visitors which is provided for every 20 dwellings and will support active transportation modes;
  - e. Loading spaces requirements can be assessed at the future resource consent stages, but an internal road network should be designed to accommodate a 10.3m Auckland Council Rubbish Truck with the expectation that trucks will access each dwelling.
214. Overall, Mr McKenzie agrees with the parking assessment outlined above but recommends an upper-limit for internal on-street parking and Auckland Council Rubbish Truck to access all dwellings. I agree with Mr McKenzie and address the recommended provisions in section 10.

### Access

215. Regarding access to the PC59 site, there are two existing intersections off Albany Highway that will be required to be upgraded. There is also a proposed 'left in left out' intersection on the northern part of the plan change site. Mr McKenzie has identified that with the use of vehicle tracking, vehicles can safely and efficiently manoeuvre at this proposed intersection.
216. PC59 seeks to enable a large number of residential dwellings, of which the patrons of the plan change site are encouraged to use the accessways into and out of the site to use an 'active transport mode' or public transport.
217. To facilitate active transport options, the ITA recommends transport infrastructure improvements that are integrated into the proposed Albany 10 Precinct, specifically Standard 'I552.6.13 Transport infrastructure development upgrade thresholds'.

### *Summary of Assessment of Transport effects and management methods*

218. In summary, Mr McKenzie is satisfied that the receiving environment is adequate managed to support PC59 up to the threshold limits identified in the Albany 10 Precinct and as per the ITA's assessments of external traffic effects. Mr McKenzie also recognises that the site is not currently adequately supported by public transport, but this is 'somewhat' addressed by the provisions of a private shuttle service. I agree with Mr McKenzie's view and adopt it.
219. The existing road network outside the site does contain limited spare capacity, but in Mr McKenzie's view, further infrastructure upgrades are necessary to enable future development. The development can likely enable trip generation of up to 600vph; however, the effect of specific signal phasing details should be addressed by the Applicant's evidence to confirm this. Any trip generation greater than 600vph would require more significant intersection upgrades and should be have more stringent controls than the Restricted Discretionary assessment criteria given at Rule I552.8.2 (7) (a-d) within the Precinct Plan Provisions.
220. I agree with Mr McKenzie's assessment of effects, and in my view, consider additional amendments to the precinct provisions are required to address the matters raised above. This includes:
- a. addressing effects of more than 600vph (930 dwellings); and
  - b. certainty on the operation of the private shuttle service.

Under the proposed Table I552.6.12.1 Maximum parking provision for dwellings is either 1 car park space for a 1 – 3 bedroom or 2 car park spaces for 4+ bedroom. There is no minimum car parking requirement. In theory, this means the parking spaces provided could range from 0 – 3,600 spaces provided. I do not anticipate 3,600 parking spaces being provided, but greater consideration of the actual number of car parks is required, given the probability of more than 600vph being generated from the precinct (as identified by Mr McKenzie).

221. For the precinct to promote the safe and efficient operation of the local transport network, I agree with Mr McKenzie that a maximum parking limit needs to be included. As the modelling for traffic has been undertaken up to 600 vph (930 dwellings). I consider an additional Discretionary Activity to assess the effects on the wider network is required. This will address the unknown effects past 600 vph.
222. I rely upon both Mr McKenzie's assessment and adopt it as my own. My recommendation is set out in Appendix 5.

### Submissions

223. A total number of 101 submissions have been received of which raised concerns relating to transportation and traffic effects. Some submissions have opposed the plan change request in general, but have applied multiple reasons. Please refer to section 10 below in regards to the recommendations that have been prepared in response to these submissions

## **8.6. Geotechnical**

### Assessment and Peer Review

224. KGA Geotechnical provided the geotechnical investigation on behalf of the applicant. Section 10.5 of the applicant's Plan Change Request covers Geotechnical Effects. During the clause 23 stage, before the plan change was accepted for notification, Nicole Li on behalf of the Council reviewed the geotechnical effects.
225. The applicants in their Plan Change Request in section 10.5 establishes that AUP (OP) provides an existing framework for managing future land disturbance activities.
226. Ms Li provided an assessment of information at the Clause 23 stage; this review indicated that the existing AUP provision is applied to ensure that geotechnical issues are addressed at the time of rezoning and at resource consent stage. Ms Li Also indicated that Council geotechnical specialists would be required to assess geotechnical matters at the future resource and building consents stage. I agree with Ms Li position and adopt it.
227. Further to the above, there are no proposed provisions in Albany 10 Precinct that duplicate or provide an alternative to Auckland-Wide provisions that manage Geotechnical effects. I am therefore satisfied that Geotechnical effects are appropriately managed.

#### Submissions

228. No submissions were received relating to Geotechnical Effects.

### **8.7. Stormwater, Flooding, Watersupply and Wastewater Capacity Effects**

#### Application

229. Stormwater, flooding, water supply and wastewater capacity effects are addressed in Section 10.6 of the Plan Change Request and in the Engineering and Infrastructure Report (EAI) dated 28 March 2020 prepared by Woods & Partners Consultants Ltd. The proposal was also supported by a Stormwater Management Plan (SMP) dated 14 September 2020 prepared by Woods & Partners Consultants Ltd.
230. The SMP has received preliminary approval under the Regional Network Discharge Consent from the Healthy Waters Department (HWD) on 08 December 2020. Any subsequent changes to the proposed stormwater management or SMP will need to be reviewed by HWD.
231. Stormwater and flooding have been reviewed on behalf of Council by Ms Gemma Chuah of HWD, attached in **Appendix 4** to this report. Observations by Ms Chuah from the Section 32 evaluation, EAI and SMP that the following key storm management issues are present:
- a. *Receiving environment* – the Site discharges to the Oteha Stream (SEA\_T\_8340) and Lucas Creek (SEA\_M\_57b); both of these systems ultimately discharge into the Waitemata Harbour.
  - b. *Hydrology mitigation* – the Site is not located within a Stormwater management Area Flow (SMAF) under the AUP. The Proposal provides both hydrology retention and detention for future development similar to the SMAF 2 Overlay. Hydrological mitigation is proposed via detention within the existing wetland area.
  - c. *Water quality treatment* – the Proposal proposes development to treat all public impervious areas using devices designed according to GD01.

- d. *Flood management* – the extent of the flood area on the Site is contained to the Oteha Stream. The Proposal seeks for the total impervious area percentage for the site to be 70%.
- e. *National Environmental Standard: Freshwater management (NES-FW) 2020* – was not assessed in the Proposal, however, an assessment has been provided since and will be addressed in the S42 addendum.

Peer review

232. Ms Chuah has provided a review of the Proposal and lodged documentation, the below is a summary provided by Ms Chuah [emphasis added]:

- *“The stormwater management plan is prepared and submitted to meet the requirements of Schedule 4 of the Regionwide Network Discharge Consent (NDC) and the AUP. Healthy Waters have reviewed the SMP and are satisfied that the proposed stormwater management approach meets regionwide NDC requirements. Accordingly, Health Waters provided provisional approval, which was issued on 08 December 2020.*
- *The SMP proposes a stormwater management toolbox approach (Table 3) summarising the best practicable options for the proposed land to be rezoned. The SMP has acknowledged that the SMP has given regards to the existing drainage and site’s characteristics and the receiving environment. This helped determine the best practicable options for the proposal.*
- *The plan change site is not located within a Stormwater Management Area Flow (SMAF) under the AUP. However, the applicants identify to provide stormwater management to the site following a ‘SMAF like’ approach to the proposed development. The plan change area discharges to Oteha Stream, a Significant Ecological Area (SEA) and a sensitive marine environment. The applicants have recognised the importance of minimising the potential effects of stormwater discharges that could affect the SEA.*
- *In terms of water quality treatment, the applicant proposed treatment of all impervious areas and adopted a treatment train approach, including inert building materials for cladding and roofing areas. The management of at-source treatment for impervious areas located within ‘High contaminant generating Areas’ by the AUP. It is also proposed runoff from public roads be discharged to a wetland.*
- *In term of hydrology mitigation requirements, the applicant proposes to provide retention as per SMAF 2 with an allowance for the volume to be contained and released over 24 hours if retention/reuse is not feasible. In addition, it provided that detention as per SMAF 2 requirements, including hydraulically neutral surfaces, such as permeable pavements for areas where soil infiltration is possible. It is also proposed to use rain tanks for retention and detention within individual lots to meet the SMAF 2 requirements.*
- *The applicant has identified that stormwater management devices for both providing water quality treatment and hydrology mitigation will be designed in accordance with Auckland Council Guidance Document (GD01) 2017.*
- *The primary stormwater reticulation network will be designed to convey 10-years storm events in accordance with the Auckland Council Stormwater Code of*

*Practice. As the area of the site identified for development is located outside areas subject to flood risk, flood attenuation is not required.”*

233. From Ms Chuah’s summary above, with the SMP receiving provisional approval and the applicant attempting to manage the key stormwater matters identified, I am satisfied with the assessment provided by the applicant. Further matters identified will be managed by the proposed provisions.

#### Assessment

##### *Receiving environment*

234. As set out above, the Site contains small sections of SEA’s; Lucas Creek (SEA\_M\_2) and Oteha Valley (SEA\_T\_8340) of which drain into the Waitemata Harbour.
235. The AUP manages effects on SEA’s with existing Objectives and Policies that sit in Chapter D9 Significant Ecological Areas Overlay.
236. In Ms Chuah’s view, the assessments provided by the applicant have considered whether the appropriate measures have been identified to manage any adverse stormwater effects. The assessment includes stormwater flows, stormwater quality, effects on streams, water features and flooding perspectives on the receiving environment. Ms Chuah concludes that the proposed master plan included in the proposal has been developed regarding the existing natural landscape.
237. I agree with Ms Chuah and adopt this conclusion as my own. Further analysis in regards to ecological effects is provided below in section **8.8**.

##### *Stormwater quality treatment*

238. As discussed in Ms Chuah assessment, the measures identified in the SMP to treat stormwater are as follows:
- a. Provide treatment to all impervious areas, including public and private roads via devices which are designed as per the Auckland Council Guidance Document 2017/01 (GD01);
  - b. Use of inert building materials for roofing and cladding areas;
  - c. Gross pollutant traps will be provided to prevent any large contaminants from entering the public stormwater network;
  - d. Future land use will need to meet the requirements under the SMP and Albany 10 Precinct provisions.
239. From my understanding, Ms Chuah is satisfied with the applicant’s assessment, and any further analysis can be made during the resource consent stage when more information is made available. I agree and adopt Ms Chuah position.
240. Ms Chuah has also recommended some amendments to the provisions that will be discussed in Section 10 this report.

##### *Hydrology mitigation*

241. As identified by Ms Chuah, for PC59 to comply with the Regional Network Discharge Consent, a stormwater management approach ‘like’ SMAF 2 relating to retention and detention approach for future development is proposed. Ms Chuah considers this approach appropriate.



242. Ms Chuah has indicated that other methods may be used to manage runoff from public roads. This includes:
- a. A proposed public wetland which may provide extended detention for areas where retention is not possible through infiltration due to ground condition
  - b. Proposed underground tanks for areas where infiltration is not viable; overflows from these tanks would go into the public network.
243. In summary, Ms Chuah is satisfied with the proposed hydrological mitigation and states that further information and detailed technical supporting documentation will be required at the resource consent stage. I agree and adopt Ms Chuah's assessment.

*Flood Risks*

244. Ms Chuah has review the SMP, Albany 10 Precinct and the plan change request and has made the following comment:

*“The existing flood plan within PC59 is contained within the Oteha Stream corridor, and there are no known flooding issues downstream. The flood plain mapping has been completed for the Maximum Probable Development (MPD) scenario assuming an imperviousness coverage of approximately 74% in the catchment. The PC59 proposes a maximum of 70% of imperviousness within the entire plan change area.”*

245. Ms Chuah considers that the Proposal will not be required to provide flood management. I adopt and agree with this statement at a policy level. In my view, there are areas on the eastern boundary that contain a minor flood area. I consider that these areas can be adequately managed through the existing AUP provisions, and there are no site-specific reasons to include anything further in the Albany 10 Precinct. Further, no buildings are proposed in these areas.

*Statutory considerations*

246. Ms Chuah has provided an assessment of the Proposal against:
- a. NPSFW 2020; and
  - b. Chapter B7 Toitū te whenua, toitū te taiao - Natural resources in the Regional Policy Statement in AUP

247. In regards to the NPSFW (2020), the applicant has provided technical documents after notification to give effect to the NPSFW (2020). These matters will be addressed under Section 42a addendum.

248. In regards to Chapter B7, Section 9.9 of the S32 evaluation states:
- “It not only maintains, but enhances indigenous biodiversity through restoration and enhancement of existing streams within the site through the identification and integration of streams and their habitats into the overall precinct and development layout...((B7.2.1(2)).)...*
- ...
- It integrates the management of development and freshwater by ensuring the availability of infrastructure and managing the discharge of stormwater to ensure that adverse effects on the stream network are minimised through a water sensitive design approach that provides for treatment and appropriate hydrological recharge of the streams (B7.4.2(9) and B7.4.2 (1).*
- ...

*It avoids adverse effects on the streams by making these areas part of the open space network and subject to ongoing use and maintenance as open space covenants and not subject to potential future development (B7.2.2(5)).”*

249. In Ms Chuah review of the application, considers that the proposed PC59 precinct plan provisions, and the SMP, subject to amendments are designed to give effect to the anticipated outcome of the higher-order policy cascade. I agree with Ms Chuah.

### Submissions

250. There were limited ‘general’ submissions relating to ‘Stormwater, Flooding, Watersupply and Wastewater Capacity Effects’ compared to other subjects. The specific submission points have been addressed below in Section 10.

## **8.8. Ecological**

### Application

251. Ecological effects are addressed in Section 10.2 of section 32 evaluation report and in the Ecological Values assessment (EVA) dated 7 May 2020 prepared by Boffa Miskell.
252. The EVA has been reviewed by Mr Carl Tutt of Auckland Council, attached in **Appendix 4** to this report. Observations by Mr Tutt from Section 32 evaluation, EVA that the following key issues are present:
- a. Water quality and ecosystem health of Oteha Stream and Lucas Creek
  - b. The wording of I552.6.10 (incorrectly labelled I522.6.10 in draft provisions) (3) is in contradiction with I552.6.10 (1); and
  - c. Unclear depiction of streams identified on ‘Precinct Plan 1 Albany Features Plan’. Two keys for streams, one is ‘existing watercourse’ the other is ‘existing stream’.
  - d. On site wetland classification

### Assessment

#### *Oteha Stream and Lucas Creek*

253. Mr Tutt has provided the following statement in their report:

*“While stormwater management has been proposed, it is assumed that GD01 devices will be sufficient. The Oteha stream is quite large and there is active bed and bank erosion occurring along it. The application does not contain an assessment on if this proposed development will further exacerbate stream bed or bank erosion.”*

254. It is my understanding that compliance with a SMP that meets the Council’s Regional Discharge Consent is considered to be the current ‘best practice’. I consider that the PC59 provisions are sufficient to manage the stream bed or stream bank erosion at the resource consent stage.

#### *Standard I552.6.10 Wording*

255. In Mr Tutts review of the wording of the Albany 10 Precinct, he has formed the view that the wording of I552.6.10(1) should be revised. In Mr Tutts view, the standard should state that any pedestrian and shared walkway needs to be additional to the proposed riparian planting width. I agree with Mr Tutt’s view and consider that such wording will

add clarity to the standard, Section 10 considers submissions which provide the scope that I will recommend amendments to adjust.

256. Further to the above recommendation, Mr Tutt considers that on the Precinct Plan 1 – Albany Features Plan the key is confusing and needs amending. In Mr Tutts view, it is unclear what the difference is between watercourse and stream Mr Tutt recommends that Precinct Plan 1 is amended to refer to streams only, for clarity reasons and is a consistent terminology used in the AUP.

*Wetland Classification*

257. Mr Tutt has identified that the wetland, which is identified as natural by the applicant’s ecological report, was constructed for stormwater management, and contains stormwater structures within the footprint of the wetland. Table 2 below illustrates where the location of the wetland lies on the PC59 site.

**Table 2 Applicants Wetland classification comparison**

	<ul style="list-style-type: none"> <li>③ Smaller riparian (and many introduced) species for management and native planting.</li> <li>④ Car park areas with low ecological planting.</li> <li>⑤ Existing wetland species. Potential wetland area and</li> <li>⑥ Mixture of native species with occasional large shrub species.</li> </ul>	
<p>Existing Vegetation Plan by Boffa Miskell, dated 25/03/20, rev 1.</p>	<p>Figure 6 stormwater management plan by Woods, dated 28/04/20, rev A.</p>	

258. Mr Tutt has reviewed the Councils consent files and aerial photography, and concludes that the wetland was constructed sometime between 2017 and 2019.

259. The Council (under Direction 1 of the Hearing Panel for PC59) has received a memorandum ‘NPS-FM and NESF and Albany 10 Precinct’ prepared by Boffa Miskell dated 28 June 2021. This memorandum has been reviewed by Mr Tutt, but will not be addressed in this report, as Council only assesses material that was notified as part of the plan change. The Hearing Panel has requested that it be addressed through a S42A Addendum.

260. This stated, Mr Tutt has provided his view on the relevancy of the NPS:FM and NESF. Mr Tutt states [emphasis added]:

*“...This wetland does not meet the definition of a natural wetland under the National Policy Statement for Freshwater Management (2020) (NPS:FM 2020). The National Environmental Standards for Freshwater Management (NES:FW) legislation does not apply as this wetland was not constructed to offset impacts on, or restore, an existing or former natural wetland.*

*The NPS:FM 2020 and Regional Policy Statement (RPS) in Auckland Unitary Plan: Operative in Part (AUP:OP) Chapter B7 contain strong directives requiring any more than minor adverse effects on freshwater, and on any ecosystem associated with freshwater to be avoided and that freshwater systems are maintained or enhanced.”*

261. I adopt Mr Tutt’s classification of this wetland as my own.

#### Submissions

262. Mr Tutt has reviewed the submissions and has provided a summary which is included under Section 10 below.

#### Conclusion and recommendations - Ecology

263. In conclusion, Mr Tutt is satisfied the applicant has adequately addressed majority of the effects associated with PC59 relating to ecology.

264. PC59 does not contain an assessment of the current state of the environment, being Oteha stream, but considers the proposed stormwater mitigation through the application of GD01 sufficient to manage the stormwater effects. Mr Tutt does consider further certainty is required in regards to stream and bank erosion. This view is based upon the level of growth and intensity of PC59. I agree with Mr Tutt and request the applicant to respond in their evidence.

265. Regarding the RPS, Mr Tutt considers that PC59 has not adequately given effect to the water quality objectives and policies of Chapter E1 of the AUP. Mr Tutt notes that Chapter E1:

*“... require any more than minor adverse effects on freshwater, and on any ecosystem associated with freshwater to be avoided.”*

266. Mr Tutt considers PC59 gives effect to the RPS in relation to indigenous biodiversity (B7.2). I accept and adopt this as my own.

267. In summary, Mr Tutt supports PC59 subject to amendments.

#### **8.9. Social Effects**

268. Social effects are addressed in Section 10.9 of the Plan Change Request, and it provides the following commentary regarding social effects:

*“The compact nature of the proposed development will encourage walking which is beneficial in terms of fitness and health. The proposal will create opportunities for interaction with neighbours and other residents of the area than is the case in typical low-density suburban situations. In addition, the increased diversity and density of activities increases the vitality of the development and incorporating residential activity, in particular, increases the hours of activity on a site.*

*The proposal will maximise accessibility to the Site and the surrounds to enable people explore and experience the environmental qualities of the site through the enhanced*

*riparian areas, walkways and proposed open spaces. The proposed community hub will provide for the wellbeing of the community.*

*Ready access to safe and convenient public transport services, and to walking and cycling*

*networks, enables residents, workers and visitors to be less car dependent. The active modes have beneficial effects on community health, and there is often more social interaction with walking and public transport.*

*Overall, it is considered that the development enabled by the PPC will be beneficial in terms of social effects.”*

269. I agree with the above statement, and I consider that with the amendments set out in appendix 5 the environmental effects, including social effects are managed by the suite of provisions of PC59.
270. I will note that Ministry of Education (the Ministry) (submitter 139) seeks to include a new school in Albany 10 Precinct. This is discussed in subsequent section 10 below, of which I recommend that a new school is not enabled through the Albany 10 Precinct. I consider this to be more appropriately managed through a Notice of Requirement.
271. Overall, I consider the social effects have been adequately considered, and the suite of provisions, with the recommended amendments set out in Appendix 5, support the level of change proposed by the Applicant.

## **9. NOTIFICATION AND SUBMISSIONS**

### **9.1. Notification details**

272. Details of the notification timeframes and number of submissions received is outlined below:

Date of public notification for submissions	28 January 2021
Closing date for submissions	01 March 2021
Number of submissions received	142 Submissions
Date of public notification for further submissions	25 March 2021
Closing date for further submissions	12 April 2021
Number of further submissions received	17 Further Submissions

273. All submissions were received on time. There were no late submissions. Copies of the submissions are attached as **Appendix 7** to this report.

## 10. ANALYSIS OF SUBMISSIONS AND FURTHER SUBMISSIONS

274. The following sections address the submissions received on PC59.

275. Submissions that address the same issues and seek the same relief have been grouped together in this report under the following topic headings:

- 10.1. Submissions supporting PC59 in its entirety
- 10.2. 'General' Submissions Opposing PC59 in its entirety
- 10.3. Urban Design
- 10.4. Landscape and Visual Effects
- 10.5. Transport and traffic
- 10.6. Submissions Planning – General
- 10.7. Submissions on Water and Infrastructure
- 10.8. Submissions Precinct Plans 1 – 4

### 10.1. Submissions supporting PC59 in its entirety

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
27.1	Liusheng Lin	Seeks to approve the plan change without any amendments	
28.1	Kwok Leung Klein Liu	Seeks to approve the plan change without any amendments	
29.1	Gordon Kim	Seeks to approve the plan change without any amendments	
29.2	Gordon Kim	Seeks more good facilities.	
31.1	David Valois	Seeks to approve the plan change with the amendments I requested	
129.1	Andrew John Ireland	Seeks to approve the plan change with the amendments I requested	
129.2	Andrew John Ireland	Seeks to propose setting a 5 storey maximum height with no 5 storey buildings to be adjacent to Albany Highway.	

#### Discussion and analysis

276. The support of these submissions is noted. As covered in the above technical reviews and in response to other submissions (as addressed in the following sections), I consider that the plan change request requires modification to better accord with the objectives of the AUP RPS. I therefore recommend accepting the submissions in part

#### Recommendations on submissions

277. Based on the analysis outlined above I recommend that submissions:

- 27.1; 28.1; 29.1; 29.2; 31.1; 129.1; 129.2 be accepted in part, to the extent that while the plan change request is supported, changes to the PC59 provisions are recommended.

278. These amendments are set out in **Appendix 5** to this report.

## 10.2. 'General' Submissions Opposing PC59 in its entirety

I have included the table of submissions under **Appendix 7** due to the size of the table.

### Discussion

279. PC59 received a total of 142 submissions. Total of **X** submissions were in 'general opposition' of PC59 and sought for the plan change to be declined. These submissions did not seek any amendments, nor have any detail of decisions requested to make changes to Albany Precinct 10. The submissions did list reason why PC59 should be declined, these generally as follows:

- a. A general increase in traffic effects;
- b. Lack of public transport;
- c. Insufficient transport infrastructure;
- d. Lack of parking;
- e. Construction effects (noise and dust);
- f. Over populated schools;
- g. Urban design issues associated with building height;
- h. Effects on natural environment
- i. Days Bridge Reserve and Fern Hill Escarpment

280. I have requested the specialists to review the matters raised by the submitters. Section 8 of this report provides a summary of these submissions, and for completeness I have completed an analysis of these submissions below.

### Analysis

#### *General Transport and Traffic*

281. Regarding general submissions that raised concerns about lack of public transport, lack of parking, general traffic issues and/or insufficient transport infrastructure, sections 8.5 above sets out how these effects are managed.

282. In Mr McKenzie's view, these effects have had sufficient consideration and are appropriately managed under the proposed Albany 10 Precinct or existing AUP provisions. This is with the exemption of the transport modelling to date, of which is discuss in more detail in a following section.

283. As indicated above, Mr McKenzie agrees with submissions that raise concerns around the transport modelling. As indicated under section 8.5 above, the ITA has not considered traffic generation for more than 930 dwellings, or 600vph. In my view there are two options to manage this matter, by either:

- a. Cap the dwelling numbers at 930 dwellings: or
- b. A planning tool to manage more than 930 dwellings.

284. In my view, provided that the build-out rate set out under the master plan is 10 – 20 years makes it difficult to design plan provisions. Submission 127.2 below raises this concern in paragraphs 551- 556, the result of this submission is an amendment to the plan provisions to include a discretionary activity for not complying with Standard I552.6.13.
285. The amendment proposed, can be summarised as, is for subdivision or development to be a discretionary activity exceeds:
- a. 500 dwellings (without intersection upgrades) or
  - b. 600 dwellings (with intersection upgrades)
286. In my view, the amendment to the provisions will require the developer to provide an updated transport assessment of which will have surveying of traffic and movement closer to the point of resource consent. It provides the ability for the Council and the roading authority to determine infrastructure requirements.
287. Several submissions raised concerns about the safety of the left in / left out road connection to Albany Highway. This is proposed to be located in the northern area of Precinct 10. The submissions suggest that the pedestrian safety will be compromised on the Albany Highway.
288. Mr McKenzie does not agree that this will result in any significant adverse safety issues and that the intersection is similar to others on Albany Highway. Mr McKenzie does not agree with submitters the left-in-left-out should be delete, and considers further detailed assessment be undertaken of both the operational effectiveness and safety prior to any decision as to whether this intersection is retained. I agree and adopt Mr McKenzie view on this intersection as my own.
289. The general submissions that opposes the plan change on the following grounds:
- a. Traffic modelling does not represent the school peak periods and that congestion is generally more in these periods compared to commuter peak hours;
  - b. the traffic models are incorrectly calibrated in terms of queue lengths and that queue length data is collected to validate the base model; and
  - c. that the same modelling is performed at the Albany Highway / Albany Expressway and Albany Highway / Bush Road.
290. The recommendation under 'increased traffic generation' in section 8.5 address the concerns of 'a.' and 'c.'.
291. In regards to 'b.', Mr McKenzie's view is that the traffic models were incorrectly calibrated as the "pedestrian protection" phase has not been applied for left-turning vehicles at these intersections. This could result in additional deterioration of the Level Of Service and delays with longer queue lengths, and may reduce the trip generation of these intersections. I agree with Mr McKenzie's recommendation for the applicant to respond to this matter at the Plan Change hearing or in evidence.

#### *Lack of Public Transport*

292. When considering general submissions relating to public transport, as identified in section 8.5 above, the applicants' ITA identifies that bus route 917 service goes along Albany Highway, via the Albany Town Centre and through the Albany Metropolitan with a stop at the Albany Bus Station. This service has a morning and evening peak hour focus.



293. Mr Mackenzie considers that this route is disadvantaged by negotiating the Albany area and does not provide a direct connection between the PC59 area and the Albany Bus Station. These affecting patrons' access to Auckland's CBD and wider metropolitan area. Of which I agree and adopt Mr Mackenzie's position.
294. To manage the current lack of strong public transport, the applicant has identified that this will be managed through a private shuttle service. This is discussed in more detail under specific submissions that seek amendments to 'Traffic and Transport. For the purposes for this section, I recommend accepting in part, as other matters have been raised with concerns around public transport.

*Insufficient Transport Infrastructure*

295. For submissions that oppose the plan change request that indicated that there is a lack of transport infrastructure available, with the following reasons and matters, were raised:
- a. Public transport facilities are not capable of facilitating the level of proposed growth;
  - b. Ensure that the developer meets the costs of the upgraded infrastructure requirements and that no Infrastructure Funding Agreements have been or similar agreement has been reached;
  - c. That funding of these projects has not been identified in the Regional Land Transport Programme (RLTP)
  - d. That the private shuttle bus service is feasible, practicable and effective;
296. As indicated earlier, Mr McKenzie considered the effects above 930 dwellings (600vph) are unknown and considers that the applicant should demonstrate that any private shuttle service is feasible, practicable, and effective regarding funding infrastructure. In Mr McKenzie's view, funding and management of the private shuttle overtime should be presented at the hearing. I agree with Mr McKenzie's view on this matter.
297. Regarding the funding of infrastructure upgrades, the infrastructure upgrades required to facilitate the proposed growth are not in the Regional Land Transport Programme and/or the Applicant has not agreed to fund these projects through an Infrastructure Funding Agreement (or similar).
298. The RPS Chapter B3 Ngā pūnaha hanganga, kawekawe me ngā pūngao - Infrastructure, Transport and Energy (Chapter B3) of the RPS sets the direction for managing infrastructure delivery, and enabling urban growth whilst managing its effects. In my view, the RPS Objectives and Policies that are relevant to 'upgrading' infrastructure are:
- a. B3.2 Infrastructure Objectives B3.2.1(3)(b), B3.2.1(4), B3.2.1(5), B3.2.1(6)
  - b. B3.2 Infrastructure Policies B3.2.2(1), B3.2.2(4),
  - c. B3.3 Transport Objectives B3.3.1(1)(a) – (e)
  - d. B3.3 Transport Policies B3.3.2(1), B3.3.2(4)(a)-(b), B3.3.2(5)(a)-(d)&(f), B3.3.2(6).
299. In my opinion, the applicant's analysis and assessment of Chapter B3 of the RPS is sufficient. However, due to the nature of the site and the possibilities of growth that can be enabled, I do consider that a method that facilitates funding and infrastructure upgrades needs to be included in the precinct provisions when construction rises above 930 dwellings (600vph).

300. To manage these effects, it is recommended through submissions that non-compliance with Standard I552.6.13 be a Discretionary activity. This is discussed in greater detail below in section 10.5.5.

301. In my opinion, this discretionary activity still allows for development to be enabled and will ensure that the precinct is consistent with RPS Policy B3.2.2(5)(d) which is for:

*“B3.2.2(5) improve the integration of land use and transport by:*

*...  
(d) requiring proposals for high trip-generating activities which are not located in centres or on corridors or at public transport nodes to avoid, remedy or mitigate adverse effects on the transport network”;*

302. And in my opinion, is consistent with Albany Precinct 10 Policies I552.3 (15) – (20).

303. Section 8.5 of this report also considers the effects on transport infrastructure. It is considered that there is sufficient transport infrastructure to accommodate some level of growth. But similar to the above paragraph, it is too difficult to determine if any further upgrades are required without sufficient modelling. I do recognise the applicant’s intention to provide non-car related transport infrastructure to manage the effects until the public transport system is adequate to carry the capacity enabled by the precinct.

304. For the reasons mention above, my recommendations in Appendix 5 include a transport threshold analysis for the key intersections and the requirement for funding to be provided by the applicant for when development intends to exceed 930 dwellings.

#### *Lack of Car Parking*

305. Regarding car parking, a number of ‘general’ submissions questioned the parking requirements proposed. The concerns were around the lack of car parking being supplied. I would note, the notification period was after the releases of the NPS:UD.

306. One submitter seeks the application of maximum car parking numbers as a measure to minimise vehicle trip generation.

307. Mr McKenzie disagrees with the view that a surplus number of parking spaces should be provided within the PC59 area. As discussed earlier, Mr McKenzie also does agree that a maximum can be provided in the precinct. Mr McKenzie notes that the maximum car parking numbers proposed are similar to parking provisions in Chapter E27 Transport of the AUP.

308. Albany 10 Precinct manages car parking through Standard I552.6.12. Parking, which sets out the follows:

*(1) Parking ratios:*

*(a) the number of parking spaces within the precinct must not exceed the maximum and minimum rates specified in Table E27.6.2.3 Parking rates – area 1, Chapter E27 Transport, unless otherwise stated in Table I552.6.12.1 – Maximum parking provision, below:*

*Table I552.12.1. Maximum parking provision*

<b>Activity</b>	<b>Maximum Parking ratio</b>	
<i>Offices</i>	<i>1 space per 60m<sup>2</sup> of gross floor area</i>	
<i>Commercial services</i>	<i>1 space per 60m<sup>2</sup> of gross floor area</i>	
<i>Retail</i>	<i>1 space per 50m<sup>2</sup> of gross floor area</i>	
<i>Dwellings</i>	<i>1-3 bedrooms: 1 space</i>	<i>4+ bedrooms: 2 spaces</i>

309. I have not included sub-standard I552.6.12(2) or (3) as they relate to cycling parking requirements where these submissions had concerns of vehicle car parking. My interpretation of Standard I552.6.12 (1) is the number of car parking must not exceed the minimum set out in Table E27.6.2.3 of Chapter E27 Transport of the AUP.

310. In regards to minimum car parking requirements, the recently gazetted NPSUD 2020 under subpart 8 – Car parking para 3.38 states the following:

*“(1) If the district plan of a tier 1, 2, or 3 territorial authority contains objectives, policies, rules, or assessment criteria that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use, or activity, the territorial authority must change its district plan to remove that effect, other than in respect of accessible car parks.”*

311. Auckland Council, as a tier 1 authority must remove any requirement of minimum car parking requirement, excluding accessible parking requirements. The Council has 18 months from the date that the NPSUD 2020 was gazetted which was the 20 September 2020.

312. In my view, to impose or require Albany Precinct 10 to have a minimum car parking requirement will be shortly redundant as the Council will be required by the NPSUD to remove them. However, the reference to minimum set out under Chapter E27 Transport of the AUP must remain until the Council removes it in 2022.

313. For this reason, I recommend that the general submissions opposing the plan change request because there are no new minimum car parking requirements to be included in PC59 be rejected.

#### *Construction Effects*

314. Several general submissions opposed PC59 due to the construction effects associated with the build-out and the length of time it would take to develop the site, as set out under the Master Plan. I acknowledge that there is potential for construction effects to occur due to the development of PC59.

315. In my opinion, I consider that there are existing requirements in the AUP with regards to:

- a. the ability to consider adverse traffic effects resulting from construction traffic as part of an assessment of adverse traffic safety and road network efficiency effects.
  - b. Noise and vibration effects are managed under Chapter E25 Noise and vibration, which will address construction noise and vibration effects; and
  - c. Temporary activities are managed under Chapter E40 Temporary activities contain relevant provisions to facilitate development in an urban environment.
316. I consider that construction effects are sufficiently covered under existing AUP provisions, and no site-specific provisions need to be included in Albany 10 Precinct. I do not consider the effects of the construction associated with PC59 is a reason to decline the plan change. Further, the concerns raised by the submitters will be appropriately considered at the resource consent stage. For these reasons, I recommend those general submissions that oppose PC59 for construction effects be rejected.

#### *Over Populated Schools*

317. A number of submitters made reference to the local schools already being at capacity, this included a submission from the Albany Primary School Board (Submitter #42).
318. The Ministry of Education (“**The Ministry**”) (Submitter #139) provided the following statement in their submission:

*The Ministry has responsibility for all education property owned by the Crown. This involves managing existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher caretaker housing.*

319. The Ministry also indicates that in their ‘National Education Growth Plan 2030, Auckland and Tai Tokerau 2019’, the local school catchment will need to accommodate an additional 1083 primary school children and 873 secondary children by 2021. With the proposed level of growth enabled by PC59, the Ministry has identified that a new primary school in the catchment is needed, and through their submission, seek that provisions for an education facility to be provided within the Albany 10 Precinct.

320. The Ministry, in their further submission (FS-17) states the following:

*“The Ministry is having direct and ongoing discussion with Bei Group Limited to discuss the potential options of establishing a primary school within the precinct.”*

321. The Ministry also indicates in their submission that after discussions, the Applicant would like to accommodate a new school within the development area. The Ministry has also indicated a neutral position to PC59
322. In my view, I do not consider it appropriate for an education facility to be provided by one development when this is an ‘education catchment’ issue. The appropriate means for a school to be provided is via a Notice of Requirement for a designation provided by the Ministry of Education.
323. Submissions that seek specific amendments seeking reference to educational facilities are set out below (section 10). I recommend that the general submissions opposing the plan change for lack of education facilities be rejected.

*Urban Design , Landscape and Visual effects*

324. Some general submissions in opposition to the plan change listed Urban Design, Land Scape and Visual Effects as reasons to the decline.
325. Ms Skidmore has provided a review of the submissions where these matters raise relevant to urban design, landscape and visual effects considerations. The following topics were raised:
- a. Scale and intensity of development enabled;
  - b. Effect on neighbourhood character;
  - c. Effect on the amenity of surrounding residential properties; and
  - d. effect of development particularly the Fernhill Escarpment;
326. Regarding the submissions that referenced 'scale and intensity of development', it is acknowledged that the proposed plan change enables a pattern of development that differs considerably from the surrounding suburban residential environment.
327. However, as set out above under the assessment of effects, the following makes the Site suitable to accommodate the scale and intensity proposed by PC59:
- a. The proposed provisions of PC59;
  - b. The operative AUP provisions that still apply to the site;
  - c. The scale of the Site in a single landholding and its location.
328. For these reasons, general submissions which oppose the 'scale and intensity of development' are recommended to be rejected in part.
329. For submissions that referred to 'neighbourhood character', in Ms Skidmore's view, the proposed provisions have resulted from a detailed and thorough analysis of the Site's characteristics and its relationship to the surrounding context, both immediate and wider. It is acknowledged that the development differs considerably from the established surrounding residential environment.
330. In Ms Skidmore's view, having considered the policy guidance by the NPS-UD and the assessment of effects above, in combination with the likely extended timeframe of development set out under the Master Plan document, the landscape provisions of PC59 are appropriate. I agree with Ms Skidmore's position.
331. Further, the precinct provisions provide a mix of activities that will enable a vibrant community to develop. The precinct will ensure a coordinated delivery of a well-structured and strong public realm supported by a community hub.
332. Overall, it is considered that these provisions will result in positive neighbourhood character. This is also supported in Ms Skidmore's view by the number of provisions related to the pattern of built development that will be delivered and the interface of that development with streets, accessways, and other public realm elements.
333. In summary, Ms Skidmore's opinion is that the suite of precinct provisions are essential to deliver a quality urban environment. I agree with Ms Skidmore's view and adopt it as my own.
334. For this reason, general submissions which oppose the 'neighbourhood character' are recommended to be rejected in part.

335. A number of submissions that opposed the plan change raise concerns regarding 'amenity of surrounding residential properties'. Several submitters raised the following concerns:
- a. effects on residential amenity, primarily visual dominance;
  - b. the visual effects resulting from the maximum height of development enabled within Height Area 3 of 35 meters.
336. In response, Ms Skidmore references Policy 6 of the NPS:UD, which needs to be considered in the context of the amenity values appreciated by others, including future generations.
337. As set out in the assessment of effects above, Ms Skidmore's opinion is PC59 includes a suitable provision to avoid significant adverse effects on the amenity values enjoyed by the surrounding residential properties. I adopt and agree with this view.
338. For the reasons set out above, I recommend that submissions opposing PC59 in relation to effects on the amenity values of surrounding residential properties be rejected in part.
339. A number of submissions set out an appreciation of the value of natural features in the neighbourhood and raise concerns regarding the effect of development enabled by PC59 on these features, particularly the Fernhill Escarpment.
340. As set out above regarding the effects on the natural features, in Ms Skidmore's view the values of natural features, both within and in the surrounding context, has been assessed. This assessment has informed the suite of precinct provisions proposed. In Ms Skidmore's view, careful consideration has been given to defining an open space network that relates positively to the natural features. It is considered that the location and distribution of building masses respects the location of the Fernhill Escarpment and visual connections through the Site, and are located to ensure they contribute to the character and amenity of the neighbourhood. I accept and adopt Ms Skidmore view as my own.
341. For the reasons set out above, I recommend that general submissions relating to the protection of natural features be rejected in part.

#### *Natural Environment Effects*

342. Several submissions opposed PC59 on the basis of stream and water quality. These submissions seek that the development does not generate any adverse effects on the receiving environment, being Oteha Stream and the wider catchment.
343. As discussed in section 8 above, Ms Chuah and Mr Tutt are satisfied with the suite of provisions that are proposed by the applicant, provided their recommended amendments based on specific matters included in submissions below are accepted.
344. Mr Tutt has reviewed the submissions and has provided the following summary, which I have integrated into the assessment of submissions under section 10 below:

*"5.1 Submissions on the proposed plan change were reviewed and noted that the majority of submissions relate to broader traffic, density, building height and other matters of the proposed PC59. Submissions that are relevant to ecology were chiefly around streams and water quality and impacts on Fernhill Escarpment. These are summarised as follows.*

5.2 Streams and water quality has been raised in submissions 21, 26, 94, 107, 112, 116, 117, 121. These submissions seek that the proposed development does not generate any adverse effects the receiving environment, Oteha Stream or the wider catchment.

5.2.1 Proposed stormwater management (assessed by Healthy Waters Department) will be integral to ensuring that the effects on the receiving environment are managed at an acceptable level. It should be noted however that urban streams in Auckland are at an increased pressure of erosion due to alterations to flow regimes.

5.3 Submissions specifically raising concerns around impacts on Fernhill Escarpment are 26, 107, 112.

5.3.1 While valid concerns, Days Bridge Esplanade Reserve and Fernhill Escarpment which are both owned by Auckland Council and fall within a Significant Ecological Area overlay border the property to the east. There is already public access via walking tracks through Fernhill Escarpment. Direct impacts of this development on these areas would be negligible.

5.4 Auckland Council's submission (73) recommends changes to the proposed plan change standards.

5.4.1 Specifically, this submission seeks to amend standard I552.6.10, clauses (1) and (2) to match the terminology used on Precinct Plan 1 Albany Features Plan. I have recommended similar wording alterations in section 4.2 which is more consistent that what has been suggested in this submission."

345. Stormwater and runoff will be managed by provisions in the Albany 10 Precinct. This will require subdivision and development to be managed in a way that is consistent with the Councils Regional Discharge consent. Non-compliance with this standard will require a resource consent.
346. I am satisfied that the current approach provided in PC59 will manage effects on the natural environment with the amendments set out in appendix 5. I adopt the position of Ms Chuah and Mr Tutt.
347. I therefore recommend to accept general submission relating to stormwater in part.
348. For the general submissions that made specific reference to effects on Days Bridge Reserve and Fern Hill Escarpment, in Mr Tutt's view, these are valid concerns. However, as identified in Mr Tutt's assessment, these areas are owned by the Council and fall within a Significant Ecological Area overlay. I am satisfied that these effects will be adequately managed by existing AUP provisions.

#### *Waste water and water supply infrastructure*

349. A number of submissions raised concerns in regards to infrastructure, specifically relating to waste water and water supply.
350. Submitter 59, Watercare Services Limited ("**Watercare**") made a submission on PC59.
351. Watercare is a council control organisation who is collects, treats and distributes water and treats wastewater for parts of the Auckland region. Watercare is required to manage its operations efficiently and must give effect to relevant aspects of the Council's Long Term Plan.
352. Watercare have reviewed PC59, and have provided the following statement:

*“Watercare has reviewed the Plan Change and considers the proposed water and wastewater capacity and servicing requirements have been adequately assessed as part of the plan change...”*

353. Watercare provide further detail on the specific infrastructure upgrades that are required in their submission, but state that these upgrades can be assessed at the resource consent stage.
354. Given the detailed information that Watercare has provided, I am satisfied that wastewater and water supply have been adequately addressed. Specific changes to the precinct text request by Watercare are addressed below in section 10.

#### Recommendations on submissions

355. Based on the analysis outlined above I recommend that submissions:

- 1.1; 2.1; 3.1; 4.1; 5.1; 6.1; 7.1; 8.1; 9.1; 11.1; 12.1; 13.1; 14.1; 15.1; 16.1; 16.2; 17.1; 17.2; 19.1; 20.1; 20.2; 21.1; 23.1; 22.1; 23.2; 23.3; 25.1; 26.1; 30.1; 32.1; 33.1; 34.1; 35.1; 36.1; 37.1; 38.1; 39.1; 40.1; 41.1; 42.1; 43.1; 44.1; 45.1; 46.1; 47.1; 47.2; 48.1; 49.1; 50.1; 51.1; 52.1; 53.1; 54.1; 54.2; 54.3; 54.4; 54.5; 54.6; 55.1; 56.1; 57.1; 58.1; 60.1; 60.2; 60.3; 60.4; 60.5; 60.6; 60.7; 60.8; 61.1; 62.1; 63.1; 64.1; 65.1; 66.1; 67.1; 67.2; 68.1; 69.1; 70.1; 71.1; 72.1; 74.1; 75.1; 75.2; 76.1; 76.2; 77.1; 78.1; 79.1; 80.1; 80.2; 80.3; 80.4; 80.5; 80.6; 81.1; 82.1; 83.1; 84.1; 84.2; 85.1; 86.1; 87.1; 88.1; 89.1; 90.1; 91.1; 92.1; 93.1; 94.1; 95.1; 96.1; 97.1; 98.1; 99.1; 100.1; 101.1; 102.1; 103.1; 104.1; 105.1; 106.1; 107.1; 108.1; 109.1; 110.1; 111.1; 112.1; 113.1; 114.1; 115.1; 116.1; 117.1; 118.1; 119.1; 120.1; 121.1; 122.1; 123.1; 124.1; 125.1; 126.1; 130.1; 130.2; 131.1; 132.1; 133.1; 133.2; 134.1; 135.1; 137.1; 138.1; 140.1; 141.1; 142.1; be rejected in part.

356. These amendments are set out in **Appendix 5** to this report.

### **10.3. Urban Design**

#### **10.3.1 Building height and set back**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>
73.1	Auckland Council	Seeks 'Area 1' height zone of Precinct Plan 3 to be extended from Wharf Road to the Northern end of the site.	
73.2	Auckland Council	Seeks for any development above 13m in height to be as a discretionary activity.	Support - FS15 Nicola and Carl Van Driel
73.5	Auckland Council	Seeks that standard I552.6.2 refers to building height is stipulated with number of storeys as specified on precinct plan 3	
73.6	Auckland Council	Seeks amendments to standard I554.6(2) to specify that THAB zone standard H6.6.5 does not apply in Albany 10 precinct	
73.49	Auckland	Seeks I552.6.4 to be deleted or relocate the fourth bullet	



	Council	point under 'purpose' as it is not relevant to this standard. Delete or relocate clause (2) to I552.6.5 Building set back at upper levels as it pertains to Figure I552.6.5.1 Building set back at upper levels.	
73.3	Auckland Council	Seeks amendments to the minimum set backs from Albany Highway are greater than 3m for buildings greater than 5 storeys	
10.1	Lee Kyle Balsom and Amanda Carolyn Balsom	Seeks to approve the plan change with the amendments requested	Support - FS15 Nicola and Carl Van Driel
31.2	David Valois	Seeks that these Terrace blocks be no more than 2 storeys with a roof designed to have no addition effect on sun occlusion along the Stanford St boundary	Support - FS13 David Valois  Support- FS15 Nicola and Carl Van Driel
23.4	Julie Castell	Seeks to create additional buffer around existing one-two level houses, i.e. put road their to create natural buffer.	

### Discussion and analysis

#### *Building height and set back*

357. **Submission 73.1** seeks 'Area 1' height zone of Precinct Plan 3 to be extended from Wharf Road to the Northern end of the site. I am making the assumption that the submitter seeking a similar 'Area 1' that is currently running south of Wharf Road to Bass Road as identified on Precinct Plan 3.
358. **Submission 73.2** seeks development above 13m in height to be a discretionary activity rather than non-complying under-activity (A12) of Table I552.4.1. The submitter states this will:
- “enable an unrestricted consideration of any height that might be justifiable in the circumstances, and for which no restriction on the assessment would need apply.”*
359. No specialist evidence was provided with submission 73.1 and 73.2. As outlined above in Ms Skidmore’s assessment of effects and consideration of submissions under section 8.2 above, Ms Skidmore is satisfied with the suite of provisions, including managing height across the site. Further, PC59 was supported the appropriate technical documents of which manage the effects associated with building height which this request differs from.
360. PC59 as notified requires relevant activities to comply with the precinct standards. Under Table I552.4.1, any new buildings, external additions to the existing building and accessory buildings are a restricted discretionary activity (activities (A8) – (A10)). These activities will need to comply with standard I552.6.2 – Building height or will trigger a non-complying activity. Standard I55.6.2 sets out the following:

All development within the precinct must comply with the following standards:

- (1) Buildings must not exceed the maximum heights specified in Table I552.6.2.1 and on Precinct Plan 3 – Albany height and building coverage control areas.

**Table I552.6.2.1. Building height**

Area	Height for roof form	Total building height shown on Precinct Plan 3
Area 1 (Low Rise)	2m	11m
Area 2 (Low-Rise)	2m	19m
Area 3 (Mid-Rise)	NA	35m
Area 4 (Open Space and Reserves)	1m	4.5m

- 361. As discussed in section 8.5 of this report of Ms Skidmore’s review, PC59 is supported by an Urban Design Assessment and Landscape and Visual Assessment. These reports have been considered in the section 32 evaluation. Ms Skidmore was satisfied with the proposed precinct provisions.
- 362. A discretionary activity as proposed by the submitter would mean resource consent is required for Areas 2 and 3. Other design controls are included in the precinct, which must be complied with for activities (A8) – (A10). In my view the effects relating to height have been sufficiently considered and will be appropriately considered at the resource consent stage.
- 363. In my view, I do not consider it necessary or justified to amend ‘Area 1’ as sought by the submission and would require further analysis from the submitter. I recommend submission 73.1 be rejected.
- 364. I also consider the addition of the discretionary activity status unnecessary and it will not effectively manage any un-managed effect. The Non-complying activity status (A12) will adequately manage heights across the PC59 site. Submission 73.2 is recommended to be rejected.
- 365. **Submission 73.5** seeks to include building storeys to be included in Standard I552.6.2. The purpose of Standard I552.6.2 is as follows:  
  
*“To ensure development is consistent with the planned outcomes identified on Precinct Plan 3 – Albany height and building coverage control areas...”*
- 366. No residential zone under the AUP sets out the number of the storey’s enabled in the standards relating to ‘Building height’, but there is commentary within objectives and policies. This commentary relates to the character and amenity of neighbourhoods. Precinct Plan 3 identifies ‘max storeys’ under the key.
- 367. In my view, the inclusion of building storeys in the standard could lead to unintended consequences. Under Chapter J Definitions of the AUP, Height is defined by “...the vertical distance between the highest part of a building or structure and a reference point.”. Further, storeys are not a metric unit of which height is measured.

368. As no amenity or character evidence has been supplied to assist with understanding the effects, I consider the relief sought in the submission is inconsistent with the management of development in residential zones of the AUP, and so I recommend submission 73.5 be rejected.

369. Submission **73.6** seeks that THAB Standard H6.6.5. Building height does not apply in the Albany 10 precinct. The submitter states this is to avoid confusion as to which height standard applies.

370. Under I552.6.(1) it is set out in the precinct provisions that:

*“...Where there is any conflict or difference between standards in this precinct and the Auckland-wide and zone standards, the standards in this precinct will apply.”*

371. To avoid confusion, I agree with the submitter that the building height standard under H6.6.5 under the THAB zone should not apply. I recommend that submission 73.6 be accepted.

372. **Submission 73.49** seeks amendments to Standard I552.6.4. Maximum building coverage, impervious areas and landscaping. The purpose of this standard is as follows:

*“Purpose:*

- *to manage the amount of stormwater runoff generated by development;*
- *to enable an intensive built character for apartment buildings;*
- *to provide a good standard of onsite amenity for residents; and*
- *to ensure apartment buildings in Height Management Area 3 specified in Table I552.6.2.1 and on Precinct Plan 1 – Albany height and building coverage control areas provide for internal amenity and sunlight access to lower level apartments and common outdoor areas at 19m above ground level.”*

373. Part of submission 73.49 seeks to either delete or relocate the fourth bullet point as it is not relevant to the standard. In my view, the fourth bullet point manages Height Area 3 as identified on Precinct Plan 3 to ensure apartment buildings don't compromise internal amenity and sunlight access to lower-level apartments, and common outdoor areas. I agree with the submitter that this is more appropriately located under I552.6.5 Building setback at upper levels.

374. The second part of submission 73.49 seeks for Standard I552.6.4 Clause (2) to be located under I552.6.5, as it contains a reference to Figure I552.6.5.1. Under I552.6.4(2), the sub-clause sets out:

*“(2)The cumulative building coverage for each building in Height Management Area 3 above a height of 19m above ground level must not exceed 35% of the building below. For clarity, compliance with this standard can be expressed with multiple towers at differing heights within a block, subject to the limitations in I552.6.3 – Maximum building dimension and building separation, I552.6.2 Building height and H6.6.14. Daylight.”[emphasis added]*

375. My interpretation of the text directly above is the standard applies to building coverage. The second part of sub-clause 2 identifies there are other limitations. As this sub-clause

applies to building coverage, I do not consider it necessary to relocate due to containing a reference to Figure I552.6.5.1.

376. I recommend the acceptance of part one of submission 73.49, but do not recommend acceptance of part two. I recommend submission 73.49 be accepted in part.

377. **Submission 73.3** seeks the minimum setbacks from Albany Highway to be greater than 3m for buildings greater than 5 storeys. The submitter states:

*“so that a greater extent of landscaping can be required so as to soften the visual impact of taller structures and maintain an appearance and residential character more in keeping with that already established along the highway and more sympathetic to the low rise development across the road.”*

378. The submitter has not indicated what a new proposed minimum setback should be nor is there accompanying specialist input to establish if the current setbacks are inappropriate. As discussed in Ms Skidmore review of PC59 in section 8.5 above, Ms Skidmore is satisfied with the current provisions and provided the lack of supporting detail in the submission, I recommend that submission 73.3 be rejected.

379. **Submission 10.1** supports the plan change but seeks to reduce the maximum height of the largest building from 35 metres to 15 metres. The submitter sets out that they do not consider the PC59 location to be appropriate for this scale of growth and seek those buildings are reduced to a maximum of 5 or 6 stories.

380. **Submission 31.2** seeks that the maximum height be two storeys with a roof design to not have additional sun occlusion on the Stanford Street Boundary.

381. **Submission 23.4** seek to create an additional buffer around the existing one-two level houses on the site to increase the distance from the existing residential areas.

382. As discussed in Ms Skidmore assessment of PC59 in section 8.5 above, the proposed distribution of height across the Site has been determined in response to a detailed analysis of the characteristics of the Site and its surrounding context. The development's proposed height, scale, and intensity are considered acceptable based on the suite of controls proposed in PC59. I agree with Ms Skidmore's assessment, and I consider any effects from building heights are appropriately managed by PC59. Regarding the Site location, I am of the position that the suite of controls also accommodates growth in a location that is consistent with the Auckland Plan 2050 and the RPS.

383. For these reasons, I recommend that submissions 10.1, 31.2 and 23.4 be rejected.

#### Recommendations on submissions

384. Based on the analysis outlined above I recommend that submissions:

- 73.1; 73.2; 73.5; 73.3; 10.1; 31.2; 23.4 be rejected
- 73.6 be accepted
- 73.49 be accepted in part.

385. These amendments are set out in **Appendix 5** to this report

### **10.3.2 Special frontage and height control**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.51	Auckland Council	Seeks amendments to Standard I552.6.5 and Figure I552.6.5.1 Building set back at upper level to: <ul style="list-style-type: none"> <li>a. Recreate the figure (and without colour), and add another explanatory graphic to it to be readily interpreted and administered</li> <li>b. Amend the 3m set back to that of the Business Mixed Use zone which requires a 6m set back above 18m and when opposite a residential zone</li> </ul>	
73.4	Auckland Council	Seeks amendment to standard I552.6.11.1 so that a 2 metre wide landscaping required	
73.57	Auckland Council	Seeks amendments to Standard I552.6.11 Special frontage control	
73.24	Auckland Council	Seeks I552.3 Policies and/or the relevant assessment criteria are requested to be amended to express an intention to avoid or minimise the formation of rear lots and jointly owned access lots (JOALs).	FS-14 (AT)
127.29	Auckland Transport	Seeks amendments to I552.6.11. Special frontage and height control as follows:  Purpose: To ensure a quality interface between buildings and key street edges to ensure streetscape and pedestrian amenity, <u>to support the safe and efficient operation of the road network</u> and to maintain passive surveillance and outlook to the street.	Support - FS16 (Kristin School Charitable Trust)  Support- FS15 Nicola and Carl Van Driel
127.30	Auckland Transport	Seeks to include the following to I552.6.11 Special frontage, and height control and vehicle access restrictions: ... <u>(3) No direct vehicle access shall be provided to properties from those roads and streets that are subject to frontage controls as identified on Precinct Plan 4 – Albany frontage controls. This does not apply to private roads and lanes.</u>	Support - FS16 (Kristin School Charitable Trust)  Support- FS15 Nicola and Carl Van Driel
127.31	Auckland Transport	Seeks amendments to table I552.6.11.1 as follows:	Support - FS16 (Kristin School Charitable Trust)  Support- FS15 Nicola and Carl Van Driel

<del>Table I552.6.11.1. Special height and frontage matrix</del>					
<u>Table I552.6.11.1. Special frontage, height and vehicle access restrictions matrix</u>					
Street or open space frontage typology	<del>Albany Highway</del> <u>Albany Highway with frontage control</u>	<del>Vested Road</del> <u>Road to vest with frontage control</u>	Private Roads and Lanes	Open Space	<del>Commercial GFA control (I552.6.7)</del> <u>Commercial frontage</u>
Description:		<del>Buildings fronting Type A Urban Streets</del> <u>these roads provide a more formal urban frontage.</u>			<del>Commercial Buildings fronting Type A Urban Streets</del> <u>these roads/streets provide a more formal urban frontage.</u>

Discussion and analysis

386. **Submission 73.51** seeks amendments to Standard I552.6.5 and Figure I552.6.5.1 Building set back at upper level to:
- a. Recreate the figure (and without colour), and add another explanatory graphic to it to be readily interpreted and administered.
  - b. Amend the 3m set back to that of the Business Mixed Use zone which requires a 6m set back above 18m and when opposite a residential zone.
387. For point 73.51(a) above, I request the applicant to respond by providing colour and an explanation within the graphic to assist interpretation.
388. Point 73.51(b) above is not supported with any analysis against the specialists documents nor has the submitter considered the shadowing diagrams provided by the applicant in the Clause 23 response dated 17 August 2020. The submitter may wish to provide evidence in support of this submission point at the hearing, but as Ms Skidmore has not raised any concerns and is satisfied with the current provisions, as set out in section 8 above. I recommend to reject submission 73.51.
389. **Submission 73.4** seeks a minimum of 2 meters of landscaping to be included under Standard Table I552.6.11.1.
390. Standard I552.6.11 Special frontage and height control manages the interface between buildings and key street edges to ensure streetscape and pedestrian amenity and maintain surveillance and outlook to the street. Landscaping is current managed under Standard 'I552.6.4 Maximum building coverage, impervious area and landscaping', in which Standard sets the minimum landscaping that is required is 35% of the PC59 area.
391. Further, under restricted discretionary activity (A8) which is for New buildings, Matters of discretion I552.8.1(1)(a)(i) and Assessment criteria I552.8.2(1)(d) manage landscaping.

In Ms Skidmore's view including landscaping is not critical, rather it is the setback requirements that are more important.

392. I agree with Ms Skidmore's position, and consider that including a landscaping requirement within the standard could add complications. For example, if the standard is not complied with this would trigger another restricted discretionary activity under Rule 1.6 of Chapter C of the AUP. For a new building, the resource consent application may provide an alternative option, with a setback area. Regardless, both options will go through the RDA consenting process and will be assessed.

393. Therefore, I consider the current approach to be more efficient and the requested addition does not add any benefit to the amenity values of the precinct. I recommend to reject submission 73.4.

394. **Submission 73.57** seeks the following amendments to Standard I552.6.11 Special frontage and height control as follows:

60) Amend standard I552.6.11 Special frontage and height control as follows:

- a) Clause (1), change 'Buildings..must comply' to 'Development...must comply' because other than buildings are controlled by the matrix that follows; eg vehicle accesses and at-grade parking.
- b) Table I552.6.11.1: Remove the typology descriptions to above the table so that the table and its text is more manageable. Remove references to "Type A Urban Streets" or otherwise define and indicate the relevance of this phrase (in two cases). Make the footnotes text consistent and clear. There should be a reference to, and a footnote, "(iii)".
- c) Table I552.6.11.1 – No of floors: Amend the conflict between a reference to 'floors' and the footnote reference to 'storey height limit'. The table text could read "Minimum number of storeys".
- d) Table I552.6.11.1: Clarify "Frontage setback". Is this 'Building set back' or 'Front yard' or 'Setback from road frontage'?
- e) Table I552.6.11.1: "Threshold condition" should be "Threshold depth" to be consistent with the footnote. The footnote should refer to "building" and not 'unit' as other than dwellings are controlled.
- f) Table I552.6.11.1 Minimum ground floor internal height, Commercial frontage – clarify whether 4m is floor to floor or floor to ceiling.
- g) Table I552.6.11.1 At grade parking – create footnote "(iii)".
- h) Table I552.6.11.1 Continuous frontage: Clarify for Commercial GFA frontage there is no 'continuous' requirement when the description refers to this?
- i) Table I552.6.11.1: Maximum building length – add to this "along road frontage".

395. I agree with submission 73.57(a) to use the terminology 'Development' rather than 'Building' to capture all activities, including vehicle access.

396. In regards to submission 73.57(b), I am unsure what "Type A Urban Streets" refers to, please refer to submission 127.39 below for my response.

397. I agree with submission 73.57(c), and recommend that the relief sought to amend to “minimum number of storeys” be accepted. There does seem to be and conflict as identified in the submission.
398. I agree with 73.57(d) and seek clarity about whether “frontage setback” is referring to “building set back” or “front yard”
399. I agree with 73.57(e) to make the footnote consistent with the table, please refer to Appendix 5 to see the amendments made to align this text.
400. I do not agree with 73.57(f), as I consider it clear in table I552.6.11.1 which reads “Minimum ground floor, floor to ceiling heights for buildings” is the measurement from floor to ceiling, on the ground floor.
401. I agree that ‘(ii)’ has been included twice in PC59 and proposed, and I have corrected the footnote referring to parking to ‘(iii)’ in Appendix 5.
402. I request the applicant provides clarity in regards to 73.57(h) above.
403. I agree with 73.57 (i) about the inclusion of “along the road frontage” as this provides clarity and certainty for plan users, and have included this in Appendix 5. I do recognise that these controls apply to road frontages but the additional text adds clarity.
404. I therefore recommend that submission 73.57 be accepted in part, as detailed in paragraphs 394 to 403 above.
405. **Submission 73.24** seeks to amend I552.3 to include policies and/or the relevant assessment criteria to express an intention to avoid or minimise the formation of rear lots and jointly owned access lots (JOALs).
406. The submitter considers “*the master planning and intended roading layout is promoting the ‘perimeter block’ scheme of development and this is appropriate and desirable for a new intensive urban neighbourhood, and conventional rear lots (pan handle shaped) are not supportive of this scheme and are an inefficient form of development.*”
407. FS14 supports this submission in part, and states:
- “Auckland Transport does not oppose the intention to avoid or minimise the formation of rear lots but notes that the private roads and lanes shown on precinct plans 2 and 4 are not proposed to be publicly vested and may be jointly private-owned access lots (JOALs). Auckland Transport would not support vesting of these unless they met the required standards.”*
408. This statement by submitter in 73.24 was not supported by any specialist documentation. In my view, no additional content is required to be included into the precinct relating to the creation of JOALs. This is because activities (A14) and (A15) manage development to be consistent with Precinct Plans 1 – 4. I consider the existing proposed objectives and policies sufficient to manage this matter.
409. I recommend to reject submission 73.24.
410. **Submission 127.29 and 127.30** seek to make amendments to s to Standard I552.6.11 Special frontage control.



411. These two submission points consider that it should be made clear that the purpose of the control is to also support the effective, efficient and safe operation of the road network. As the standard does relate to the form of the road network, I agree with the submitter's view.

412. The submitter considers the standard heading needs to be amended and an addition of a new rule for the following reason as included in their submission:

*“A close read of the table is required to establish that the frontage controls include vehicle access restrictions. This requirement should be clearly identified as it is the only rule in the table that applies outside any affected site. To make this clearer, a separate rule should be added to I552.6.11 Special frontage and height control to clarify vehicle access restrictions. The title of the rule should also be amended to refer to vehicle access restrictions.”*

413. I agree with this submission and consider the proposed amendments are appropriate. For the reasons above, I recommend that submissions 127.29 and 127.30 be accepted.

414. **Submission 127.31** seeks amendments to table I552.6.11.1, which sites in Standard I552.6.11.1.

415. In summary, the submitter is seeking clearer language to assist plan users to apply the rules and use terminology that is consistent with other PC59 documents. I agree with the submitter and recommend that submission 127.31 be accepted.

#### Recommendations on Submissions

416. Based on the analysis outlined above I recommend that submissions:

- 127.29; 127.30; 127.31 be accepted
- 73.57 be accepted in part
- 73.24 be rejected

417. These amendments are set out in **Appendix 5** to this report.

#### **10.3.3 Building dimension, design and location, special information requirement**

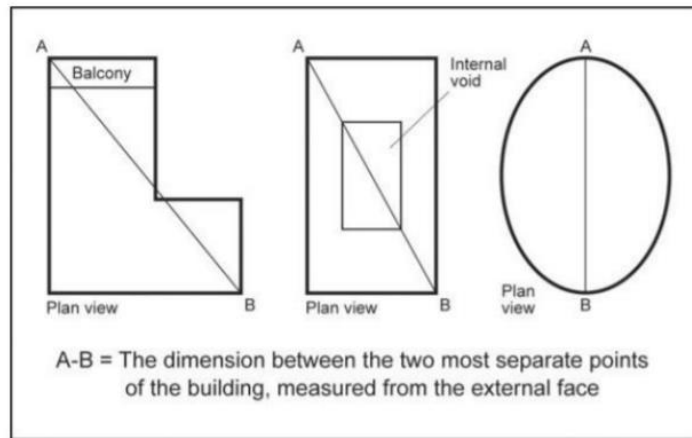
Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.48	Auckland Council	Seeks to amend clauses (1) and (2) in I552.6.3 to refer to “maximum plan view dimension...” amend clause (2) “...points of the building depicted as A to B in Figure I552.6.3.1 Maximum building dimension plan view”	
127.46	Auckland Transport	Seeks amendment to I552.8.2. Assessment criteria (1)(b)(ii) as follows:  (ii) The extent to which <del>development</del> <u>building design</u> and location contributes to a minimum 5 star community rating under Sustainable Community Rating Tool – Green Building Council, taking into consideration the level of overall development within the precinct (or other equivalent rating tool or system).	Support - FS16 Kristin School Charitable Trust
73.65	Auckland	Seeks amendments to I552.9 Special information	

	Council	requirements, to add clauses relating to the extent to which Te Aranga Māori Design Principles have been applied in the proposed subdivision and or development proposals, and how the concerns of iwi have been or will be addressed.	
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Discussion and analysis

418. **Submission 73.48** seeks amendments to standard I552.6.3. No rationale has been provided for these amendments; however, I recognise that the amendments make the standard clearer for plan users when considered the amendments sought against Figure I552.6.3.1 *Maximum building dimension plan view*, as set out below:

**Figure I522.6.3.1 Maximum building dimension plan view**



419. For clarity reasons, I agree with the submitter that including “A to B in Figure I552.6.3.1 Maximum building dimension plan view” in the standard improves the interpretation of the standard and recommend that submission 73.48 be accepted.

*Assessment Criteria*

420. **Submission 127.46** seeks amendments to Assessment criteria I552.8.2.(1)(b)(ii).

421. The submitter seeks an amendment to this criterion to clarify that it only applies to building design and location, not wider development such as within the road reserve.

422. I agree with the requested amendments as without these amendments, the roading authority will also need meet a minimum of 5-star community rating under Sustainable Community Rating Tool – Green Building Council. There are other controls within the precinct and stormwater requirements to manage the effects on the road reserve.

423. For these reasons, I recommend that submissions 127.46 be accepted.

*Special Information Requirements*

424. **Submission 73.65** seeks amendments to I552.9 Special information requirements, to add clauses relating to the extent to which Te Aranga Māori Design Principles have been applied in the proposed subdivision and or development proposals, and how the concerns of iwi have been or will be addressed.

425. PC59 does not contain a Special information requirement for Te Aranga Māori Design Principles, the submitters' request will be a new requirement.

426. In regards to concerns of iwi, section 10.7 of the Section 32 evaluation report, contains consideration against S32(4A) of the RMA. That section appropriately addresses concerns raised by iwi.

427. I understand the request as it does support the matters raised by Iwi. However, the submitter has not provided any recommended wording. Therefore I agree with submission 73.65 in principle, but request the submitter to provide recommended text.

Recommendations on Submissions

428. Based on the analysis outlined above I recommend that submissions:

- 73.48; 127.46 be accepted
- 73.65 be accepted in principle

429. These amendments are set out in **Appendix 5** to this report

**10.4. Landscape and Visual Effects**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.37	Auckland Council	seeks to delete Policy I552.3.(9)	

Discussion and analysis

430. **Submission 73.37** seeks to delete Policy (9) as the submitter considers that it is a repeat of policy (7)(d) which addresses the visual corridors between the Albany Highway and Fernhill Reserve and encampment.

431. I do accept that the two policies are very similar, however, Policy 9 relates to the design of buildings (as well as their location) and includes "...and other development in the precinct to be located and designed to maintain..."[emphasis added].

432. In my view, I believe both policy (7)(d) and (9) can be combined and achieve the same outcome. I, therefore, I recommend that submission 73.37 be accepted in part and a new Policy 7(d) be set out in Appendix 5 and Policy 9 be deleted.

Recommendations on Submissions

433. Based on the analysis outlined above I recommend that submissions:

- 73.37 be accepted.

434. These amendments are set out in **Appendix 5** to this report.

**10.5. Transport and traffic**

**10.5.1 Precinct description, General and Specialist Documents**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
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136.1	Aria Gardens Limited Attn: Jonathan Ash	Requests a copy of Auckland Council's transportation peer review for its inspection, so that the assumptions and conclusions of the Integrated Transportation Assessment provided in support of PC59 can be verified.	Support-FS15 Nicola and Carl Van Driel
136.2	Aria Gardens Limited Attn: Jonathan Ash	Seeks to ensure that the mechanisms for providing the necessary upgrades to the transport network are clear, effective and enforceable.	Support-FS15 Nicola and Carl Van Driel
64.2	Sachintana Dissanayake	Seeks for alternative transport routes or extra lanes to avoid the above issue we will be facing due to 100's of new house units.	
130.3	Jinyan Xu	Seeks for extra transportation options except using current infrastructure.	
127.3	Auckland Transport	<i>The precinct seeks to control the number of dwellings that are enabled in order to manage effects on the transportation network and on intersections providing access to the precinct. Triggers are provided for within the precinct to assess the capacity of the local transport network to accommodate the planned growth, and to provide for upgrades to the two primary signalised intersections servicing the precinct, along with upgrades to cycle paths.</i>	Support – FS16 Kristin School Charitable Trust Support-FS15 Nicola and Carl Van Driel
128.2	Kristin School Charitable Trust Attn: Tompkins Wake	Seeks such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the Trust's concerns set out above.	

### Discussion and analysis

435. In regards to **submission 136.1** of which seeks a copy of Auckland Council's transportation peer review for its inspection, so that the assumptions and conclusions of the Integrated Transportation Assessment provided in support of PC59 can be verified.
436. **Submission 128.2** Seeks such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the Trust's concerns set out above. In summary, the relief sought is:
- a. There is a potential conflict in managing the traffic at PC59 and Kristin School;
  - b. The submitter wishes to ensure the phasing of development and corresponding transport infrastructure upgrades are planned and effectively delivered at the appropriate time; and
  - c. The proposed maximum of 1800 dwellings is likely to increase traffic movements and have the potential to lead to delays on Albany Highway and surrounding roads.
437. I consider the request but the submitter 136.1 has been met by conducting this review, and I recommend that submission 136.1 be accepted. No amendments are required due to this submission.

438. For the specific request by **submitters 64.2, 130.3 and 136.2** to ensure alternative transport options have been considered and infrastructure is provided at an appropriate time, further detail can be found under sections 10.5.5 – 10.5.6 below.
439. In my view, the concerns raised by submitters 136.1, 64.2, 128.2 and 130.3 have been addressed in Mr McKenzie review of the PC59 material and the Integrated Transport Assessment dated 6 August. This a summary of this assessment by Mr McKenzie is under section 8.5 above and this assessment is attached as in Appendix 4 of this report.
440. In summary, Infrastructure relating to the transport network is set out under '1552.6.13 *Transport infrastructure development thresholds*'. The purpose of this standard is "... To ensure that the precinct responds to the anticipated growth of the Albany area, while also ensuring the safe and efficient operation of the local transport network." . Table 1552.6.13.1 in this standard sets out the number of dwellings and what infrastructure is required to service the growth enabled by PC59. Submission below cover the finer detail of the standard.
441. With the amendments set out in appendix 5, the transport network upgrades will be required by the Precinct provisions to be provided at the time of or prior to development occurring. This will ensure that the precinct is consistent with RPS policy B2.4.2(6).
442. I support submissions 64.2, 130.3, 128.2 and 136.2 and recommend that it be accepted.
443. **Submission 127.3** seeks to amend 1552.1 Precinct Description paragraph 2 to remove the tern '...local transport network...' to just 'transport network'.
444. The amendment is sought to clarify that the triggers in the precinct are not limited to assessing the capacity of the local transport network. I agree with the submitter and consider it necessary to not limit the transport assessments to the local transport network. I recommend that submission 127.3 be accepted.

#### Recommendations on Submissions

445. Based on the analysis outlined above I recommend that submissions:
- 64.2; 130.3; 136.1; 128.2; 136.2 127.3; be accepted
446. These amendments are set out in **Appendix 5** to this report.

#### **10.5.2 Transport related Objectives**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
127.4	Auckland Transport	Seeks to amendments to Objective 2 as follows:  <i>(2) Subdivision and development are undertaken in a comprehensive manner in general accordance with Precinct Plans 1 – 4 and are designed to align with the provision of open space and, where required, the upgrading of infrastructure including transport <del>infrastructure and services (roading and pedestrian linkages and accessways)</del>, water, wastewater and</i>	Support – FS16 Kristin School Charitable Trust  Support- FS15 Nicola and Carl Van Driel

		<i>stormwater.</i>	
59.2	Watercare Services Limited	Seeks amendments to Objective 2 as follows:  <i>(2) Subdivision and development are undertaken in a comprehensive matter and in general accordance with Precinct Plans 1-4, and are designed to align with the provision of open space and, where required, the upgrading <u>and installation</u> of infrastructure including transport (roading and pedestrian linkages and accessways), water, wastewater and stormwater.</i>	Oppose – FS11 Shu Li
127.5	Auckland Transport	Seek amendments to Objective 9 as follows:  <i>Pedestrian and cycle linkages within the precinct are provided, including connections <del>within to</del> the wider roading and pedestrian network and adjacent land, taking into account topography, visual corridors, watercourses and vegetation, to enhance recreation and connectivity and create a network that links open spaces within the precinct and the wider environment.</i>	Support – FS16 Kristin School Charitable Trust Support- FS15 Nicola and Carl Van Driel
127.6	Auckland Transport	Seeks amendments to Objective 14 as follows:  <i>Development is integrated with the capacity of the <del>local</del> transport network <del>internal to the precinct</del> to ensure travel demand is supported by suitable transportation infrastructure.</i>	Support - FS16 Kristin School Charitable Trust Support- FS15 Nicola and Carl Van Driel
73.13	Auckland Council	Seeks amendments to Objectives (14) as follows:  <i>“<u>Subdivision</u> and development within the precinct is integrated with the capacity of the local transport network <del>internal to</del> and <u>that</u> of the precinct to ensure travel demand is supported by suitable transportation infrastructure”.</i>	Support – FS14 Auckland Transport
127.7	Auckland Transport	Seeks to retain Objective 15 as currently drafted.	Support - FS16 Kristin School Charitable Trust Support- FS15 Nicola and Carl Van Driel
139.4	Ministry of Education	Seeks amendments to Objective (15) as follows:  <i>(15) Land use and development within the precinct <u>enables social infrastructure and promotes the safe and efficient operation of the local transport network.</u></i>	Oppose – FS14 Auckland Transport
127.8	Auckland	Seeks to retain Objective (16) as currently drafted.	Support -

	Transport		FS16 Kristin School Charitable Trust Support- FS15 Nicola and Carl Van Driel
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Discussion and analysis

447. **Submission 127.4 and 59.2** seek amendments to Objective 2. Further submission **FS11** does not support submission 59, however I consider the further submitter opposition is to PC59 as a whole.
448. Submitter 127.4 considers the objective should be clarified and refined to refer to the upgrading of transport infrastructure and services, rather than limiting transport to roading, pedestrian linkages and accessways.
449. Submitter 59.2 considers it necessary to include the word ‘installation’ of infrastructure. I agree it is useful to include installation within the objective.
450. I agree all services can and should be included in Objective 2 to capture all infrastructure upgrades. I support submission 127.4 and 59.2 and recommend that they be accepted.
451. **Submission 127.5** seek amendments to Objective (9) The submitter considers this amendment will support the connections to the wider network. I agree with the submitter, as I consider it necessary for the effects of PC59 to be considered on the wider transport network.
452. I consider the amendments sought achieve this outcome and recommend that submission 127.5 be accepted.
453. **Submission 127.6 and 73.13** seek amendments to Objective (14). Submitter 127.6 states:
- “Objective 14 states that development should only be integrated with the capacity of the local transport network internal to the precinct. Development within the precinct may create adverse transport effects beyond the precinct, including on Albany Highway at the access points into the precinct.”*
454. Submission 73.13 amendments sought is for Objective (14) to apply to both subdivision and development.
455. PC59 will enable significant growth in this area, and I agree with the submitter that the effects need to be considered beyond the precinct. The extent of the effects can be considered at resource consent stage, and I recommend submission 127.6 to be accepted.
456. In regards to submission 73.13, the submitter considers it is appropriate to use subdivision and development together in the objectives and policies, and to separate the terms in the activity table, matters of discretion and assessment criteria.

457. For Objective (14) specifically, the submitter seeks for the inclusion as they consider it appropriate to make a link between the objective and the infrastructure thresholds under I552.6.13. Transport infrastructure development thresholds.
458. I agree with the submitter in regards to making the connection between Objective (14) and Standard I552.6.13 clear and certain. I have included the term 'Subdivision' and made grammatical edits as a result. For the remainder of the Objectives, my preference is submitter 127.6 wording regarding Objective (14).
459. I recommend 73.13 be accepted in part.
460. **Submission 127.7** seeks to retain Objective (15) as currently drafted. **Submission 139.4** seeks amendments to Objective (15) to include wording that will 'enable social infrastructure'
461. The submitter, being the MoE, is responsible for providing education facilities, considers a new primary school will likely be required.
462. Further submission **FS14** opposes submission 139.4. the further submitter considers an integrated transport assessment (ITA) is required, and if provisions is made for social infrastructure, this needs to be supported by an ITA.
463. I consider that Objective (15) intends to promote the 'land use and development' within the precinct, specifically relating to the local transport network. The process for a new school to be established is through a Notice of Requirement for a Designation (NoR). However, the following needs to be acknowledged:
- a. The built form promoted PC59 may involve a not so 'typical' school building.
  - b. PC59 is enabling growth in an area where a primary school is likely to be needed.
464. In my view, the transport effects of land use and development within the precinct should be limited to use and development for Objective (15), as this will collectively address the effects of a new school. The ability of the requiring authority and its powers to designate land is an independent process.
465. FS14 seeks that any school development requires an ITA, as a new school could affect the infrastructure threshold upgrades in Table I552.6.13.1, which is based upon vph. I agree with the further submitter for the requirement for an ITA. I also consider that the inclusion of a school within the PC59 site could reduce the number of dwellings that are able to be constructed (the current ITA relates to 930 dwellings) before a new ITA is required.
466. In addition, the NoR for a new school could have wider transport implications on the transport network. Therefore I agree with FS14, and recommend that submission 139.4 be rejected.
467. No other submissions were made on Objective (15), and I agree to retain the objective as drafted. I recommend for submission 127.7 be accepted.
468. **Submission 127.8** seeks to retain Objective (16) as currently drafted. Further submission **FS15** and **FS16** support this submission. No other submission sought for amendments to be made to Objective (16) nor did Mr McKenzie raise any concerns in their review. I recommended for submission 127.8 to be accepted.

#### Recommendations on Submissions



469. Based on the analysis outlined above I recommend that submissions:

- 127.4; 59.2; 127.6; 127.5; 73.13; 127.7; 127.8 ; be accepted
- 139.4 be rejected

470. These amendments are set out in **Appendix 5** to this report.

### 10.5.3 Transport policies

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.39	Auckland Council	Seeks amendments to Policy (15) as follows:  <i>(15) Ensure the safety and capacity of the transport network is maintained, taking into account the anticipated maximum number of dwellings <u>and non-residential floorspace</u> enabled by the precinct.</i>	Support – FS14 Auckland Transport
73.40	Auckland Council	Seeks amendments to Policy (16) as follows:  <i>(16) Where the <del>number of dwellings constructed</del> <u>quantum of development</u> within the precinct generates appropriate demand, require upgrades to identified signalised intersections and public cycling facilities <u>and/or ensure other services are in place to ensure the safe and efficient movement of people in and out of the precinct, particularly at peak traffic hours.</u></i>	
73.41	Auckland Council	Seeks to delete Policy (17) and seeks amendments to Policy (17) as follows:  <i>(17) Ensure new roads, <u>lanes and pedestrian/cycle facilities</u> are located in accordance with Precinct Plan 2 – Albany movement network to contribute to a highly connected pedestrian, cycle and road network that provides for all modes of transport.</i>	
127.13	Auckland Transport	requests Policy (17) to be retained as currently drafted.	Support – FS16 Kristin School Trust  Support – FS15 Nicola and Carl Van Driel
127.14	Auckland Transport	<i>(18) Ensure pedestrian and cycle linkages within the precinct and across the boundaries of the precinct as generally indicated on Precinct Plan 2 - Albany movement network, to allow for safe and efficient movements within <u>and beyond</u> the precinct.</i>	Support – FS16 Kristin School Trust  Support – FS15 Nicola and Carl Van Driel
127.16	Auckland	seeks amendments to Policy (20) as follows:	Support –

	Transport	<i>(20) Apply parking maximums to activities enabled within the precinct to mitigate the effects of traffic generation, and to <del>ensure that</del> <u>support</u> alternative transport modes <del>are</del> <u>as</u> a viable alternative to private vehicle use.</i>	FS16 Kristin School Trust  Support – FS15 Nicola and Carl Van Driel
73.44	Auckland Council	seeks to include new policy governing the size, location and design of at-grade carparks and address in the activity table, standards and assessment criteria in the appropriate places and a new restricted discretionary activity.	Oppose in part - FS14 Auckland Transport
127.10	Auckland Transport	seek Policies (4) to be retained as currently drafted.	Support – FS16 Kristin School Trust  Support – FS15 Nicola and Carl Van Driel
127.11	Auckland Transport	seek Policies (15) to be retained as currently drafted.	Support – FS16 Kristin School Trust  Support – FS15 Nicola and Carl Van Driel
127.12	Auckland Transport	seek Policies (16) to be retained as currently drafted.	Support – FS16 Kristin School Trust  Support – FS15 Nicola and Carl Van Driel
139.5	Ministry of Education	seeks amendments to Policy (19) as follows:  <i>(19) <u>Ensure that commercial activities, <del>and</del> healthcare and educational facilities</u> are of a size and intensity that supports the local residents within the precinct, without encouraging significant trip movements from outside the precinct.”</i>	Oppose – FS14 Auckland Education  Support – FS15 Nicola and Carl Van Driel
73.42	Auckland Council	seeks amendments to Policy (19) as follows:  <i>(19)<u>Ensure that commercial and other non-residential activities and healthcare facilities</u> are <u>of</u> a size and intensity that supports <del>the local residents within</del> of the precinct <del>without encouraging</del> <u>while not generating significant trip movements from outside the precinct.”</u></i>	Support – FS14 Auckland Transport  Oppose – FS17 Ministry of Education
127.15	Auckland Transport	Seeks Policy (19) to be retained as drafted	Support – FS16 Kristin

			School Trust  Support – FS15 Nicola and Carl Van Driel
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Discussion and analysis

471. **Submission 73.39** seeks amendments to Policy (15) to include ‘non-residential floor space’. The submitter considers that it is appropriate for Policy (15) to consider all sources of traffic that might affect the transport network. The submitter also considers the amendments will cover any resource consent application that does not comply with relevant standards of which may generate traffic is considered with an appropriate policy back up.
472. I agree with the submitters view as I consider that non-residential activities that are provided for could have an effect on the transport network. I consider the amendments sought are appropriate and recommend that submission 73.39 be accepted.
473. **Submission 73.40** seeks amendments to Policy (16). The submitter considers that Policy (16) should address all forms of development that would generate traffic, as well as all transport modes. The submitter also considers that the policy should focus on the peak hour movements which place the greatest pressure on transport resources.
474. I agree with the submitter that the policy as proposed addresses all forms of development and therefore movement of people/goods and services should be assessed. This policy includes assessment of effects on existing and future infrastructure based on the number of dwellings being constructed.
475. I consider that Policy (16) is attempting to manage:
- a. infrastructure upgrades throughout the lifetime of the development of the precinct, and
  - b. when infrastructure upgrades are needed.
476. The wording of the policy, in my view, is directly linked to the infrastructure upgrades listed in Table I552.6.2.13 which have correlating dwelling numbers.
477. Policy (16) as proposed reads as follows:
- (16) Where the number of dwellings constructed within the precinct generates appropriate demand, require upgrades to identified signalised intersections and public cycling facilities*
478. To simplify, and avoid confusion in the consenting phase, I consider the following wording is more suitable and achieves the same outcome:
- “(16) Require subdivision and development to avoid, remedy or mitigate the adverse effects, including cumulative effects, on the existing and future infrastructure required to support the Precinct through the provision of new and upgraded infrastructure.”
479. I consider that this proposed wording still maintains the ‘quantile’ nature of the policy, and still manages residential and non-residential activities as it applies to subdivision

and development. In terms of scope available to recommend this change, I consider that submission 73.40 provides this as the submitter considers that the policy should address all forms of development that would generate traffic as well as all transport modes, which is what the new policy does.

480. I consider the proposed version of Policy (16) to be more effective and efficient and therefore recommend that submission 73.40 be accepted in part.
481. **Submission 73.41** seeks amendments to Policy (17) and to delete all of Policy (18).
482. **Submission 127.13** requests Policy (17) to be retained as currently drafted.
483. Submitter 73 notes that the inclusion of '*lanes and pedestrian/cycle facilities*' in Policy (17) as these are also identified on Precinct Plan 2. I agree with this statement and support the inclusion.
484. Submitter 73 considers that Policy (18) is a repeat of Policy (17). I recognise that Policy (17) and (18) are similar, but in my view Policy (17) ensures the location of the roads are in accordance with Precinct Plan 2. Policy (18) ensures an efficient movement network across the precinct boundaries and safe and efficient movements within the precinct.
485. I consider these two policies relate to different matters and so Policy (18) should be retained), therefore I recommend to accept in part submission 73.41. As amendments are proposed to Policy (17), I recommend to reject submission 127.13.
486. **Submission 127.14** considers Policy (18) should recognise safety and efficiency beyond the precinct. I agree that safety and efficient beyond the precinct is necessary, but to only where transport modelling demonstrates a more than minor effect. I support submission 127.14 and recommend that it be accepted.
487. **Submission 127.16** seeks amendments to Policy (20) and the submitter supports limiting car parking within the precinct as a method to discourage vehicle trip generation and encourage alternative modes of transport. The submitter also considers it is unlikely that amendments to the Precinct provisions are required to support alternative transport modes.
488. I agree with the amendments sought by the submitter. In my view I consider the policy would be more effective if it was a 'Require' policy not an 'Apply'. However I do not consider scope is available. I recommend to accept submission 127.16.
489. **Submission 73.44** seeks to include new policy governing the size, location and design of at-grade carparks and to address this in the activity table, standards and assessment criteria in the appropriate places and a new restricted discretionary activity.
490. The submitter has not provided an explanation of why this is required. In my view, this is more appropriately managed in Chapter E27 Transport of the AUP.
491. I cannot determine why the additional policy, standards and assessment criteria and a new restricted discretionary activity are required. The submitter may wish to provide further detail at the hearing. I therefore recommend that submission 73.44 be rejected.
492. **Submission 139.5** seeks amendments to Policy (19) as follows:

*“(19) Ensure that commercial activities, ~~and~~ healthcare and educational facilities are of a size and intensity that supports the local residents within the precinct, without encouraging significant trip movements from outside the precinct.”*

493. The submitter seeks for education facilities to be considered as a part of the precinct provisions. As discussed for submission 139.4, I have provided my view on including provisions referencing education facilities. For the reasons set out in my response to submission 139.4 (paragraph 461), I do not support submission 139.5 and recommend that it be rejected.

494. **Submission 73.42** seeks amendments to Policy (19) as the submitter considers Policy 19 should address all non-residential activities that are provided for both in the precinct and in the underlying THAB zone. The submitter considers the precinct is primarily residentially focused and *“...will likely put a strain on the local transport network such that any non-residential activities outside the GFA limits or which require consent should be able to be assessed in terms of this policy.”* A ITA or economic assessment was not provided to support this submission.

495. **Submission 127.15** seeks Policy (19) to be retained as drafted

496. Further submission **FS17** opposes this submission, and has stated:

*“The Ministry opposes Auckland Council’s relief sought on Policy 19 to ensure ‘other non-residential activities’ do not generate significant vehicle movements from outside of the precinct. Educational facilities are classified as non-residential activities, therefore this amended policy would affect the Ministry’s ability to provide a school in the future.*

*...*

*This school may generate significant trip movements from outside the precinct during peak pick-up and drop-off times (8 – 9 am and 3 – 4 pm). Auckland Council’s relief sought on Policy 19 would restrict the Ministry to provide the essential social infrastructure for Albany in the future.”*

497. FS14 (Auckland Transport) considers that since no ITA has been supplied regarding an education facility, then the provisions made for education facilities in the Objectives and Policies is not supported.

498. I consider that Policy (19) relates to the commercial activities and healthcare facilities (A2) to (A7) in table I552.4.1. These activities enable 4000m<sup>2</sup> (identified on Albany 10 Precinct Plan 1 – Features plan as a ‘community hub’) of these activities to occur. Under Chapter J, the definition for ‘Commercial activities’ and ‘Healthcare facilities’ covers the items sought through the section 32 evaluation report. I agree with FS14 regarding the detail required to assess if a school is appropriate to be established in the precinct, I consider this needs to go through the RMA Designation process rather to be included through a plan change submission.

499. In comparison to other Policies that manage non-residential activities, Policy (19) directly manages commercial activities and healthcare facilities, and these are provided for under Table I552.4.1. In my view, it is clearer to retain healthcare facilities in the policy as it is defined under Chapter J of the AUP. Including reference to ‘non-residential activities’ would provide for activities such as industrial activities, as it has a wider definition under Chapter J Definitions of the AUP. I disagree with this part of submission 73.42.

500. However I do agree with another part of submission 73.42 that Policy (19) should be used to assess if an activity exceeds the GFA limits. I consider that the policy will

manage adverse effects on the transport network by discouraging vehicle movements to it. I consider using the term 'discourage' in the policy is more suitable than 'without encouraging'.

501. My suggested wording is as follows:

(19) Ensure that commercial activities and healthcare facilities are of a size and intensity that supports the local residents within the precinct, and discourage activities that do not appropriately manage adverse effects on the safe and efficient operation of transport network including effects on pedestrian safety without encouraging significant trip movements from outside the precinct.

502. I therefore do not support submission 139.5 and 127.15 and recommend that they be rejected. I also recommend that submission 73.42 be accepted in part.

503. **Submissions 127.10, 127.11 and 127.12** seek Policies (4), (15), (16) to be retained as currently drafted.

504. Policy (4) has not been amended in this report, and McKenzie has not identified any required amendments to the policy, I recommend to accept submission 127.10.

505. Policies (15) and (16) have had amendments under other submissions that I have recommended be accepted. I recommend to reject submission 127.11, 127.12

#### Recommendations on Submissions

506. Based on the analysis outlined above I recommend that submissions:

- 73.39; 127.14; 73.44; 73.42; 127.10; 127.16 be accepted
- 73.40; 73.41; be accepted in part
- 127.13; 127.15; 127.11; 127.12; 139.5; be rejected

507. These amendments are set out in **Appendix 5** to this report.

#### **10.5.4 Submission on Activity table I552.4.1**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
127.17	Auckland Transport	Seeks amendments to Table I552.4.1 activity table to include a new Restricted Discretionary activity for "Subdivision and development which does not comply with Standard I552.6.12 Parking".	Support – FS16 Kristin School Trust  Support – FS15 Nicola and Carl Van Driel
73.19	Auckland Council	Seeks amendments to activity (A18) as follows:  <u>"Subdivision in accordance with all subdivision standards and standard I552.6.13 Transport infrastructure development thresholds"</u>	

73.17 and 73.18	Auckland Council	<p>Seeks amendments to Table I552.4.1 to remove the term 'development' from activity table heading and from (A19). The submitter considers activity (A19) activity status should be amended to a Discretionary activity; and to delete the phrase 'alternative measures to achieve required transport access, capacity and safety'.</p> <p>Consequentially, the submitter considers activity (A11) should read development that does not comply with Standard I552.6.1 Dwelling density <u>or with Standard I552.6.13 Transport infrastructure development thresholds.</u>"</p>	Support - FS14 Auckland Transport
127.23	Auckland Transport	<p>seeks amendments to Table I552.4.1 Activity table activity (A19) as follows:</p> <p><i>(A19) Subdivision and development which does not comply with Standard I552.6.13 – Transport infrastructure development thresholds, but proposes alternative measures to achieve required transport access, capacity and safety</i></p> <p>As a consequence, remove associated I552.5 Notification (1)(a) rule:</p> <p><i>(1) Any application for resource consent for a restricted discretionary activity listed in activity table I552.4.1 will be considered without public notification. This does not include:</i></p> <p><i>(a) I552.4.1 (A19) Subdivision and development which does not comply with Standard I552.6.13 – Transport infrastructure development thresholds, but proposes alternative measures to achieve required transport access, capacity and safety.</i></p>	<p>Support – FS16 Kristin School Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
127.60	Auckland Transport	<p>Seeks to delete Assessment criteria I559.8.2.(5). As a consequence of making activity (A19) a discretionary activity.</p>	<p>Support – FS16 Kristin School Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
73.20	Auckland Council	<p>Seeks that activity (A21) be amended from a non-complying activity to a discretionary activity.</p>	

508. **Submission 127.17** seeks amendments to Table I552.4.1 activity table to include a new Restricted Discretionary activity for "Subdivision and development which does not comply with Standard I552.6.12 Parking". A further submitter considers non-compliance should also be subject to the standard notification test and therefore be excluded from I552.5 Notification (1).

509. The submitter considers that defaulting to Chapter C, Rule C1.9 of the AUP is insufficient, and requests that specific matters of discretion and assessment criteria be included in the Albany Precinct 10. I support this submission, and this is similar to Mr Mackenzie's position (discussed earlier in section 8.5) with regards to vehicle movement above 600 vph.
510. I support submission 127.17 in principle, however I request that the submitter provide matters of discretion and assessment criteria to support the new activity. I recommend to accept submission 127.17 in principle.
511. Submission **73.17, 73.18 and 73.19** seeks amendments to activities (A18) and (A19).
512. It is my understanding that activity (A18) is required to comply with all standards. Activity (A19) addresses subdivision and development which does not comply with Standard I552.6.13. I do not consider this additional text necessary and could lead to interpretation issues.
513. Submissions 73.17, 73.18 and 73.19 also seek amendments Table I552.4.1 to remove the term 'development' from activity table heading and from (A19). The submitter considers activity (A19) activity status should be amended to a Discretionary activity; and to delete the phrase 'alternative measures to achieve required transport access, capacity and safety'.
514. Consequentially, the submitter considers activity (A11) should read development that does not comply with Standard I552.6.1 Dwelling density or with Standard I552.6.13 Transport infrastructure development thresholds."
515. **Submission 127.23** seeks amendments to Table I552.4.1 Activity table activity (A19) to remove the references to meeting activity (A19) by proposing an alternative measure to achieve required transport access, capacity and safety. The submitter also considers non-compliance with the activity should go through the normal notification tests.
516. From my understanding activity (A19) is for subdivision and development that does not comply with Standard I552.6.13 infrastructure development thresholds or for an activity the proposes an alternative measure to achieve the required transport access, capacity and safety.
517. As set out above in Mr McKenzie's review of PC59 outlined in section 8.X above, a discretionary activity is necessary to consider the effects greater than 600vph or the equivalent dwelling number. The reason for this, as set out above, is that it is unknown what the effects are for subdivision and development that generates more than 600 vph.
518. For this reason, I support the submission points 73.17, 73.18 and 73.19 that activity (A19) should be a discretionary activity. As the activity is proposed to be a discretionary activity, this resource consent process will provide for alternative subdivision and development which does not comply with Standard I552.6.13. This means alternative measures can be included in the resource consent proposal and do not need to be specified in the activity itself.
519. The submission 73.17 also seeks for the term 'development' to be removed from activity (A19). In my view, the removal of the term is consequential to submission 73.15 to split the table between subdivision and development. I have not recommended that the table be accepted as I do not consider this consistent with other precinct plans.



520. Sections below, relating to submission 127.2 discuss compliance with Standard I552.6.13. The amendments sought by 73.17, 73.18, 17.19 and 127.23 are required to give effect to those amendments.
521. I support submissions 73.17, 73.18, 17.19 and recommend that they be accepted in part, and that submission 127.23 be accepted.
522. **Submission 127.60** seeks to delete Assessment criteria I552.8.2.(5). As a consequence of making activity (A19) a discretionary activity.
523. I have recommended to amend activity (A19) to be a Discretionary activity, and therefore support that consequential amendments are required. I support submission 127.60 and recommend that it be accepted.
524. **Submission 73.20** seeks that activity (A21) be amended from a non-complying activity to a discretionary activity. I have summarised the submitter's reasons below:
- It creates a single activity class of subdivision where any standard is not satisfied.
  - It creates administrative simplicity for the Auckland Council.
  - The discretionary activity is consistent with Chapter E38 of the AUP.
  - The need for an open discretion to consider any and all deviations from the subdivision standards is warranted given that there are potentially many variations from the precinct plans.
525. The submitter has not provided a section 32 analysis of the requested amendment, nor in my view sufficiently considered the Standard I552.6.14.2, which relates to the activity.
526. I consider that a non-complying activity status is appropriate for activity (A21). I consider the applicant should demonstrate under Section 104D of the RMA that deviating from Standard I552.6.14.2 and from general accordance and alignment with Precinct Plan 2, will be minor or meet 104D(1)(b) of the RMA.
527. I recommend to reject submission 73.20.

#### Recommendations on Submissions

528. Based on the analysis outlined above I recommend that submissions:
- 127.23; 127.20; 127.60 be accepted
  - 73.20 be rejected
  - 73.17; 73.18; 73.19 be accepted in part
  - 127.17 be accepted in principle
529. These amendments are set out in **Appendix 5** to this report.

#### **10.5.4 Standards Parking (I552.6.12)**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.58	Auckland Council	Seeks amendments to I552.6.12 Parking to remove minimum parking requirements and to clarify whether the standard will also govern parking spaces in the road reserves given that clause (a) states "within the precinct" and the 'purpose' statement refers to the "safety and capacity of the internal and wider road network"	

127.32	Auckland Transport	Seeks to retain standard I552.6.12 Parking	Support – FS16 Kristin School Trust  Support – FS15 Nicola and Carl Van Driel
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Discussion and analysis

530. **Submission 73.58** seeks amendments to I552.6.12 Parking to remove minimum parking requirements and to clarify whether the standard will also govern parking spaces in the road reserves given that clause (a) states “within the precinct” and the ‘purpose’ statement refers to the “safety and capacity of the internal and wider road network”

531. **Submission 127.32** seeks to retain standard I552.6.12 Parking

532. Section 6.2.1 of this report addresses the NPS:UD. At this point in time, I do not consider it appropriate to remove minimum car parking rates from the precinct. A number of the accessible parking provisions under Chapter E27 rely upon minimum car parking rates. Minimum car parking rates for accessible parking are provided for by the NPSUD..

533. The Council will notify a plan change within 18 months of the NPS:UD coming into force, removing the minimum car parking rates. In reviewing Standing I552.6.12 Parking, the wording of I552.6.12.(1)(a) is [emphasis added]:

*...must not exceed the maximum and minimum rates specified in Table E27.6.2.3...*

534. In my view, if you must not exceed the minimum, you are unable to go higher than the minimum. The submissions on Standard I552.6.12 do not provide the scope, but I would consider it useful to clarify the standard as follows “must comply with ~~not exceed~~”.

535. I therefore recommend submission 73.39 to be rejected and accept in part submission 127.32.

Recommendations on Submissions

536. Based on the analysis outlined above I recommend that submissions:

- 73.58 be rejected
- 127.32 be accepted

537. There are no amendments associated with this recommendation.

**10.5.5 Transport infrastructure development thresholds (I552.6.13)**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.7	Auckland Council	Seeks for Standard I552.6.13 and relevant assessment criteria to refer to traffic counts in preference to dwelling counts. The submission also seek amendments to Standard	

		I552.6.13. (please see below)	
73.8	Auckland Council	Standard I552.6.13 to include 'subdivision' and for the standard to contain a density formula.	Oppose FS14 Auckland Transport
127.2	Auckland Transport	Seeks to include rules in the precinct, such as an appropriate evidence-based trip generation cap. Or reduce the number of dwellings to limit vehicle movements at the intersections to either 500 vehicles per hour in peak (without mitigation works on intersections) or 600 vehicles per hour in peak in (with mitigation works on intersections).	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.33	Auckland Transport	seeks amendments to I552.6.13 Transport infrastructure development thresholds as follows:  <u><i>Advice note: Auckland Transport cannot provide access to Albany Station for pick-up and drop-off by private shuttle. The applicant will therefore need to investigate alternative locations for pick-up and drop-off.</i></u>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.34	Auckland Transport	Seeks amendments to I552.6.13 Transport infrastructure development thresholds as follows:  <i>Purpose: To ensure that the precinct responds to the anticipated growth of the Albany area, while also ensuring the safe and efficient operation of the local transport network.</i>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.35	Auckland Transport	Seeks to retain the row in I552.6.13.1 Transport infrastructure development upgrade thresholds relating to review of transportation mode share as it is currently drafted.	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.36	Auckland Transport	Seeks to retain the row in I552.6.13.1 Transport infrastructure development upgrade thresholds relating to upgrades to intersections at 770 dwellings as it is currently drafted.	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel

127.37	Auckland Transport	Seeks to amend Table I552.6.13.1 by deleting the final row.	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
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Discussion and analysis

538. **Submission 73.7** seeks for Standard I552.6.13 and relevant assessment criteria to refer to traffic counts in preference to dwelling counts. These submissions also seek amendments to Standard I552.6.13. The wording of the submission is as follows:

“8) Amend Standard I552.6.13 (Transport infrastructure development thresholds) to ensure it can be readily administered by the Council at the appropriate time of either subdivision or development and that the activity status for non-compliance is clear at each trigger point:

- (a) Amend clause (1) to refer to other than ‘construction’ requirements in Table I552.6.13.1, if the table is to include other than construction matters. Add “by the developer” after ‘constructed’.
- (b) Amend the standard to refer to the ‘dwelling density’ and/or ‘vehicles / hour’ as most appropriate to each stage or increment of development and infrastructure requirement.
- (c) Define the ‘shuttle bus’ requirement so that it is certain and compliance or otherwise can readily be determined; define “initial development” and define the essential elements of a ‘private shuttle bus’ service, including the roading pattern required within the precinct in order for the service to be practicable/viable; how it will be funded, marketed and managed; how it will be determined that it will cease to operate. Alternatively delete this ‘requirement’ and leave the matter to be determined at the appropriate resource consent application/s.
- (d) Delete level “460-770” and its ‘requirement’ as not being sufficiently certain to be part of a standard; provide for tracking of mode share to be addressed in the appropriate resource consent application/s.
- (e) Change “770” to the appropriate level for these intersection upgrade requirements if this is found to be inappropriate, or better addressed by way of ‘vph’ or projected dwelling density.
- (f) Delete level “930” and address this level of development and these matters in both policy and assessment criteria, such that consent may be refused if these cycleway projects are found to be critical to the sustainable development of the precinct above this threshold.
- (g) Modify policies (15) and (16) under Infrastructure to address more specifically the traffic and transport issues of standard I552.6.13 (Transport infrastructure development thresholds); and amend the assessment criteria to also address these matters.”

539. **Submission 73.7(a)** seeks for ‘by the developer’ after constructed. Although the upgrades identified in Standard I552.6.13 are required to cater for the development enabled by PC59. The responsibility is not solely on the applicant. I recommend that submission 73.7(a) be rejected.

540. **Submission 73.7(b), (e) and (f)** is addressed below with submission 127.2.

541. **Submission 73.7(c)** raises matters about the management of a shuttle bus service, which the developer proposes to provide. I consider that initial development is taken from the time of the first consent, or first development. The remainder of the submission is not, in my view on RMA matters or matters to be included into the standards. I recommend to reject 73.7(c).
542. **Submission 73.7(d)** seeks the requirement for 460-770 dwellings in Standard Table I552.6.13.1 to be deleted. The submitter has not supplied any evidence but indicated there is not being sufficient certainty to be part of the standard; and for tracking of mode share to be addressed in the appropriate resource consent application/s.
543. In my view, activities that fall under (A18) will need to demonstrate compliance with this part of the standard I552.6.13 when the number of dwellings is between 460 – 770 dwellings. Activity (A19) is relevant if there is non-compliance with the standard. Both activities are restricted discretionary. I consider that retaining this part of the standard will allow for an assessment of its performance. At these points, the applicant can consider if any adjustments are needed.
544. **Submission point 73.7(g)** seeks amendments to Policy (15) and (16) to address the traffic and transport issues of Standard I552.6.13; and seeks amendments to the assessment criteria to address these matters.
545. In my view, Policy (15) ensures safety and capacity of the transport network. I agree that this policy could be improved by becoming a 'require' policy. I consider this needs to be a requirement rather than 'to ensure'. I also agree that the wording on Policy 15 could be improved to have a strong connection to the infrastructure thresholds.
546. I recommend that submission 73.7(g) be accepted.
547. For the reasons listed in paragraphs 539 – 546, I recommend submission 73.7 be accept in part.
548. **Submission 73.8** seeks for Standard I552.6.13 to include 'subdivision' and for the standard to contain a density formula. Further submission **FS14** opposes this submission. The submitter states:
- "For the standard to apply to subdivision, a density formula is required so that for lots that are proposed (eg 'superlots') the number of likely dwellings can be established."*
549. Activity (A19), which is for subdivision and development which does not comply with Standard I552.6.13, references subdivision in the activity. As there is a reference in activity (A19) for 'subdivision' to comply with in the activity to Standard I552.6.13, I agree with the submitter. I recommend to accept submission 73.8.
550. **Submission 127.2** seeks to include rules in the precinct, such as an appropriate evidence-based trip generation cap. Or reduce the number of dwellings to limit vehicle movements at the intersections to either 500 vehicles per hour in peak (without mitigation works on intersections) or 600 vehicles per hour in peak in (with mitigation works on intersections).
551. In summary, submission 127.2 has set out that vehicle movement numbers are required within the standard. The submission references PC59 ITA dated 6 August 2020 that the intersections can accommodate up to 500vph in the AM peak before the intersections

begin to operate unsatisfactorily. Mr McKenzie identified a similar point in his review. I would note that standard I552.6.13 does not reference vph. Submission 73.7 raises a similar point and requests for the traffic count to be included.

552. I support the points raised and recommend to accept submission 127.2 and to accept in part submission 73.7(b). An earlier recommendation of this report was to change activity (A19) to a Discretionary Activity for not meeting Standard I552.6.13. Standard I552.6.13 in my view, needs to reflect subdivision and development that exceeds 600vph with infrastructure upgrades or 500 vph without the specific upgrades in the standard. This will correlate with Mr McKenzie's recommendations associated with the unknown effects of generating traffic more than 500/600 vph and will adequately manage this concern.
553. This consent process will allow for an assessment of whether the intersection, and the wider network, can meet the expected vph and also the development's proposal. It can also assess whether any infrastructure upgrades are required and provide for the Council to decline a consent application if upgrades are not satisfactory.
554. I recommend that submission 127.2 be accepted and recommend that Standard I552.6.13 be amended so that a resource consent application will need to demonstrate that either 500 vehicles per hour in peak (without mitigation works on intersections) or 600 vehicles per hour in peak in (with mitigation works on intersections) does not create an adverse effect on the transport network. Non-compliance with the Standard will trigger a discretionary activity (A19) under Table I552.4.1 activity table.
555. I recommend to accept submission 127.2.
556. **Submission 127.33 and 127.34** seeks amendments to I552.6.13 Transport infrastructure development thresholds to include a new advise note and to amend the purpose to delete the term 'local'.

*Advice note: Auckland Transport cannot provide access to Albany Station for pick-up and drop-off by private shuttle. The applicant will therefore need to investigate alternative locations for pick-up and drop-off.*

557. Submission 127.33 seeks amendments to the purpose to reflect the need to consider the transport network beyond the precinct. I agree with this statement and recommend that Submission 127.33 be accepted.
558. In regards to the proposed advice note, submission 127.34 states that "*Auckland Transport cannot provide access for a private shuttle bus to Albany Station. The applicant will therefore need to investigate alternative locations in Albany for pick-up and drop-off.*". The submitter does not indicate why Auckland Transport cannot or will not provide access to Albany Station.
559. In my view, the administrative advice note does not add meaning to the standard nor does it address any matter that I consider would be relevant at the resource consent stage. For this reason, I recommend that submission 127.34 be rejected.
560. **Submission 127.35 and 127.36** seeks to retain I552.6.13.1 Transport infrastructure development upgrade thresholds relating to a review of transportation mode share and upgrade thresholds in relation to upgrades to intersections at 460-770 and 770 dwellings as PC59 as it is currently drafted.
561. I agree with submissions 127.35 and 127.36, the listed upgrades are required to manage the effects of PC59. I recommend that submissions 127.35 and 127.36 be accepted.

562. **Submission 127.37** seeks to amend Table I552.6.31.1 by deleting the final row. The submitter seeks the deletion for the following reasons:

- a. The submitter does not support the infrastructure and improvements to public transport services to be used in the precinct as a trigger to enable more development.
- b. Funding has not been agreed with the applicant; nor is funding allocated in any local government plan/document.
- c. It is unlikely the cycle trip will reduce the vehicle trip generation.
- d. The submitter considers it is not appropriate for more than 770 dwellings to be built without intersection upgrades: and
- e. The applicant's ITA notes that the intersections cannot accommodate more than 770 dwellings without mitigation based on a vehicle trip generation rate of 0.65.

563. It should be noted in Mr McKenzie's review that the modelling by the applicant is capped at 600vph. My interpretation of the above is that with the infrastructure upgrades, the transport carrying capacity of PC59 area is 930 dwellings and/or 600vph. I, therefore, have concerns for more than 930 dwellings being built.

564. However, although not considered applicable at this time, the minimum requirement for a car parks per dwelling will be removed by the NPS:UD 2020. In theory this means the provision of car parking is not a restraint on the intensity of development, as less or no car parks mean generation of traffic is capped.

565. In my view, if car parks aren't provided, then the requirement to facilitate other active modes of transport is needed. I therefore consider it appropriate to restrict the amount of development until active transport infrastructure is provided, either by the developer or in a future local government plan.

566. It should be noted that the applicant considers the build-out rate could be 20 years<sup>15</sup>. This is an important aspect to consider, as for a development project like PC59 to work it requires a master plan to establish the effects across the full build-out. Therefore, a transport project to support this development may not have allocated funding at this time. However, I do not consider it is a requirement under the RPS to have allocated funding. Policy B2.4.2(6) of the RPS states:

*B2.4.2 (6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification. [emphasis added]*

567. My interpretation of this policy is that the plan can include triggers that restrict development until the infrastructure is provided. I consider this could be prior to development or at the time of resource consent.

568. I agree that the 770 dwelling limit cannot be exceeded without the intersection upgrade. I also consider that development above 930 dwellings or the precinct generating 600 vph is inappropriate, unless a cap on car movements is applied. This has been addressed under submission 127.2 by amending Standard I552.6.13 and activity (A19) being a discretionary activity.

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<sup>15</sup> Section 5.16 Staging Strategy, 473 Albany Highway, Master Plan, 4 March 2020

569. The outcome of these two amendments is: to exceed the identified vph is a discretionary activity, and as previously noted, should be accompanied with an updated Integrated Transport Assessment. This is discussed below in relation to a submission on special information requirements.

570. Further to address the concerns of submission 127.37, I have recommended amendments identified in Appendix 5. I recommend that submission 127.37 be accepted in part.

#### Recommendations on Submissions

571. Based on the analysis outlined above I recommend that submissions:

- 73.8; 127.2; 127.33; 127.35; 127.36 be accepted
- 73.7; 127.37 be accepted in part
- 127.34 be rejected

572. These amendments are set out in **Appendix 5** to this report

#### **10.5.6 Transport and traffic modelling**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
37.2	Jason Hill	Seeks a model of traffic flow around school hours (0815hrs - 0900hrs and 1430hrs-1530hrs).	Support – FS15 Nicola and Carl Van Driel
37.3	Jason Hill	Seeks the same modelling is performed on the traffic effects on the intersection of Albany Expressway and Bush Road/Mercari Way. At peak times the queues at these intersections are significant and the addition of high-density dwellings will only add to this.	Support – FS15 Nicola and Carl Van Driel
45.3	Charles Chen	Seeks that the proposed traffic modelling shall be done properly. Figure 14: Full Development Traffic Movements – Weekday Evening Peak Hour. No one would believe in this large development, only 50 cars will drive in and out in 2 hours peak time. Even now, between 2:30 and 3:10pm. there are far more than 50 cars drive in and out from Massey gate 5.	Support – FS15 Nicola and Carl Van Driel

#### Discussion and analysis

573. In regard to **submission 37.2** I recommend that it be accepted, as consideration should be given to the effects of development traffic and the potential overlap with the Kristin School related traffic around school hours. In my view, this can occur in the transport modelling for the plan change, or included in the transport assessment at the resource consent stage.

574. For this reason, I recommend that submission 37.2 be accepted.



575. **Submission 37.3** seeks that the modelling considers the intersections of Albany Highway and Bush Road/Mercari Way. Mr McKenzie, in his review of PC59, considered that the intersections, including the main intersections along Albany Highway, that were modelled were sufficient. In Mr McKenzie's view, the Bush Road and Mercari Way intersections do not need to be included.

576. I recommend to reject submission 37.3

577. **Submission 45.3** seeks that the modelling is completed correctly and considers the modelling is an underestimate. Section 8.5 of this report provides an assessment of the transport modelling. In this section, Mr McKenzie considers the requirement to complete the modelling in terms of pedestrian signalling (paragraphs 211 and 213).

578. As this submission is in line with the request set out under section 8.5 of this report, I recommend that submission 45.3 be accepted in part. I have not recommended that it be accepted in full due to the amendments sought by submission 127.2, as further modelling and assessment will be required as a discretionary activity.

#### Recommendations on Submissions

579. Based on the analysis outlined above I recommend that submissions:

- 37.2 be accepted
- 45.3 be accepted in part
- 37.3 be rejected

580. There are no amendments associated with this recommendation.

#### **10.5.7 Density Formula**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.9	Auckland Council	Seeks for the inclusion of a density formula to be added in to the subdivision standards and standard I552.6.1	Support in part – FS15 Auckland Transport
73.10	Auckland Council	Seeks special information I552.9(1) and (2) to address subdivision and development and include density calculation as set out in submission 73.9. The submitter considers both clauses need to refer to 'proposed' dwelling as well as existing or constructed/consented dwellings. The submitter has provided no explanation for the inclusion	Support – FS15 Auckland Transport
73.11	Auckland Council	Seeks amendments to Table I552.6.1.1 to include a value for 'dwelling'.	
127.25	Auckland Transport	Seeks amendments to I552.6.1 Dwelling Density (1) as follows:  <i>(1) There must be no more than a total of <del>1,800</del> <u>930</u> dwellings or Dwelling Unit Equivalents in the Albany 10 Precinct <del>in total</del>.</i>  <i>Alternatively, a trip generation cap rule could be introduced, as described previously.</i>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van

			Driel
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Discussion and analysis

581. **Submission 73.9** seeks for the inclusion of a different density formula to be included under Standard I552.6.1.
582. The submitter supplied an alternative density formula, which is every 50m<sup>2</sup> of the PC59 area equates to 1 dwelling. The reason for the inclusion of the additional formula is to determine the point at which infrastructure upgrades are needed. FS14 supports in part submission 73.9 but seeks further drafting for more robust provisions that better align transport infrastructure and services with subdivision and development.
583. I am unsure why the formula for a dwelling needs to be included. The current 'Equivalent dwelling unit value' in table I552.6.1.1 which is under Standard I552.6.1 is to calculate dwelling equivalent of a retirement village, rest home bed or visitor accommodation room. The equivalent calculation is then considered against the infrastructure threshold. The equivalent of a dwelling is a dwelling, and the ITA calculation of density using 0.65 is acceptable in Mr McKenzie's view under section 8.5 above.
584. I recommend to reject submission 73.9.
585. **Submission 73.10** seeks special information I552.9(1) and (2) to address subdivision and development and include density calculation as set out in submission 73.9. The submitter considers both clauses need to refer to 'proposed' dwelling as well as existing or constructed/consented dwellings. The submitter has provided no explanation for the inclusion.
586. In my view, I552.9(1) relates to subdivision and I552.9(2) relates to any new buildings (development). As I cannot determine the reason for the inclusion nor see the effective and efficiency benefits of including the density formula, I recommend to reject submission 73.10.
587. **Submission 73.11** Seeks amendments to Table I552.6.1.1 to include a value for 'dwelling'. The submitter has states:
- "Section 8.5 of the ITA stipulates the value to be 0.65. This may not be the most appropriate value in the circumstances... Council requests that this table be amended to reflect the most appropriate values, as agreed by the relevant experts."*
588. During the assessment of the ITA Mr McKenzie identified that he was satisfied with 0.65. The submitter has not provided any specialist input that the value may not be appropriate. I adopt Mr McKenzie's position, and I also consider including a dwelling density of 0.65 in the standard means 1 dwelling will equate to 0.65, which will be confusing for the infrastructure calculation for Standard I552.6.13.
589. For these reasons, I recommend to reject submission 73.11.
590. **Submission 127.25** seeks amendments to Standard I552.6.1 to cap dwellings in PC59 to 930 instead of 1800 dwellings. Alternatively, the submitter seeks a trip generation cap rule could be introduced.
591. The submitter states:

“ITA notes that the site can only accommodate up to 930 dwellings (with mitigation) before the Albany Highway / Wharf Road and Albany Highway / Bass Road intersections begin to operate unsatisfactorily. Beyond 930 dwellings, the applicant is relying on improvements to public transport services and improved off-site cycling facilities to reduce vehicle trip generation rates, so that up to 1,800 dwellings can be accommodated. It appears unlikely that this can be achieved.

Auckland Transport therefore does not support provision for up to 1,800 dwellings within the precinct.”

592. I consider this submission to raise similar concerns to submission 127.2. My recommendations under 127.2 is to amend standard I552.6.13, further I have recommended for activity (A19) to be a discretionary activity is Standard I552.6.13 is not complied with. I consider these amendments address the concerns raised by 127.25.

593. For this reason, I recommend to accept submission 127.25.

#### Recommendations on Submissions

594. Based on the analysis outlined above I recommend that submissions:

- 127.25 be accepted
- 73.9; 73.10; 73.11 be rejected.

595. These amendments are set out in **Appendix 5** to this report.

#### **10.5.8 Standard I552.6.14.2 Subdivision standards for key roading and access**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.21	Auckland Council	Seeks standard I552.6.14.2(5) to be deleted or included as a new discretionary activity as standard I552.6.14.2(5) sufficient covers matters of concern.	
127.41	Auckland Transport	seeks clarity for the intended meaning of “approved” Integrated Transport Assessment in I552.6.13.2(5).	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
73.30	Auckland Council	Seeks a similar outcome if not the same as submission 73.21	
73.22	Auckland Council	Seeks standard I552.6.14.2(3) for the requirement to provide a publicly accessible shared cycle/footpath in the open space flanking the Days Bridge esplanade reserve. The submitter requests for a time frame for its completion to be “no later than halfway through the development of the whole precinct”. Furthermore, the submitter seeks the design of the shared path to meet Auckland Transport’s	Support in part – FS14 Auckland Transport

		standard set	
24.1	Howard Edwards	Seeks that public access to this area (East of the Oteha Stream, not just the western side) must be preserved so that the public can continue to enjoy the wonderful bush walks therein.	
24.2	Howard Edwrds	Seeks that any plan change and resulting building(s) or resource consents should include provision for unrestricted public access to the Oteha stream crossing behind the Bob Tindall building. Ideally there should be provision for public parking to be made available as we	
73.29	Auckland Council	Seeks that I552.14.2(3) to be included under I552.6.14.3 which addresses all open space areas.	
73.23	Auckland Council	seeks that I552.6.14.2(2) and its table for the vested road typology standards is amended to address the matter of parking bays in the carriageway	
127.38	Auckland Transport	Seeks Standard I552.6.14.2(3) which addresses the shared cycle/footpath open space facility is to be included under I552.6.14.3 which addresses all open space areas.	
127.40	Auckland Transport	Seeks to make amendments to Standard I552.6.13.2 as follows:  <i>(4) Vehicle access from Albany Highway must be from the identified access points on Precinct Plan 2 – Movement network (<del>northern access</del>, Wharf Road and Bass Road).</i>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.63	Auckland Transport	Seeks amendments to Precinct Plan 2 by deleting all provisions for the northern vehicle access and making consequential amendments to other precinct plans and provisions as required.	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel

### Discussion and analysis

596. **Submission 73.21** seeks standard I552.6.14.2(5) to be deleted or included as a new discretionary activity as standard I552.6.14.2(5) sufficient covers matters of concern. Under **submission 73.30**, the submitter questions the use of 'approved Integrated transport assessment' in standard I552.6.14.2.(5). The applicant will need to demonstrate compliance with the standard or it is a non-complying activity under activity (A21) of Table I552.4.1 activity table.

597. **Submission 127.41** raises a similar concern and seeks for the intended meaning of “approved” Integrated Transport Assessment in I552.6.13.2(5). Standard I552.6.13.2(5) reads as follows:
- “(5) Compliance with this standard is achieved where an alternative alignment of private roads and lanes identified as ‘no control’ on Precinct Plan 4 – Albany frontage controls, is provided for within an approved Integrated Transport Assessment.”*
598. In my view, standard I552.6.13.2(1) manages development to be in general accordance with Precinct Plan 2. Whereas I552.6.13.2.(5) manages compliance with the standard with relation to Precinct Plan 4.
599. I agree with the submitters that it is not entirely clear what is required to meet this standard, specifically what an ‘approved Integrated Transport Assessment’ is.
600. I consider that Standard I552.6.14.2(5) reads more as a qualitative measurement which is not appropriate for a standard, and it is more like an assessment criterion. However, I do not consider there is scope to include this under the matters of discretion or assessment criteria.
601. It is my view, that standard I552.6.13.2(5) be retained, as compliance with the standard I552.6.13.2(5) is more effective and efficient than requiring a discretionary resource consent to comply with the standard I552.6.14.2.(5). I have addressed this under Submission 73.20, and my reasons are as follows: I consider that a non-complying activity is more suitable for not complying with activity (A21). I consider the applicant should demonstrate under Section 104D of the RMA that deviating from Standard I552.6.14.2 and from general accordance and alignment with Precinct Plan 2 will be minor or meet 104D(1)(b) of the RMA.
602. I consider it appropriate for the applicant to provide detail on Standard I552.6.14.2(5) to satisfy the request by submission points 73.30 and 127.41
603. I recommend to accept submission 127.41 and accept in part 73.30. I recommend to reject submission 73.21.
604. **Submission 73.22** seeks standard I552.6.14.2(3) for the requirement to provide a publicly accessible shared cycle/footpath in the open space flanking the Days Bridge esplanade reserve. The submitter requests for a time frame for its completion to be “no later than halfway through the development of the whole precinct”. Furthermore, the submitter seeks the design of the shared path to meet Auckland Transport’s standard set.
605. Further submission **FS14** supports in part submission 73.22; the further submission considers that a timeframe should be required and the path should be designed to Auckland Transport’s relevant design/engineering standards.
606. **Submissions 24.1 and 24.2** seek that public access to this area (east of the Oteha Stream, not just the western side) must be preserved so that the public can continue to enjoy the bush walks.
607. Submitter 24.1 and 24.2 considers that building(s) or resource consents should include provision for unrestricted public access to the Oteha Stream crossing behind the Bob Tindall building. In the submitter’s view, there should be provision for public parking to be made available to support this.

608. The eastern side of Oteha Stream is outside of the PC59 boundary, I consider this area to be outside of the scope of PC59.
609. Standard I552.6.14.3(1) reads:
- “(1) All land shown on Precinct Plan 1 – Albany features plan as open space must be accessible to the public at all times...”*
610. Standard I552.6.14.2.(3) states “(3) A publicly accessible shared cycle/path...”. I therefore do not support this part of the submissions 24.1 and 24.2 as the standard clearly states that there will be a publicly accessible shared cycle/path.
611. Regarding a timeframe, I consider it unnecessary to implement a timeframe in a standard. There are many factors where a timeframe for a development may not be able to be met or is unable to be regulated. In my view, the standard is about delivering a publicly accessible shared cycle/footpath. This shared path is identified in the Upper-Harbour Green Ways Plan of 2017, but is planned but does not have allocated funding<sup>16</sup>.
612. I do not consider it a requirement to provide public parking; this is at the applicant's discretion.
613. As the shared path is included in standard I552.6.13, which sets out when development occurs, the path being provided at the time of development is more effective and efficient rather than a set delivery timeframe for the shared path to be constructed.
614. I recommend submissions 73.22, 24.1 and 24.2 to be rejected.
615. **Submission 73.29** seeks that I552.6.14.2(3) to be included under I552.6.14.3 which addresses all open space areas. Standard I552.13.2(3) reads as follows:
- (3)A publicly accessible shared cycle/footpath must be provided along the extent of the Days Bridge Esplanade Reserve, in general accordance with Precinct Plan 2 – Movement network.*
616. My interpretation of the standard is for providing public access along the extent of the Days Bridge Esplanade Reserve. Standard I552.14.2 are the subdivision standards for key roading and access. Standard I552.14.3 is for subdivision standards for open space areas. Standard I553.14.3, in summary, requires subdivision to be consistent with Precinct Plan 1 – Features Plan, which has the shared path identified on the plan.
617. I consider that as the standard requested is about addressing access, it is not necessary to move that standard. I consider that Standard I552.13.3, as notified, will address the concerns of the submission.
618. I recommend that submission 73.29 be rejected.
619. **Submission 73.23** seeks that I552.6.14.2(2) and its table for the vested road typology standards be amended to address the matter of parking bays in the carriageway. Further submission **FS14** opposes 73.23 in part, as their submission seeks for this assessment to occur in the assessment criteria. I agree with FS14 that this matter is better addressed in an assessment criterion, rather than a standard.

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<sup>16</sup> Page 29 Albany, Albany Village and Rosedale Greenway Plan, Upper-Harbour Greenways plan 2019

620. I recommend to reject submission 73.23

621. **Submission 127.38** seeks to include the following to I552.6.14.2 Subdivision standards for key roading and access:

*(x) Sites that front onto roads where direct vehicle access is not permitted under Standard I552.6.11 must be provided with access from rear lanes (access lots) or side roads at the time of subdivision*

622. The submitter states:

*“For clarity and consistency and in order to achieve the desired outcomes, the standards should include access requirements for sites with frontage onto roads where vehicle access is not permitted under Standard I552.6.11.... It is important that these rules also apply at the time of subdivision as that is when provision needs to be made for alternative access from rear lanes or side roads.”*

623. I agree with this statement and submission 127.38. I consider it necessary to include the text and that these rules apply at the time of subdivision. I recommend to accept submission 127.38.

624. **Submission 127.40** seeks to make amendments to Standard I552.6.13.2 as follows:

*(4) Vehicle access from Albany Highway must be from the identified access points on Precinct Plan 2 – Movement network (~~northern access, Wharf Road and Bass Road~~).*

625. **Submission 127.63** seeks amendments to Precinct Plan 2 by deleting all provisions for the northern vehicle access and making consequential amendments to other precinct plans and provisions as required.

626. The submitter does not support access of a left-in-left-out at the north of the PC59 site. The submitter also states:

*“The applicant’s ITA also has not provided an assessment of effects for the northern left-in-left-out access, or established that it is needed given that existing alternative accesses are available from Albany Highway.”*

627. Given that there is no assessment of the effect of this intersection, I consider that the information to support the ‘left-in-left-out’ is not sufficient. In Mr McKenzie’s review he considered the applicant should provide this information, relating to safety and effectiveness. If this information is shown as being acceptable, then I consider the intersection should remain. I recommend accepting the submissions in part 127.40 and 127.63.

#### Recommendations on Submissions

628. Based on the analysis outlined above I recommend that submissions:

- 127.41; 127.38 be accepted
- 73.21; 73.30; 127.40; 127.63 be accepted in part
- 24.1; 24.2; 77.22; 73.23; 73.29 be rejected

629. These amendments are set out in **Appendix 5**

**10.5.9 Transport - Matters of discretion/Assessment criteria**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
139.6	Ministry of Education	<p>seeks amendments to I552.8.2.(1)(e) as follows:</p> <p>(e) Transport:</p> <p>...</p> <p><u>(iv) The extent to which construction traffic impacts on the Albany Highway/Bass Road intersection during school peak hours (8am-9am and 3pm-4pm) are minimised.</u></p>	<p>Oppose in part – FS14 Auckland Transport</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
127.42	Auckland Transport	<p>Seeks amendments to Matters of discretion I552.8.1.(1)(a)(vi):</p> <p>(1)(a)(vi) <del>traffic plans</del> <u>transport assessments</u> and integrated transport assessments; and</p>	<p>Support – FS16 Kristin School Charitable Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
127.44	Auckland Transport	<p>Seeks amendments to Matters of discretion and (3)(c) as follows:</p> <p>(3)(c) <del>traffic plans</del> <u>transport assessments</u> and integrated transport assessments; and</p>	<p>Support – FS16 Kristin School Charitable Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
127.47	Auckland Transport	<p>Seeks amendments to I552.8.2 (1)(f), I552.8.2(3)(c) and I552.8.2(4)(d) as follows:</p> <p><del>(f) Traffic plans</del> <u>Transport assessments and integrated transport assessments</u></p> <p><del>(i) The extent to which proposed developments meet the requirements are consistent with the analysis and recommendations of any existing integrated transport assessment applying to supporting the proposed development and/or precinct provisions; or the extent to which any new integrated transport assessment or other traffic transport assessment lodged with any resource consent application provides assesses appropriate travel plans transport effects, and provides for transport and services that are consistent with the existing Integrated Transport Assessment.</del></p>	<p>Support – FS16 Kristin School Charitable Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
127.52	Auckland	<p>Seeks amendments to I552.8.2(3)(c) follows:</p>	<p>Support – FS16 Kristin</p>



	Transport	<p><del>(c) Traffic plans—Transport assessments and integrated transport assessments</del></p> <p><i>(i) The extent to which proposed developments <del>meet the requirements</del> are consistent with the <u>analysis and recommendations</u> of any existing integrated transport assessment <u>applying to supporting</u> the proposed development and/or precinct <u>provisions</u>; or the <u>extent to which</u> any new integrated transport assessment or other <del>traffic transport</del> assessment lodged with any resource consent application <u>provides assesses appropriate travel plans transport effects, and provides for transport and services</u> that are consistent with the <u>existing</u> Integrated Transport Assessment.</i></p>	<p>School Charitable Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
127.57	Auckland Transport	<p>Seeks amendments to I552.8.2(4)(d) as follows:</p> <p><del>(d) Traffic plans—Transport and integrated transport assessments</del></p> <p><i>(i) The extent to which proposed developments <del>meet the requirements</del> are consistent with the <u>analysis and recommendations</u> of any existing integrated transport assessment <u>applying to supporting</u> the proposed development and/or precinct <u>provisions</u>; or the <u>extent to which</u> any new integrated transport assessment or other <del>traffic transport</del> assessment lodged with any resource consent application <u>provides assesses appropriate travel plans transport effects, and provides for transport and services</u> that are consistent with the <u>existing</u> Integrated Transport Assessment.</i></p>	<p>Support – FS16 Kristin School Charitable Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
127.45	Auckland Transport	<p>Seeks to amend I552.8.1.(4)(d) as follows:</p> <p><del>(c) traffic plans transport assessments and integrated transport assessments; and</del></p> <p>As a consequence of changes sought to activity (A19) elsewhere in this submission, remove I552.8.1. Matters of discretion (5).</p> <p><del>(5) Subdivision and development that does not comply with Standard I1552.6.13 Transport infrastructure development thresholds, and/or proposes alternative measures to achieve required transport access, capacity and safety:</del></p> <p><del>(a) effects on the transport network;</del>  <del>(b) the likely trip generation of the subdivision and/or development and the effects of the quantum of that development on the safe and efficient functioning of the roading network;</del></p>	<p>Support – FS16 Kristin School Charitable Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>

		<p><del>(c) contribution of alternatives to overall traffic effects;</del></p> <p><del>and</del></p> <p><del>(d) effectiveness of alternatives.</del></p>	
127.48	Auckland Transport	<p>seeks amendments to Assessment criteria I552.8.2(1)(g)(i), as follows:</p> <p><i>(i) to the extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provisions:</i></p> <ul style="list-style-type: none"> <li>• <i>while minimising reliance on private</i></li> <li>• <i>car parking )(<u>while minimising reliance on private vehicle use</u></i></li> </ul> <p>...</p>	<p>Support – FS16 Kristin School Charitable Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
127.50	Auckland Transport	<p>Seeks amendments to Assessment criteria I552.8.2(3)(b)(i), as follows:</p> <p><i>(i) to the extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provisions:</i></p> <ul style="list-style-type: none"> <li>• <i>while minimising reliance on private</i></li> <li>• <i>car parking )(<u>while minimising reliance on private vehicle use</u></i></li> </ul> <p>...</p>	<p>Support – FS16 Kristin School Charitable Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
127.53	Auckland Transport	<p>Seeks amendments to Assessment criteria I552.8.2(3)(d)(i), as follows:</p> <p><i>(i) to the extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provisions:</i></p> <ul style="list-style-type: none"> <li>• <i>while minimising reliance on private</i></li> <li>• <i>car parking )(<u>while minimising reliance on private vehicle use</u></i></li> </ul> <p>...</p>	
127.55	Auckland Transport	<p>Seeks amendments to Assessment criteria I552.8.2.(4)(c)(i) as follows:</p> <p><i>(i) to the extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provisions:</i></p> <ul style="list-style-type: none"> <li>• <i>while minimising reliance on private</i></li> <li>• <i>car parking )(<u>while minimising reliance on private vehicle use</u></i></li> </ul> <p>...</p>	<p>Support – FS16 Kristin School Charitable Trust</p> <p>Support – FS15 Nicola and Carl Van Driel</p>
127.58	Auckland Transport	<p>Seeks amendments to Assessment criteria I552.8.2(4)(e)(i) as follows:</p> <p><i>(i) to the extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provisions:</i></p> <ul style="list-style-type: none"> <li>• <i>while minimising reliance on private</i></li> <li>• <i>car parking )(<u>while minimising reliance on private</u></i></li> </ul>	<p>Support – FS16 Kristin School Charitable Trust</p> <p>Support – FS15 Nicola</p>

		<u>vehicle use</u> ...	and Carl Van Driel
127.49	Auckland Transport	Seeks to make amendments to Assessment Criteria I552.8.2(2)(a) to the fourth bullet point as follows:  ... <ul style="list-style-type: none"> <li><del>sustainability of the primary road network effective, efficient and safe operation of the road network (including the arterial road network) activity and capacity; and</del></li> </ul> ...	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.54	Auckland Transport	Seeks to make amendments to Assessment Criteria I552.8.2.3(d)(iv) to the fourth bullet point as follows:  ... <ul style="list-style-type: none"> <li><del>sustainability of the primary road network effective, efficient and safe operation of the road network (including the arterial road network) activity and capacity; and</del></li> </ul>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.59	Auckland Transport	Seeks to make amendments to Assessment Criteria I552.8.2(4)(e)(iv) to the fourth bullet point as follows:  ... <ul style="list-style-type: none"> <li><del>sustainability of the primary road network effective, efficient and safe operation of the road network (including the arterial road network) activity and capacity; and</del></li> </ul>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.51	Auckland Transport	Seeks amendments to Assessment criteria I552.8.2(3)(b)(ii) as follows:  <del>(ii)The extent to which the design of streets and lanes integrates service lines beneath footpaths or car parking bays.</del>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.56	Auckland Transport	Seeks amendments to Assessment criteria I552.8.2(4)(c)(i) as follows:  <del>(ii)The extent to which the design of streets and lanes integrates service lines beneath footpaths or car parking bays.</del>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel

Discussion and analysis

630. **Submission 139.6** seeks amendments to I552.8.2.(1)(e) as follows:

(e) *Transport:*

...

(iv) The extent to which construction traffic impacts on the Albany Highway/Bass Road intersection during school peak hours (8am-9am and 3pm-4pm) are minimised.

631. Further submissions **FS14** and **FS15** support submission 139.6. Submitter 139.6 has stated they have had the ITA reviewed by internal specialists, but this review has not formed part of the submission. Based on the internal review of the ITA, the submitter states:

*“Any increase in vehicles using this intersection and/or Bass Road will exacerbate the Level of Service F (poor conditions) at the Albany Highway signalised intersection. Therefore, the combined effect of the Proposed Plan Change and Kristin School’s Application (LUC80045488-B) on Bass Road should be considered by Council as part of this plan change request. To ensure this intersection is robustly modelled, it is recommended that queue length data is collected to validate the base model.”*

632. The request from the submitter is for an assessment of the construction effects, which I consider reasonable. FS15 seeks for further amendments to the proposed standard and to include the wording “as well as during the network peak”. I recommend to accept submission 136.9.

633. **Submissions 127.42 and 127.44** seeks amendments to Matters of discretion I552.8.1.(1)(a)(vi) and (3)(c).

634. The submitter considers it is unclear what it is meant by traffic plans, and considers if a full ITA is not required, then a more specific transport assessment should be provided.

635. I agree with the submitter and recommend that submissions 127.42 and 127.44 be accepted.

636. **Submission 127.47, 127.52 and 127.57** seeks to amend Assessment criteria I552.8.2 (1)(f), I552.8.2(3)(c) and I552.8.2(4)(d) as follows:

~~Traffic plans~~–*Transport assessments and integrated transport assessments*

The extent to which proposed developments ~~meet the~~ requirements are consistent with the analysis and recommendations of any existing integrated transport assessment ~~applying to~~ supporting the proposed development and/or precinct provisions; or the extent to which any new integrated transport assessment or other ~~traffic transport~~ assessment lodged with any resource consent application provides ~~assesses appropriate travel plans~~ transport effects, and provides for transport and services that are consistent with the existing Integrated Transport Assessment.

637. The submitter considers it is unclear what is meant by traffic plans or travel plans in this context. The amendments sought are to aid the assessment criteria function. I agree with the submitter and consider that the amendments sought will help the assessment criteria function. I recommend that submissions 127.47, 127.52 and 127.57 be accepted.

638. **Submission 127.45** seeks to amend I552.8.1.(4)(d) as follows:

(c) ~~traffic plans~~ transport assessments and integrated transport assessments; and

As a consequence of changes sought to activity (A19) elsewhere in this submission, remove I552.8.1. Matters of discretion (5).

~~(5) Subdivision and development that does not comply with Standard I1552.6.13 Transport infrastructure development thresholds, and/or proposes alternative measures to achieve required transport access, capacity and safety:~~

~~(a) effects on the transport network;~~

~~(b) the likely trip generation of the subdivision and/or development and the effects of the quantum of that development on the safe and efficient functioning of the roading network;~~

~~(c) contribution of alternatives to overall traffic effects;~~

~~-and~~

~~(d) effectiveness of alternatives.~~

639. It seems the above submission point has been combined in the Summary of Decisions Requested. The amendment sought to matter of discretion I552.8.1(4)(d) is the same as submissions 127.42 and 127.44. Further I have recommended for activity (A19) of Table I552.4.1 to be a discretionary activity. I therefore agree with the consequential amendment required. I recommend that submission 127.45 be accepted for the same reason as 127.42 and 127.44.

640. **Submission 127.48, 127.50, 127.53, 127.55 and 127.58** seeks amendments to Assessment criteria I552.8.2(1)(g)(i), I552.8.2(3)(b)(i), I552.8.2(3)(d)(i), I552.8.2(4)(c)(i) and I552.8.2(4)(e)(i) to include the wording “(while minimising reliance on private vehicle use)” into the second bullet point relating to car parking.

641. Objective (16) sets out that the precinct is attempting to reduce private car dependency. I consider this amendment helps to achieve this objective and I recommend to accept submissions 127.48, 127.50, 127.53, 127.55 and 127.58.

642. **Submission 127.49 and 127.54, 127.59** seeks amendments to Assessment criteria I552.8.2(2)(a), I552.8.2 (3)(d)(iv) and I552.8.2(4)(e)(iv). The submitter considers it is unclear what is being referred to in relation to “sustainability of primary road network, activity and capacity”. The amendments to the fourth bullet point are as follows:

~~sustainability of the primary road network~~ effective, efficient and safe operation of the road network (including the arterial road network) ~~activity and capacity;~~ and

643. I agree with the submitter and in my view consider the wording more consistent with the objectives (14) – (18) of the Albany 10 Precinct which seek for a effective, efficient and safe operation of the road network. I recommend that submission 127.49, 127.54 and 127.59 be accepted.

644. **Submissions 127.51 and 127.56** seek amendments to Assessment criteria I552.8.2(3)(b)(ii) and I552.8.2(4)(c)(i) as follows:

~~(ii) The extent to which the design of streets and lanes integrates service lines beneath footpaths or car parking bays.~~

645. The submitter considers “*The extent to which the design of streets and lanes integrates with service lines beneath footpaths or car parking bays is a matter that will be addressed at subdivision and/or engineering plan approval stages and will need to comply with relevant Auckland Transport standards.*”.

646. I agree with the submitter for the reason set out above. I recommend that submissions 127.51 and 127.56 be accepted.

Recommendations on Submissions

647. Based on the analysis outlined above I recommend that submissions:

- 139.6; 127.42; 127.44; 127.47; 127.52; 127.57; 127.48; 127.56; 127.53; 127.45; 127.58; 127.49; 127.54; 127.59; 127.51; 127.56;127.50; be accepted

648. These amendments are set out in **Appendix 5** to this report

**10.5.10 Special information requirements**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.64	Auckland Transport	Seeks amendments to I552.9 Special information requirements, to add clauses relating too private bus shuttle service.	
127.61	Auckland Transport	Seeks amendments to I552.9 Special information requirements Integrated Transport Assessment (1) as follows:  <i>(1) the first subdivision resource consent application, or first land use resource consent application for any development where the total number of dwellings either constructed or consented within the precinct exceeds 400 dwellings, <del>are required to produce</del> shall be accompanied by an integrated transport assessment for the precinct. An updated integrated transport assessment for the precinct will be required for all further development where the dwelling thresholds are likely to be triggered under Standard I1552.6.15 Transport infrastructure development thresholds.</i>	
127.62	Auckland Transport	seeks amendments to I552.9 Special information requirements Commercial GFA assessment (3) as follows:  <i>(3) Any application for <del>non-residential</del> commercial development activities or healthcare facilities shall be accompanied by an assessment of the current <del>commercial</del> GFA for these activities and facilities within the precinct, so as to confirm compliance with standard I552.6.7. Commercial GFA and location control.</i>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
73.62	Auckland Council	Seeks amendments to I552.9 Special information requirements, Commercial GFA assessment as follows:	

	<p><i>“Any application for <u>non-residential</u> <del>commercial</del> activities or development shall be accompanied by an assessment of the current and <u>proposed non-residential</u> <del>commercial</del> GFA within the precinct, so as to confirm compliance with standard I552.6.7. Commercial GFA and location control.”</i></p>	
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649. **Submission 73.64** Seeks amendments to I552.9 Special information requirements, to add clauses relating to private bus shuttle service. The private bus shuttle service is proposed by the applicant to cater for residents due to the lack of public transport, in the earlier years of development.

650. I agree with the submitter information being provide will be useful at the consent stage. However, the submitter has not provided any proposed wording. I recommend to accept the submission in principle and I invite the submitter to provide further detail to support this submission point.

651. **Submission 127.61 and 127.62** seeks amendments to I552.9 Special information requirements Integrated Transport Assessment (1) and I552.9 Special information requirements Commercial GFA assessment (3).

652. **Submission 73.62** seeks amendments to I552.9 Special information requirements, Commercial GFA assessment to reference current and proposed non-residential GFA.

653. Submission 127.61 considers that minor wording amendments are required. In my view, the amendments sought to I552.9(1) are minor. I consider the special information requirement is necessary to support the appropriate analysis of a resource consent application against the precinct provisions, and consider ‘shall provide’ more appropriate in comparison to ‘require to’.

654. In regards to the amendments sought by 127.62, these requested changes are more consistent with the wording of the precinct which manages ‘*commercial activities and healthcare facilities*’. However, my preference of wording is that of 73.62 as it captures all non-residential activities or development. There may be circumstances where a resource consent application is for non-residential activities not currently provided for. I therefore consider it necessary to capture all non-residential activities and development so that they are able to be assessed.

655. For an applicant to provide information about the ‘current’ GFA to demonstrate the extent of new GFA being proposed in the development will help demonstrate compliance with standard I552.6.7.

656. The amendments sought by submission 127.62 are to be consistent with the AUP (OP). I agree with the submitter; however, I consider that any ‘non-residential’ activity, which has previously obtained a resource consent, should be included in the assessment of the total GFA. I recommend that submission 127.62 be accepted in part and make further amendments to the special information requirements.

Recommendations on Submissions

657. Based on the analysis outlined above I recommend that submissions:

- 127.61; 73.62 be accepted
- 127.62 accepted in part
- 73.64 accept in principle

658. These amendments are set out in **Appendix 5** to this report

## 10.6. Submissions Planning – General

### 10.6.1 Planning – General

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
18.1	EXJ Investment Limited Attn: Yun Xu	Seek to approve the plan change, but to include more affordable housing.	Oppose – FS15 Nicola and Carl Van Driel
18.2	EXJ Investment Limited Attn: Yun Xu	Seek to approve the plan change, but to include more affordable housing.	

#### Discussion and analysis

659. **Submission 18.1 and 18.2** seek to approve the plan change, but to include more affordable housing.

660. There is no statutory requirement under the RMA to provide affordable housing or the ability to include such within the precinct provisions, but it is noted in the Mr Maharaj review of PC59, that providing for higher density housing as proposed by PC59 will distribute development costs across the dwellings, thus lowering the price of the housing for sale. However, I consider these submissions to be out of the scope of the PC59. As I am recommending that PC59 be approved, with amendments, I recommend to accept submissions 18.1 and 18.2 in part.

#### Recommendations on Submissions

661. Based on the analysis outlined above I recommend that submissions:

- 18.1; 18.2 be accepted in part

662. These amendments are set out in **Appendix 5** to this report

### 10.6.2 Planning - Precinct Objectives and Policies

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
139.1	Ministry of	Seeks to include 'education facilities' and further	Oppose –



	Education	amendments to Objective (1) as follows:  <i>(1) Creation of a vibrant and diverse community that enables a range of household sizes, <del>and</del> dwelling typologies, including integrated residential development and <u>educational facilities</u>.</i>	FS14 Auckland Transport  Support – FS16 Kristin School Charitable Trust
139.2	Ministry of Education	Seeks to include ‘education facilities’ and further amendments to Objective (1) as follows:  <i>(3) Development provides for an efficient use of land to deliver housing supply <u>and educational facilities in proximity to existing centres</u>.</i>	Oppose – FS14 Auckland Transport  Support – FS16 Kristin School Charitable Trust
139.3	Ministry of Education	Seeks amendments Objective (4) as follows:  <i>(4) Non-residential activities (<u>excluding educational facilities</u>) are provided for in identified locations, proximate to the central Community Hub identified on Precinct Plan 1, to support residential occupation within the precinct.</i>	
73.12	Auckland Council	Seeks amendments to Objectives (3) and (5) to commence with “subdivision and development”.	Oppose in part – FS14 Auckland Transport
73.14	Auckland Council	Seeks amendments to Policies (1), (2), (6), (10), (11) and (22) to include reference to ‘subdivision’.	Support in part – FS14 Auckland Transport
127.9	Auckland Transport	Seeks to retain Policy 1 as drafted.	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel

#### Discussion and analysis

663. **Submission 139.1 and 139.2** seeks to include ‘education facilities’ and consequential amendments to Objective (1) and (3).

664. Further submission **FS14** opposes submissions 139.1 and 139.2. FS14 does not support the inclusion of education facilities within the precinct as there is no supporting ITA in which to manage the associated effects. Further submission **FS16** supports the amendments.
665. I agree with FS14 and in paragraphs 461 - 468 above, in my view the appropriate means of establishing a school within the precinct is via a Notice of Requirement for a Designation (NoR). I recommend that submissions 139.1 and 139.2 be rejected.
666. **Submission 139.3** seeks amendments to Objective (4) to exclude education facilities from the objective.
667. The rationale for the amendments is the same for 139.1 and 139.2 which is to assist with the Ministry of Educations delivery of a school in the area. As previously noted, I do not consider that Schedule 1 of the RMA is an appropriate means of delivering education facilities and it should be done by the means of a NoR. I recommend that submission 139.3 be rejected.
668. **Submission 73.12** seeks amendments to Objectives (3) and (5) to commence with “subdivision and development”.
669. Further submitter **FS14** opposes the submission in part, and does not consider Objective (5) to address subdivision and development as it is not clear on how a Green Star Community Rating (GSSC) tool would be applied to in subdivision.
670. Submission 73.12 considers it is appropriate to use subdivision and development together in the objectives and policies, and to split the terms in the Table I552.4.1 activity table, I552.8.1 matters of discretion and I552.8.2 assessment criteria.
671. The GSSC was notified as a material to be incorporated by reference in the AUP on 11 December 2020 with submissions closing 26 January 2021. I do consider it to have an element under which subdivision pattern could be considered. I agree with the submitter to amend Objective (3) and (5) to incorporate ‘subdivision’. I recommend that submission 73.12 be accepted.
672. **Submission 73.14** seeks amendments to Policies (1), (2), (6), (10), (11) and (22) to include reference to ‘subdivision’. The submitter considers it appropriate to consider these, if required, at the subdivision stage.
673. **Submission 127.9** seeks to retain Policy (1) as drafted.
674. Further submission **FS14** supports submission 73.14 in part. The further submitter supports the inclusion of subdivision in Policies (1) and (11). But does not have a position on Policies (6), (10) and (11).
675. I agree with submitter 73.14 that these policies should apply to both subdivision and development. On review of (1), (2), (6), (10), (11) and (22) I consider that it is appropriate to consider policies for both subdivision and development and will make these policies more effective and efficient. I recommend to accept submission 73.14
676. I do not recommend that submission 127.9 be accepted, as amendments are to be made to Policy (1) elsewhere. I recommend to reject submission 127.9

#### Recommendations on Submissions

677. Based on the analysis outlined above I recommend that submissions:

- 73.12; 73.14 be accepted
- 139.1; 139.2; 139.3; 127.9 be rejected

678. These amendments are set out in **Appendix 5** to this report

### 10.6.3 Table I552.4.1 activity table

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.15	Auckland Council	Seeks amendments to activity table I552.4.1 to address 'subdivision and development' separately.	Support in part – FS14 Auckland Transport
73.16	Auckland Council	Seeks for 'infrastructure development thresholds' to be addressed separately for both subdivision and development, referencing Standard I552.6.13.	Support in part – FS14 Auckland Transport
73.45	Auckland Council	Seeks amendments in Table I552.4.1 activity table to include 'Integrated residential development' and 'Visitor accommodation'	
73.46	Auckland Council	Seeks an amendment to activity (A14), a discretionary activity to not to refer to Precinct Plan 3.	
73.47	Auckland Council	Seeks an amendment to activity (A15) in Table I552.4.1 to change from a restricted discretionary status to a discretionary activity status.	
73.54	Auckland Council	Seeks amendments to activity table I552.4.1 Activity (A4) to exclude 'drive-through restaurants' in line with (A2) and (A3) for consistency/clarity.	
127.18	Auckland Transport	Seeks activity (A2) of Table I552.4.1 to be retained as drafted	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.19	Auckland Transport	Seeks activity (A3) of Table I552.4.1 to be retained as drafted	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel

127.20	Auckland Transport	Seeks activity (A4), of Table I552.4.1 to be retained as drafted	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.21	Auckland Transport	Seeks activity (A5) of Table I552.4.1 to be retained as drafted	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.22	Auckland Transport	Seeks activity (A6) of Table I552.4.1 to be retained as drafted	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.24	Auckland Transport	Seeks amendments to I552.5 Notification as follows:  <i>(1) Any application for resource consent for a restricted discretionary activity listed in activity table I552.4.1, <u>except for A18 Subdivision</u>, will be considered without public notification.</i>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
73.27	Auckland Council	Seeks to add to activity table I552.4.1 under Development “Development that does not comply with standard I552.6.9 Stormwater management” (which is to contain a 70% impervious area maximum), to be a discretionary activity. The submitter considers this to be consistent with (A20).	

### Discussion and analysis

679. **Submission 73.15** seeks amendments to activity table I552.4.1 to address ‘subdivision and development’ separately. The submitter states:

*“Development’ is not defined and therefore conveys two potential meanings –one being buildings in the normal sense and the other unknown because it is used in the context of subdivision - and this is likely to generate ambiguous or unintended administration issues.”*

680. **Submission 73.16** seeks for 'infrastructure development thresholds' to be addressed separately for both subdivision and development, referencing Standard I552.6.13.

681. Further submission **FS14** supports submission 73.15 in part. Further submission supports the amendments, but states:

*“Subject to reviewing further drafting of these proposed amendments, Auckland Transport supports addressing subdivision and development separately where this results in more robust provisions that better align the provision of transport infrastructure and services with subdivision and development.”*

682. In my view, I do not consider it necessary to separate the activities into different sub-sections in the table, and I consider that this inconsistent with the structure of the AUP. Other precincts and AUP chapters address subdivision and development together in the activity table as this avoids duplication of activities. In my view, I consider it more effective to have certain activities that apply to both subdivision and development in the same section of the table.

683. For submission 73.16, I do not consider that it is appropriate to capture not meeting standard I552.6.13 under activity (A14), as this activity is for development not provided for. This matter raised by submitter 73.16 is addressed by activity (A19) which is a discretionary activity. My recommendation is to combine subdivision and development, which is consistent with other precinct plans. I recommend to reject in part submission 73.15 and 73.16. I consider that there is scope to make this amendment as I am not recommending amending the table content, but rather the structure.

684. I recommend that Table I552.4.1 activity table be rearranged to have 'subdivision and development' under one sub-activity table heading.

685. **Submission 73.45** seeks amendments in Table I552.4.1 activity table to include 'Integrated residential development' and 'Visitor accommodation'. The submitter considers these are required to be subject to standard I552.6.1 Dwelling density and would otherwise not be.

686. Table I552.4.1 Activity table does not include integrated residential development or visitor accommodation under the Residential table sub-heading. However, as stated in I552.4 Albany 10 Precinct, any activities not specifically provided for in Activity Table I552.4.1 are subject to the following provision:

*“I552.4 Activity table*

*All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is specifically listed in Activity Table I552.4.1 below.”*

687. Under the THAB provisions, Table H6.4.1 Activity table contains activities for integrated residential development and visitor accommodation. Specifically, activities (A7) to (A13) cover these developments at different scales. Activities provided under THAB provisions, will still be required to meet the standard of the Albany 10 Precinct. If they do not, then I552.6.(3) will apply, as stated below:

*“(3)Non-compliance with any standard not otherwise identified as a discretionary or non-complying under Table I552.4 is a restricted discretionary activity under General Rule C1.9.”*

688. Therefore, I consider that activities not listed in PC59, but listed in the THAB activities table H6.4.1, are still required to meet the density control. I recommend to reject submission 73.45.
689. **Submission 73.46** seeks activity (A14), a discretionary activity not to refer to Precinct Plan 3. The submitter considers activities (A12) and (A13) which are both non-complying activities, already address the matters under (A14). I agree with the submitter and recognise a conflict between the activities.
690. I recommend that submission 73.46 be accepted.
691. **Submission 73.47** seeks an amendment to activity (A15) in Table I552.4.1 to change from a restricted discretionary status to a discretionary activity status. The submitter considers it is broad and is uncertain in its meaning. Furthermore, the submitter seeks the reference to Precinct Plan 3 be removed, as it is a repeat of activities (A12) and (A13).
692. In my view, (A14) is a discretionary activity and (A15) is a restricted discretionary development. Both manage activities ‘not provided for’ under Table I552.4.1. However (A14), as notified, manages development not in general accordance with precinct plans 1 – 4.
693. My interpretation of development not provided for could be an activity listed in an alternative location of the AUP. In my view, activity (A15) then manages those alternative activities, such as an integrated residential development or visitor accommodation listed in the THAB provisions. If an activity in the THAB provisions is less restrictive than activity (A15), this means these activities are ‘in general accordance with the precinct’ plans due to (A15).
694. The alternative of not being in accordance is managed by activity (A14). Not complying with (A15) means (A14) is applicable unless managed by an alternate activity.
695. As the (A15) are for activities that are in general accordance with Precinct Plans 1 – 4, which includes being consistent with the Precinct standard, this includes managing commercial activities and healthcare facilities. I consider it more appropriate for the assessment to be of matters that are restricted. Therefore, in my view the current activity (A15) is more effective than the amendments sought by submission 73.47.
696. For these reasons, I recommend to reject submission 73.47.
697. **Submission 73.54** Seeks amendments to activity table I552.4.1 Activity (A4) to exclude ‘drive-through restaurants’ in line with (A2) and (A3) for consistency/clarity.
698. The submitter considers that under THAB provisions, activity (A1) of table H6.4.1 is a non-complying activity that should apply in the precinct. Activity (A1) in the THAB provisions is for activities not provided for. As drafted, a drive-through restaurant would fall under activities (A2) and (A3) of table I552.4.1.
699. I agree with the submitter, and in my view consider that drive-through restaurants do not meet objective I552.2.(4) of Albany Precinct 10, which reads:

*“(4) Non-residential activities are provided for in identified locations, proximate to the central Community Hub identified on Precinct Plan 1, to support residential occupation within the precinct.”*

700. I do not consider drive-through restaurants to support residential occupation within the precinct and risk increasing the probability of encouraging vehicle movements to the precinct. I recommend to accept submission 73.54.
701. **Submissions 127.18, 127.19, 127.20, 127.21 and 127.22** seek activities (A2), (A3), (A4), (A5) and (A6) of Table I552.4.1 to be retained as drafted.
702. In summary, the submitter considers that the current activity status for these activities are appropriate for the activities description.
703. I agree with the submitters rational, excluding submission 127.20. I recommend to accept submissions 127.18, 127.19, 127.21 and 127.22.
704. In regards to Submission 127.20, I have recommended amendments as a result of submission 73.57, I therefore recommend to reject submission 127.20.
705. **Submission 127.24** seeks amendments to I552.5 Notification to exclude activity (A18) to be not considered for public notification.
706. The submitter considers that subdivision may cause adverse effects beyond the precinct. Therefore, subdivision should be subject to the standard notification tests.
707. I agree with the submitter’s positions and I consider this approach consistent with the process set out in Chapter E38 Subdivision – Urban of the AUP. I recommend to accept submission 127.24.
708. **Submission 73.27** seeks to add to Table I552.4.1 under Development “Development that does not comply with standard I552.6.9 Stormwater management” (which is to contain a 70% impervious area maximum), to be a discretionary activity. The submitter considers this to be consistent with (A20).
709. The submitter has not acknowledged the purpose of the standard nor the requirement of the standard to be consistent with the Network Discharge Consent, nor provided a section 32 evaluation of the requested change to this activity status.
710. The current activity status for not complying with Standard I552.6.9 Stormwater is a Restricted Discretionary activity under C1.9 of Chapter C of the AUP. This requires an assessment against relevant objectives/policies and the purpose of the standard.
711. I therefore recommend to reject submission 73.27.

#### Recommendations on Submissions

712. Based on the analysis outlined above I recommend that submissions:
- 73.46; 73.54; be accepted
  - 127.18; 127.19; 127.20; 127.21; 127.22; 127.27 be accepted in part
  - 73.27; 73.45; 73.47; 127.20 be rejected
713. These amendments are set out in **Appendix 5** to this report

### 10.6.4 Precinct Standards

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.32	Auckland Council	Seeks clarity on whether the central park is part of the 'open space network' and whether it will be an 'open space accessible to the public at all times' and how. The AEE refers: "In particular the Central Park within the heart of the community will provide a core social space and amenity accessible to residents and a wider neighbourhood of users.	
73.52	Auckland Council	Seeks Standard I552.6.6 to be deleted and replaced with a reference to the same standard in Business - Mixed Use Zone.	
73.50	Auckland Council	Seeks the following amendments to Standard I552.6.4 (please refer to below)	Oppose in part – FS15 Auckland Transport
73.53	Auckland Council	Seeks amendments to Standard I552.6.7 and Albany Precinct 10 as follows: <ul style="list-style-type: none"> <li>a. 'Community Hub' is not a term used in the AUP. Amend the precinct to 'precinct commercial focus' instead, as is less problematic.</li> <li>b. Amend clauses (1), (2) and (3) to refer to 'commercial activities and healthcare facilities'</li> <li>c. Clause (2) refers to 'main street' which is not used in the precinct plans or Standard I552.6.11;</li> <li>d. Clause (3) should read "the <u>total</u> gross floor area of <u>all</u> commercial..."</li> <li>e. Amend the conflict between clause (2) "must front the street/open space" and the specified 'minimum' and 'maximum' frontage set back of standard I552.6.11.1</li> </ul>	
127.26	Auckland Transport	Seeks amendments to I552.6.7 as follows: <p><i>"Purpose: To enable commercial <u>activities</u> and healthcare <u>activities</u> <u>facilities</u> in identified locations in proximity to the Community Hub without compromising the role, function and viability of existing centres.</i></p> <p><i>(1) Commercial <u>activities</u> and healthcare <u>activities</u> <u>facilities</u> (excluding restaurants or cafes located within the Central Park) must be located in areas subject to the commercial frontage control, shown on Precinct Plan 1 – Albany features plan.</i></p> <p><i>(2) The area to be used for commercial and/or healthcare purposes must front the main street/open space.</i></p>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
127.27	Auckland Transport	Seeks amendments to 552.6.7 as follows: ...	Support – FS16 Kristin



		<i>(3) The <u>total gross floor area of commercial activities and healthcare activities facilities</u> shall not exceed 4,000m2 within the precinct.”</i>	School Charitable Trust  Support – FS15 Nicola and Carl Van Driel
73.31	Auckland Council	Seeks amendments to Standard I662.6.14.3.(1) and (3) as follows:  <i><u>All land shown on Precinct Plan 1 – Albany features plan as open space must be provided to the depth and configuration shown on the plan and be accessible to the public at all times....”.</u></i>  <i>“(3)...precinct <del>relevant</del> open space development plan”.</i>	
73.35	Auckland Council	Seeks amendments to Standard I552.6.15.5 so that the standard is modified to ensure it does not unnecessarily repeat the Act’s requirements or matters that would apply via Chapter E38 Subdivision - Urban of the AUP.	

#### Discussion and analysis

714. **Submission 73.31** seeks amendments to Standard I552.6.14.3.(1) and (3). The submitter considers these amendments necessary as there will only be one such plan for the whole precinct, although the plan may be implemented in stages.

715. Standard I552.6.13(1) manages the ownership of open space land in the precinct and the terms of how the ownership will maintain the open space if it is not vested to the council. The requested amendments are a repeat of what is being managed by activities (A14) and (A15) of Table I552.4.1, further the plans don’t have any surveying coordinates and it is already managed by activity (A15) to be in general accordance with Precinct Plan 1. I consider that the detail requested is too specific at the plan change level, and is more appropriately addressed at the resource consent stage.

716. In my view, the existing requirement to be in general accordance with Precinct Plan 1 as a restricted discretionary activity is sufficient. I recommend to submission 73.31 be rejected.

717. **Submission 73.32** seeks clarity on whether the central park is part of the ‘open space network’ and whether it will be an ‘open space accessible to the public at all times’ and how this will happen. The AEE refers: “In particular the Central Park within the heart of the community will provide a core social space and amenity accessible to residents and a wider neighbourhood of users.

718. Standard I552.6.14.3(1) reads:  
*“(1) All land shown on Precinct Plan 1 – Albany features plan as open space must be accessible to the public at all times...”[emphasis added]*

719. The standard states that all open space must be accessible to the public at all times. The area has not yet been vested to the Council and could be privately owned and

maintained. If not vested to Council, there is no legal requirement for the applicant to provide public access, however, the standard does indicate that the public will be provided access. The applicant may wish to confirm that the vesting of the park will occur in their evidence.

720. I recommend submission 73.32 be rejected.

721. **Submission 73.35** seeks amendments to Standard I552.6.15.5 so that the standard is modified to ensure it does not unnecessarily repeat the Act's requirements or matters that would apply via Chapter E38 Subdivision - Urban of the AUP.

722. Standard I552.6.14.5 Esplanade Reserve sub-clauses (1) and (2) refer to site-specific detail. I do not consider them to be a repeat of other AUP provisions.

723. I recommend submission 73.35 be rejected.

724. **Submission 73.52** seeks for Standard I552.6.6 to be deleted and replaced with a reference to the same standard in Business - Mixed Use Zone.

725. The council's policy is to not repeat provisions in precincts where existing provisions are present. The applicant has provided the provisions within the precinct as they are not present under the THAB provisions.

726. Therefore, the amendment is neutral. I recommend accepting submission 73.82.

727. **Submission 73.50** seeks the following amendments:

Amend standard I552.6.4 Maximum building coverage, impervious area and landscaping as follows:

- a) Define 'detached or attached housing'. These are not defined in the operative AUP. Alternatively provide for "Non- apartment forms of dwelling".
- b) Justify the 100% impervious and coverage area allowances for 'Apartments' and with no landscaping area required. Demonstrate how this works in practice across the whole precinct, given the intention to create large 'superlots'. How will this be administered given also the 'Total precinct' allowances stated.
- c) What circumstances would give rise to a 'site not connected to stormwater' within the precinct? Is this allowance appropriate and necessary?
- d) Justify the 'total precinct' allowances of 70% maximum impervious area, 65% maximum building coverage and 35% minimum landscaped area in terms of stormwater management and amenity considerations, and demonstrate all the land use/surface types that would constitute 'impervious area' – does this include roading and lanes? Does the intended 25% open space account for the major part of the 35% landscaped area of the precinct? Mirror these figures (or appropriate amended figures) in the subdivision standards to ensure robust and integrated control of development across the precinct.

728. Further submission FS14 opposes in part submission 73.50. The further submitter does not support applying an impervious area control to the road reserve.

729. In regard to 73.50(a), Dwelling is defined under Chapter J Definitions of the AUP. Detached and attached housing are common terms used in zone descriptions. In my

view, dwellings are either standalone/detached, attached or apartments. The term non-apartment building is also not defined.

730. For 73.50(b), under Chapter J 'Impervious area' includes roofs. I consider that Standard I552.6.4 sets out how the precinct as a whole will manage maximum building coverage, impervious area, and landscaping. As set out in the section 32 evaluation report, Option 4<sup>17</sup> (the current approach) was chosen to achieve the objective of the plan change. I accepted that option 4 is an appropriate option to achieve the objectives of the plan change.

731. My view is that the apartment buildings cannot avoid 100% impervious area. Development will therefore rely upon the amenity and open space in the surrounding area to manage stormwater runoff effects and provide landscaping. In my view, landscaping will be provided by subdivision and development being consistent with Precinct Plan 1 and Precinct Plan 2.

732. I accept there may be administrative issues on when information should be provided regarding the total amount of impervious area existing.

733. I consider the submitter has not provided sufficient justification for submission 73.50(a), (b), (c) and (d). Therefore I recommend submission 73.50 be rejected.

734. **Submission 73.53** seeks amendments to Standard I552.6.7 as follows:

- a. 'Community Hub' is not a term used in the AUP. Amend the precinct to 'precinct commercial focus' instead, as is less problematic.
- b. Amend clauses (1), (2) and (3) to refer to 'commercial activities and healthcare facilities'
- c. Clause (2) refers to 'main street' which is not used in the precinct plans or Standard I552.6.11;
- d. Clause (3) should read "the total gross floor area of all commercial..."
- e. Amend the conflict between clause (2) "must front the street/open space" and the specified 'minimum' and 'maximum' frontage set back of standard I552.6.11.1

735. Submission points 73.53 (b) and (d) are addressed below, and are recommended to be accepted.

736. For point 73.53(a), community hub is referred to on the Precinct Plan 1 to identify the location of the hub. As the purpose of the commercial activities and healthcare facilities are to support local residents, I prefer the term community hub in this context. I recommend reject submission 73.53(a)

737. For 73.53(c) I agree there is no reference to 'main street' in the Precinct Plan 1, the plan does indicate it as "road to be vest" however. I recommend amending table in I552.6.11 to be consistent with Precinct Plan 1 Albany features.

738. In regard to 73.53(e), I accept a reference to Standard I552.6.11 is helpful, I recommend that submission 73.53(e) be accepted.

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<sup>17</sup> Section 8.2 Development of Option of the Sections 32 Evaluation report prepared by Campbell Brown.

739. I recommend to accept submission 73.53 in part, for the reasons listed in the paragraphs above

740. **Submissions 127.26 and 127.27** seek amendments to I552.6.7(3) to ensure the total GFA of commercial activities and healthcare facilities does not exceed 4000m2. The submitter considers the wording in submission 127.26 and 127.27 are consistent with Chapter J Definitions of the AUP. I agree with the submitter and consider the wording in the submission is consistent with the AUP

741. I recommend to accept submissions 127.26 and 127.27.

Recommendations on Submissions

742. Based on the analysis outlined above I recommend that submissions:

- 73.52; 127.26; 127.27 be accepted
- 73.53 be accepted in part
- 73.32; 73.31; 73.35 73.50 be rejected

743. These amendments are set out in **Appendix 5** to this report

**10.6.5 Matters of discretion I552.8.2 and I552.8.1 Assessment criteria**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.59	Auckland Council	Seeks to delete 'subdivision' from clause (3) as subdivision is addressed specifically in clause (4). And/or delete this clause as this is broad, undefined activity is requested to be listed discretionary. Address the associated assessment criteria in I552.8.2(3).	
73.60	Auckland Council	Seeks amendments to Matter of discretion and assessment criteria, (please refer to below)	
127.43	Auckland Transport	Seeks amendments to I552.8.1. Matters of discretion (2), while retaining (a) as follows:  <i>(2) Commercial <u>activities</u> and Healthcare <u>facilities</u> <del>activities</del>—of more than 150m2 gross floor area per tenancy that comply with Standard I552.6.7 – Commercial GFA and location control:</i>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel

Discussion and analysis

744. **Submission 73.59** seeks the submitter requests assessment criteria I552.8.1 and Matters of discretion I552.8.2 to delete 'subdivision' from clause (3) as subdivision is addressed specifically in clause (4). And/or delete this clause. The submitter seeks for activity (A15) to be a discretionary activity.

745. Matter of discretion I552.8.1(3) relates to activity (A14) and (A15) of I552.4.1 activity table, which are restricted discretionary activity. I have recommended to retain activity (A15), and therefore I recommend to retain the provisions relating to.

746. In terms of removing the term subdivision, activities (A14) and (A15) do not list subdivision, so I agree that subdivision can be deleted.

747. I recommend submission 73.59 be accepted in part.

748. **Submission 73.60** seeks the following:

- 63) I552.8.2 Assessment criteria, introduction: Delete the second sentence – “Development may differ from the precinct plans where it is demonstrated that a different approach will result in a better-quality outcome for the community, or where it is necessary to integrate with authorised development on land outside the precinct that was not anticipated at the time the precinct plans were prepared.” The sentence suggests an unrestricted capacity to depart from the precinct plans, which includes height. These matters, if appropriate, should be more clearly defined and then addressed in policy and or the relevant specific matters for assessment.
- 64) I552.8.2 Assessment criteria (1)(a)(i) – delete ‘subdivision’ as this clause addresses “New buildings, additions and alterations...” and not subdivision. Or otherwise demonstrate its relevance in this clause.
- 65) I552.8.2 Assessment criteria (1)(e)(ii): Modify this clause in response to other changes to standard I552.6.13 Transport infrastructure development thresholds and its operation within the precinct provisions.
- 66) I552.8.2 Assessment criteria (1)(e)(iii) private shuttle bus service: Add reference to the practicability and effective management of this service, and how it would operate in practice and be funded and sustained.
- 67) I552.8.2 Assessment criteria (1)(g)(ii) – correct ‘stormwater’.
- 68) I552.8.2 Assessment criteria (1)(g)(vii) – this clause refers to subdivision. Create a cross-reference to the other subdivision assessment criteria of I552.8.2 so that these ‘infrastructure’ matters are also applicable to subdivision.
- 69) I552.8.2 Assessment criteria (1)(g)(ix) open spaces and (x) walkways: Address the matter of the effective management and maintenance of these areas which may well remain in private ownership and/or be subject to an easement in gross in favour the general public/Council.
- 70) I552.8.2 Assessment criteria (1)(h) Height Area 3: delete the word ‘Management’ which is not used elsewhere in the precinct provisions.
- 71) I552.8.2 Matters for discretion and assessment criteria for addressing non-compliance with I552.6.13 Transport infrastructure development thresholds: Add appropriate criteria to address the particular matters that are relevant to the revised standard, as requested elsewhere in this submission.
- 71) I552.8.2 Matters for discretion and assessment criteria for addressing non-compliance with I552.6.13 Transport infrastructure development thresholds: Add appropriate criteria to address the particular matters that are relevant to the revised standard, as requested elsewhere in this submission.

749. In regards to paragraph 63 above, the submitter seeks to delete the section of text that refers to activities that may differ from the precinct, for activities that may provide a better outcome than the plan change. The submitters seeks for the text to be deleted as it could be misleading and suggests a level of unrestricted development. I agree with the submitters view, and share their concerns. I recommend to accept submission 73.60(63).
750. In regards to paragraph 64, the submitter considers Assessment criteria I552.8.2(1)(a)(i) is not intended for subdivision. I agree with the submitter as it seems this assessment criteria were intended for new buildings, or alterations to buildings and accessory buildings. I recommend to accept submission 73.60(64)
751. Paragraph 65 seeks amendments to Assessment criteria I552.8.2(1)(e)(ii) in response to modifications to Standard I552.6.13. I have recommended for non-compliance with Standard I552.6.13 to be a discretionary activity (activity (A19)). Therefore this assessment criteria is no longer required. I recommend to reject 73.60(65).
752. Paragraph 66 seeks amendments to Assessment criteria I552.8.2 (1)(e)(iii). I do not consider this submission point to address RMA matters. I recommend to reject submission 73.60(66).
753. Paragraph 67 identified as spelling mistake. I support the corrections and recommend to accept submission 73.60(67)
754. Paragraph 68 seeks for Assessment criteria I552.8.2(1)(g)(vii) to create a cross reference to other subdivision assessment criteria so that 'infrastructure; matters are also applicable to subdivision. My recommendation is activity (A19) to be discretionary, this will allow for this assessment to occur. I do not consider it necessary to include a cross reference. I recommend to reject 73.60(68).
755. Paragraph 69 seeks for how management and maintenance of the open space areas to be included in Assessment criteria I552.8.2(1)(g)(ix) and (x). In my view, for activity (A18), which is a restricted discretionary activity, to be complied it with needs to meet Standard I552.6.14.3 Subdivision standards for open space areas. In my view in this standard, sub-clause (1) and (2) manage the concerns raised in paragraph 69. If this standard is not complied with, activity (A22) is triggered, which is a discretionary activity. For this reason, I recommend for submission 73.60 (69) to be rejected.
756. Paragraph 70 requests to delete the word 'management' in Assessment criteria I552.8.2(1)(h), as it is not used elsewhere in the precinct. I agree with the submitter as it is inconsistent with other reference to 'Height Area 3'. I recommend to accept submission 73.60(70)
757. Paragraph 71 seeks to add additional matters of discretion and assessment criteria for non-compliance with standard I552.6.13. The submitter has not indicated what extra is needed and I have recommended non-compliance with this standard to be a discretionary activity. I recommend to reject submission 73.60(71)
758. I recommend to accept submission 73.60 in part, base on paragraphs 748 – 757 above.
759. **Submission 127.43** seeks amendments to I552.8.1. Matters of discretion (2) to be consistent with standard AUP terminology. I agree with the submitter, and consider the requested amendments to be consistent with the relevant activities under Table I552.4.1 activity table. Specifically with activities (A2) – (A4) which relate to 'commercial activities and Healthcare facilities.

760. As this will make the Matter of discretion activity (A3) and consistent with terminology used through the precinct, I recommend to accept submission 127.43.

### Recommendations on Submissions

761. Based on the analysis outlined above I recommend that submissions:

- 127.43 be accepted
- 73.59; 73.60 be accepted in part;

762. These amendments are set out in **Appendix 5** to this report

## **10.7. Submissions on Water and Infrastructure**

### **10.7.1 Water and infrastructure objectives and policies**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>
59.5	Watercare Services Limited	Seeks other alternative or consequential relief as required to give effect to the matters raised in this submission.	
73.36	Auckland Council	Seeks amendments to Objective (17) as follows:  <i>"(17) The adverse effects of stormwater runoff within the precinct are <u>avoided or mitigated</u> to maintain water quality and <u>preserve the mauri of the Oteha Stream.</u>"</i>	
73.43	Auckland Council	Seeks amendments to policy (22) as follows:  <i>"Ensure that stormwater in the precinct is managed and, where appropriate, treated, to ensure the health and ecological values of streams are maintained <u>and where practicable, enhanced</u>."</i>	
59.3	Watercare Services Limited	Seeks to include a new objective as follows:  <i><u>1552.2.(X) Development is integrated and sequenced with the upgrading of and/or installation of new water and wastewater infrastructure.</u></i>	
59.4	Watercare Services Limited	Seeks to include a new policy as follows:  <i><u>1552.3.(X) Ensure that water and wastewater infrastructure is provided to enable the servicing of new residential lots and commercial activities.</u></i>	
73.38	Auckland Council	Seeks amendments to Policy (13) as follows:  <i>"(13) Incorporate existing urban streams <u>and watercourses</u> within the precinct into the open space green network to ensure their ongoing contribution to the natural amenity and environmental values of the surrounding environment"</i>	

## Discussion and analysis

763. **Submission 59.5** seeks other alternative or consequential relief as required to give effect to the matters raised in this submission.
764. I accepted the amendments requested by submission 59 and I recommend to accept submission 59.5.
765. **Submission 73.36** seeks amendments to Objective (17) to include the terms 'avoid': In addition, the submitter seeks for Objective (12) to reflect Objective (13) to address 'enhancement' of ecological values. Further, **submission 73.43** seeks amendments to policy (22) to include ".and where practicable, enhanced".
766. The submitter considers this is consistent with Policy E1.3(2) of Chapter E1 of the AUP, which states:
- "(2) Manage discharges, subdivision, use, and development that affect freshwater systems to:*
- (a) maintain or enhance water quality, flows, stream channels and their margins and other freshwater values, where the current condition is above National Policy Statement for Freshwater Management National Bottom Lines and the relevant Macroinvertebrate Community Index guideline in Table E1.3.1 below; or*
- (b) enhance water quality, flows, stream channels and their margins and other freshwater values where the current condition is below national bottom lines or the relevant Macroinvertebrate Community Index guideline in Table E1.3.1 below."*
767. Policy E1.3(2) of the AUP requires that subdivision, use and development that affects freshwater systems should 'enhance' the water quality. Section 9.9 of the Section 32 evaluation report considers that the current provisions 'enhance' and 'avoids' adverse effects on streams, inline with the RPS requirements. I consider that the recommended amendments for submissions 73.36 and 74.43 are appropriate to fulfil this RPS requirement.
768. The recommendations set out by Mr Tutt under section 8.8 above raise/address this concern. Mr Tutt has recommended the same addition to Policy (22) as the submitter. I recommend to accept submission 73.36 and 73.43, as the amendments will make the precinct objectives and policies consistent with RPS objectives and policies:
- a. Objectives B7.2.1(2) and (2) which are for indigenous biodiversity
  - b. Policy B7.2.2(5) which is to avoid effects on SEA's
  - c. Policies B7.4.2(1) which is for integrated management of subdivision, use, development and coastal water and freshwater; and
769. **Submission 73.38** seeks amendments to Policy (13) as follows:

*"(13) Incorporate existing urban streams and watercourses within the precinct into the open space green network to ensure their ongoing contribution to the natural amenity and environmental values of the surrounding environment".*



770. The submitter considers that all streams and watercourses identified on Precinct Plan 1 should be addressed in the policy. I agree with the submitter and consider it appropriate to include referencing to watercourses in Policy (13).

771. I accept submission 73.38.

772. **Submission 59.3 and 59.4** seeks to include a new objective and new policy as follows:

*1552.2.(X) Development is integrated and sequenced with the upgrading of and/or installation of new water and wastewater infrastructure.*

*1552.3.(X) Ensure that water and wastewater infrastructure is provided to enable the servicing of new residential lots and commercial activities.*

773. The proposed objective and policy will mean development is integrated and sequenced with the upgrading and or installing new water and wastewater infrastructure. The Policy will ensure water infrastructure is provided to enable and service the growth enabled by PC59.

774. The submitter, Watercare Services Limited, considers there is some uncertainty in respect of timing of wastewater and water upgrades in the PC59 area. These amendments will ensure delivery of these services.

775. Section 2.2.1 and 2.2.2 of submission 59 sets out the upgrades required for watersupply and wastewater services for the PC59 area. The submission suggests several upgrades at certain points throughout the development to enable the scale of growth proposed. The inclusion of Objective (18), in my view, will assist both the applicant and submitter ensure infrastructure is delivered effectively and efficiently.

776. I accept submissions 59.3 and 59.4.

#### Recommendations on Submissions

777. Based on the analysis outlined above I recommend that submissions:

- 59.3; 59.4; 59.5; 73.36; 73.38; 73.43 be accepted

778. These amendments are set out in **Appendix 5** to this report

### **10.7.2 Standard I552.6.9**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
127.28	Auckland Transport	Seeks insurance that any Stormwater Management Plan certified for Standard I552.6.9 addresses the following concerns: <ul style="list-style-type: none"> <li>• where bio-retention devices are located in roads to vest (to treat stormwater run-off from those roads), sufficient space must be made available to accommodate a small number of large devices rather than many small devices</li> <li>• where it is appropriate for stormwater devices</li> </ul>	Support – FS16 Kristin School Charitable Trust  Support – FS15 Nicola and Carl Van Driel

		<p>to be maintained and managed by Auckland Transport, no provision is to be made for treatment of private stormwater run-off in those devices</p> <ul style="list-style-type: none"> <li>No permeable paving or pervious concrete is to be located within roads to vest</li> </ul>	
73.25	Auckland Council	Seeks amendments to I552.6.14.1.(1) to remove the reference of 'land use development' as this is addressed in I552.6.9 Stormwater management; further the submitter seeks for I552.6.14(2) to be moved to I552.6.9 as this standard addresses development.	
73.28	Auckland Council	Seeks that Standard I552.6.14.1 (subdivision) clause (2) is to 'new impermeable road, lane or accessway surface must be....'. Clause (2) should be repeated in I552.6.9 (land use).	
73.26	Auckland Council	Seeks for stormwater management standards I552.6.9 (land use) and I552.6.14.1 (subdivision) to both address the requirement (set out in I552.6.4) of a maximum impervious area of 70% for the 'total precinct'.	
73.33	Auckland Council	Seeks Standard I552.6.14.4 (Riparian margins) is amended to address all 'watercourses' as well as 'streams' so that the enhancement of all-natural features; and values within the precinct and the open space areas are either maintained or enhanced.	
73.34	Auckland Council	Seeks for standard I552.6.14.4(1) that the sentence "This rule shall not apply to road crossings over streams" be deleted.	
73.56	Auckland Council	<p>Seeks amendments to I552.6.10 Riparian planting as follows:</p> <p>The amendments are sought so there is no confusion that all features are subject to this standard. The submitter also seeks to delete "This rule shall not apply to road crossing over streams".</p>	

### Discussion and analysis

779. **Submission 127.28** seeks assurance that any Stormwater Management Plan certified for Standard I552.6.9 addresses the following concerns:

- Where bio-retention devices are located in roads to vest (to treat stormwater run-off from those roads), sufficient space must be made available to accommodate a small number of large devices rather than many small devices
- Where it is appropriate for stormwater devices to be maintained and managed by Auckland Transport, no provision is to be made for treatment of private stormwater run-off in those devices
- No permeable paving or pervious concrete is to be located within roads to vest.

780. Ms Chuah supports submission 127.28 and their review of this submission considers that an update to the SMP is necessary to give effect to this submission. I recommend that submission 127.28 be accepted and request the applicant to either respond to submission 127.28 or give effect by the means of an updated SMP.
781. **Submission 73.25** seeks amendments to I552.6.14.1.(1) to remove the reference of 'land use development' as it is addressed in I552.6.9 Stormwater management; further the submitter seeks for I552.6.14(2) to be moved to I552.6.9 as the standard addresses development.
782. **Submission 73.28** states that "Standard I552.6.14.1 (subdivision) clause (2) is to 'new impermeable road, lane or accessway surface must be...'. Clause (2) should be repeated in I552.6.9 (land use). My interpretation of this text is the submitter is requesting a duplication of I552.6.14.1(2) in Standard I552.6.9 Stormwater.
783. I agree with the submitter regarding removing the terms relating to development and land use as this standard is for subdivision and development is managed in I552.6.9. I consider I55.6.14.1.(2) to be suitably placed but should be duplicated under I552.6.9. Alternatively, where appropriate, the heading for I552.6.14 can be amended to address development—consequentially deleting standard I552.6.9.
784. I recommend that submission 73.25 be accepted in part and submission 73.28 be accepted.
785. **Submission 73.26** seeks for stormwater management standards I552.6.9 (land use) and I552.6.14.1 (subdivision) to both address the requirement (set out in I552.6.4) of a maximum impervious area of 70% for the 'total precinct'. The submitter considers these standards are both applicable to subdivision and development.
786. The submitter also seeks to clarify if the total impervious area applies to roading.
787. The submitter has not provided any track changes, nor have provided reasons as to why this standard should apply at the subdivision stage. The submitter may wish to provide this detail at the hearing.
788. As I cannot determine the extent of the change or the rational for the amendment, I therefore recommend that submission 73.26 be rejected.
789. **Submission 73.33** seeks Standard I552.6.14.4 (Riparian margins) is amended to address all 'watercourses' as well as 'streams' so that the enhancement of all-natural features; and values within the precinct and the open space areas are either maintained or enhanced.
790. PC59 as notified under the purpose for standard I552.6.14.4, states:
- Purpose: To ensure that:*
- *the amenity, water quality and ecology of the stream network within the precinct is enhanced through riparian planting; and [emphasis added]*
791. In my view, the standard already sets out enhancing amenity, water quality and ecology of the stream network through riparian planting. The clauses for this standard require the developer to:
- a. Plant a width of 10m measured from the channel edge or from the centre line of the stream where no physical channel edge cannot be identified

- b. Be of the location identified on Precinct Plan 1 and in accordance with Appendix 16 Guideline for native of the AUP; and
  - c. All margins within a subdivision applicant must be planted in accordance with the approved planting plan prior to the uses of s224(c).
792. I agree that the wording should include references to streams and watercourses. This is consistent with other amendments sought relating to Policies (12) and (13).
793. I do consider there are a number of reference that are missing in the standard, I have included these in my amendments in attached in appendix 5.
794. I recommend to accept in part submission 73.33.
795. **Submission 73.34** seeks for standard I552.6.14.4(1) that the sentence “This rule shall not apply to road crossings over streams” be deleted. The submitter states:
- “...it will be appropriate to provide appropriate riparian planting and restoration of these areas which are intended to be crossings in the form of bridges and not culverts. Council notes also that this is a particular concern for iwi.”*
796. Further submission **FS14** opposes this amendment and is concerned about the practicability of applying this standard to road crossings as it will not be possible to accommodate riparian planting within the formed road.
797. Ms Chuah does not support this amendment. I understand the iwi's concerns and the submitter's request, but I am unsure if it can be achieved in practice. I agree with further submitter FS14.
798. I recommend to reject submission 73.34.
799. **Submission 73.56** seeks amendments it I552.6.10 Riparian planting standards. The amendments are sought “so that there is no confusion that all such features are subject to this standard.” The wording suggested by the submitter is consistent with Precinct Plan 1 – Features Plan, and the Objectives (11), (12) and (13) of Albany Precinct 10.
800. Further the submitter also seeks to delete “This rule shall not apply to road crossing over streams”. I have responded to this deletion under submission 73.34 above which I have recommended to reject. For the same reasons as submission 73.34, I recommend to reject this part of the submission.
801. I recommend submission 73.56 be accepted in part.

Recommendations on Submissions

802. Based on the analysis outlined above I recommend that submissions:
- 127.28; 73.28 be accepted
  - 73.25; 73.33; 73.56 be accepted in part
  - 73.26; 73.34; be rejected
803. These amendments are set out in **Appendix 5** to this report

### 10.7.3 Special information request

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
76.63	Auckland Council	Seeks amendments to I552.9 Special information requirements, to add clauses relating to impervious areas	

#### Discussion and analysis

804. **Submission 73.63** seeks amendments to I552.9 Special information requirements, to add clauses relating to impervious areas. Specifically, applications for consent to include plans and tables of figures showing:

- a. the extent of existing and proposed areas across the whole precinct, for any stage of development, of impervious surfaces (including roads and lanes), building coverage, open spaces areas, and landscaping – to confirm compliance with the relevant standards.

805. I agree with the submitter, the additional information will assist the council in its consideration of an application against 'Standard I552.6.4. Maximum building coverage, impervious area and landscaping'. Specifically this standard contains Table I552.6.4.1 as follows:

**Table I552.6.4.1 Maximum building coverage, impervious area and Landscaping**

Maximum Impervious area	Maximum building coverage	Minimum landscaped area
<b>Individual lots</b>		
Apartments 100%	Apartments 100%	Apartments 0%
Detached or attached housing 85%	Detached or attached housing 65%	Detached or attached housing 15%
Any site not connected to stormwater 10%		
Riparian Yard 10%		
<b>Total precinct</b>		
70%	65%	35%

806. To comply with this standard, an applicant will need to demonstrate compliance of their proposal with the total impervious area, building coverage and minimum landscaped area. I consider the additional special information as request will make the consenting process more efficient as it is understood what information is required. I recommend that submission 73.63 be accepted.

#### Recommendations on Submissions

807. Based on the analysis outlined above I recommend that submissions:

- 73.63 be accepted

808. These amendments are set out in **Appendix 5** to this report

### 10.8. Submissions Precinct Plans 1 – 4

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
73.66	Auckland Council	Seeks amendments to Precinct Plan 1 – 4 as follows: <ol style="list-style-type: none"> <li>Amend all precinct plans to either avoid the use of colour or minimise its use that greater precision in interpretation is achievable.</li> <li>Delete from the precinct plans information that is not relevant to the provisions of the precinct to which they pertain, particularly any standards.</li> <li>Ensure that controls are not repeated across the precinct plans and that each control only appears on one plan.</li> <li>Add to Precinct Plan 1 – Features plan, all significant native trees worthy of possible protection, being significant in accordance with a recognised significance rating system</li> <li>Precinct Plan 3 – height and building controls area; Delete the words "and building coverage control area" or otherwise clarify how this plan relates to the applicable standard.</li> </ol>	
127.64	Auckland Transport	Seeks amendments to the Precinct Plan 4 – Frontage controls key as follows: <p><i>Albany Highway <u>frontage control</u></i>            And  <i>Road to vest <del>20m-wide</del> <u>with frontage control</u></i>  <i>Show the commercial frontage consistently on Precinct plan 4 - Frontage controls and Precinct plan 1 - Features plan or clarify why there are differences between the two plans.</i></p>	

#### Discussion and analysis

809. **Submissions 73.66** seeks amendments to Precinct Plan 1 – 4 as follows:

- Amend all precinct plans to either avoid the use of colour or minimise its use that greater precision in interpretation is achievable.
- Delete from the precinct plans information that is not relevant to the provisions of the precinct to which they pertain, particularly any standards.
- Ensure that controls are not repeated across the precinct plans and that each control only appears on one plan.

- d. Add to Precinct Plan 1 – Features plan, all significant native trees worthy of possible protection, being significant in accordance with a recognised significance rating system
  - e. Precinct Plan 3 – height and building controls area; Delete the words "and building coverage control area" or otherwise clarify how this plan relates to the applicable standard.
810. In regards to submission 73.66(a), I am unable to determine which colours that being used do not provide greater precision. I recommend to accept the submission in principle however I invite the submitter to provide further detail to support this submission point.
811. Submission point 73.66(b) has not identified any information in this submission, it appears to be general comment. I recommend that the submission point be accepted in principle, for the precinct plans to be consistent with the precinct text. I request the submitter provides further detail on specific amendments required.
812. In terms of submission point 73.66(c), I recommend that the submission point be accepted in principle, however seek the submitter to provide detail on any repeated information.
813. For submission 73.66(d), the submitter seeks that significant trees be identified on Precinct Plan 1 – Features plan. This plan already identifies trees to be protected through Standard I552.6.14.3 Subdivision standards for open space areas. I support the submission point in principle. However, I consider the submitter should supply more detail on what trees need further protection, and what trees should be listed as a notable tree in Schedule 10 of the AUP.
814. Submission 73.66(e), seeks to delete from Precinct Plan 3 the term 'building coverage'. I consider there are standards relating to building coverage within the precinct, specifically Standard I552.6.4 Maximum building coverage, impervious area and landscaping. I support the removal of any unnecessary terms however seek that the submitter provide greater detail.
815. I recommend that submission 73.66 be accepted in principle, following the provision appropriate details from the submitter to support the submission.
816. **Submission 127.64** seeks amendments to the Precinct Plan 4 – Frontage controls key. The request from the submission is similar to submissions 127.29, 127.30 and 127.31, which seek to clarity and consistency wording in Standard I552.6.11. Special frontage control and height control. I have previously recommended that submissions 127.29, 127.30 and 127.31 be accepted. This will ensure the Precinct Plan 4 is consistent with the precinct text. For the reason recommend to accept submission 127.64.

#### Recommendations on Submissions

817. These amendments are set out in **Appendix 5** to this report
- 127.64 be accepted
  - 73.66 be accept in principle, with more detail to be provided from submitter.
818. These amendments are set out in **Appendix 5** to this report

## 11. CONCLUSIONS

819. Submissions have been received in support and in opposition to PC59. 142 submissions were received. 17 further submissions were received. The submissions seek the following outcomes:
- Two submissions were neutral
  - Seven submissions support or support in part the plan change
  - 130 submissions seek the plan change to be declined
  - 2 submissions seek either to approve subject to amendments, or alternative relief should the plan change not be declined
  - one not stated.
820. Based on the technical reviews and analysis of submissions, the plan change request raises number of potential conflicts with the AUP RPS. While many of the issues considered can be addressed through the precinct provisions, I consider the key to be the transport and traffic effects from the enabled growth of PC59
821. The plan change does enable a significant level of growth, anticipating 1800 dwellings and 4000m<sup>2</sup> of commercial land, within the Albany node, which has been identified for growth under the Auckland Plan 2050. The Council's expert has identified that the transport and traffic modelling has been undertaken up to 930 dwellings or 600 vehicles per hour. Past this point, the Council expert has identified that it uncertain of what the effects are on the greater transport network.
822. To manage the effects on the transport network, Albany 10 Precinct proposes development triggers that restrict housing numbers, until certain transport infrastructure upgrades on Albany Highway and outside of the plan change area are built. The infrastructure upgrades are listed in proposed Standard I552.6.13. However, submissions raised concerns about the development thresholds and the effects on the wider network when the cumulative amount of dwellings in the precinct exceed either:
- a. 770 dwellings (or 500 vehicles per hour) without intersection upgrades; or
  - b. 930 dwellings (or 600 vehicles per hour) with intersection upgrade.
823. Through submission analysis and advice from Council experts, I have recommend that some submissions be accepted to make amendments to the transport infrastructure thresholds to include more specific detail regarding managing the effects of the traffic generated by the precinct. The applicant indicates that it will take some years for development within the precinct to reach these thresholds. If, at that time, subdivision and/or development does not comply with these development thresholds it is recommended that those applications be assessed as a discretionary activity instead of a restricted discretionary activity. The result of my recommendations is that any development that exceeds the transport modelling completed to date, is assessed as a discretionary resource consent. Also, the applicant will be required to supply an updated Integrated Transport Assessment to support their application. In my opinion, this will be a more appropriate time to consider any transport effects, as more up to date modelling that reflects development in the Precinct and the surrounding area, can be provided.
824. The PC59 Proposal was submitted to the Council with an array of technical documents, of all of which have contributed to the construction of the Albany 10 Provisions. I consider that the technical documents, based on assessment from the Council experts, have sufficiently assessed the environment effects generated by the development enabled by the proposed Precinct.



825. Having considered all of the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that Plan Change 59 should be adopted, subject to the amendments to the text/planning maps of the Auckland Unitary Plan as set out in **Appendix 5** to this report and the proceedings of Direction 2 from the Hearing Panel.
826. Section 32AA of the RMA requires a further evaluation of any changes that arise out of this hearing/decision making process. The technical analysis and planning analysis included in section 10 of this hearing report provides the section 32AA assessment required, along with any decision report prepared by the hearing panel, in accordance with Section 32AA1(d)(ii).
827. I do recognise that under Direction 2 issued by the Hearing Panel, that a set of revised provisions will be provided by the Applicant. The Council has also been directed to undertake a S42A addendum report in response to those updated provisions. That addendum report will also form part of the section 32AA assessment.
828. The adoption of PC 59, with its recommended amendments will:
- assist the council in achieving the purpose of the Resource Management Act 1991
  - be consistent with the Auckland Unitary Plan Regional Policy Statement
  - be consistent with the Auckland Plan.

## 12. RECOMMENDATIONS

1. That the Hearing Commissioners accept (in full or in part) or reject submissions (and associated further submissions) as outlined in this report.
2. That, as a result of the recommendations on the submissions, Plan Change 59 be approved with modifications, the modifications being as set out in Appendix 5 of this report.

## 13. SIGNATORIES

	Name and title of signatories
Authors	 27 September 2021  Todd Elder, Policy Planner, Regional, North, West and Islands Planning
Reviewer / Approver	 27 September 2021  Eryn Shields Team Leader Regional, North, West and Islands Planning



# APPENDIX 1

## PLAN CHANGE 59 AS NOTIFIED

This attachment has not been reproduced in this agenda due to its size. The information can be found at:

<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=95>



## APPENDIX 2

### SECTION 32 REPORTS

This attachment has not been reproduced in this agenda due to its size. The information can be found at:

<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=95>



## **APPENDIX 3**

# **FURTHER INFORMATION REQUESTS AND RESPONSES**





01 July 2020

Mark Thode  
Principal Planner  
Campbell Brown Ltd  
PO Box 147001  
Auckland 1144

Dear Mark

**Private plan change application – proposed “Albany 10 precinct” – further information request (without prejudice)**

Auckland Council has now completed an initial review of the application with the assistance of its various experts and requests the following further information pursuant to clause 23 of the First Schedule to the Resource Management Act 1991 (RMA). The request has been put together as a compilation of parts, including attaching the requests as received from experts, and therefore some specific requests may appear to be repeated. The information requested is indicated at the numbered points below and is needed for all the reasons set out in clause 23.

The following further information is needed in order to have a clearer understanding under section 23(1)(a) – (d) of the RMA.

Planning AEE/S32 Analysis

1. The AEE/S32 compares the change in zone from MHS to THAB. Was Mixed Housing Urban Zone considered as an option and if not, why not?
2. Standard I552.6.1 limits the precinct to 1800 dwellings. Can you please explain how you came to this figure.
3. Section 10.2 considers ecological effects, and the assessment determines that most matters can be appropriately considered at a resource consent stage. However are there any potential adverse effects on SEA\_T\_8340 being next to:
  - a. 1800 dwelling (approximate); and
  - b. Building heights listed in Precinct Plan 3 as 4.5m, 13m, 21m and 35m.
4. Section 10.3 considers economic effects, and the economic assessment concludes “...it frees up more land for other uses, and enables lower density development to occur elsewhere while still maintaining high density overall.”. Therefore can you please explain how:
  - a. Allowing for greater density at 473 Albany Highway will limit residential density elsewhere;
  - b. Can you please be specific with the location of ‘elsewhere’;
  - c. Will the increased density for this area affect the residential market in the Albany Metropolitan area?
5. Under section 10.6.3 Wastewater, has any consideration been made for the ability for redevelopment of the surrounding area and capacity for growth after the 1800 dwellings have been built out. I would like to understand the amount of wastewater capacity this level of intensity will have on the wastewater network post development.

6. At the time of lodgement no feedback was received from the public. Since lodgement on 8 May 2020 have you received any feedback? And if you have received feedback, what does it say?
7. To date Watercare Services Limited (Watercare) have yet to provide feedback. In Appendix K – Infrastructure Assessment, section 6.3 from the report provided by Woods outlines the correspondence to date with Watercare. This report indicates that there is only sewage capacity for 1600 residential units and that a pump station would be required to facilitate the development to occur in the south. A Capacity request has been requested from Watercare by Woods, for 1800 residential units and 3000m<sup>2</sup> gross floor area for commercial. When Watercare responds, can you please provide an assessment that:
  - a. there is sufficient wastewater and water supply capacity for the site to be serviced for 1800 residential units and 4000m<sup>2</sup> gross floor area commercial space; and
  - b. the effects on the development potential on the adjacent areas.
8. In Appendix D, Section 32 Option Evaluation Table, objective H6.2.(2) refers to “built character of predominantly five, six or seven storey buildings...”. Can you please provide commentary on the areas of Precinct Plan 3 which exceed seven storeys.

#### Precinct Provisions

9. Objective I552.2 (5) refers to ‘*Green Star Sustainable Communities*’. Can you please clarify if these documents are to be an incorporation of documents by reference in the AUP.
10. Please confirm that objective I552.2(7) does not conflict with objective H6.2.(2) and please explain why it does not.
11. Objective I552.2 (17) falls under ‘*infrastructure*’ but there does not seem to be a correlating policy under I552.3. Can you please clarify which rules will achieve this objective and how ‘*mauri*’ will be assessed.
12. It is noted that under I552.6 Standards that “*Non-compliance with any ‘standard to be complied with’ is a restricted discretionary activity under General Rule C1.9*”. However, it is not clear what activities are required to comply with what standard. Can you please clarify which activities are required to meet what standard.
13. Further to point 12, for permitted standards that are not complied with, will the default assessment fall under C1.9(3). Or will the application be required to comply with the underlying zone? For example, if a development does not comply with standard ‘*I552.6.4 Maximum building coverage, impervious area and landscaping*’, there does not seem to be restricted discretionary assessment criteria relating to the standard or an objective or policy relating to impervious area in the precinct if processed under C1.9(3). Please explain.
14. Section 10.6.1 of the AEE makes commentary on impervious coverage and concludes 70% is an acceptable coverage for the full site. Table I552.6.4.1 indicates the impervious area based on individual lots. Can you please comment on why:
  - a. For apartments 100% coverage is acceptable;
  - b. For detached or attached housing 85% coverage is acceptable;
  - c. How will the individual ‘sites’ be determined for compliance with these standards?

15. Can you please confirm if activities (A16) and (A17) relate to permanent or temporary buildings and/or structures. Can you please compare this to Chapter J under the definitions for 'buildings'. In addition, do these activities relate to 'temporary activities'.
16. Can you please provide commentary on how the height maximums of 13m, 21m and 35m were arrived at?
17. Commercial and healthcare activities are provided for up to a total of 4,000m<sup>2</sup> GFA. Can you please confirm how you reached this figure.
18. Can you please confirm for commercial activities (A2) to (A7), how did you determine the figures for square metres, for example 150m<sup>2</sup>.
19. Under '*Standard I552.6.4 Maximum building coverage, impervious area and landscaping*', can you please confirm what the maximum impervious area control is for a development being located in Precinct Plan 3 Area 4.
20. Standard I553.6.14.3 has:
  - a. An error in the heading; and
  - b. Can you please confirm in I553.6.14.3.(3) that the 'Section 224(c) certificate...' is under the RMA.
21. Standard I522.6.14.4. has an error in the heading; please amend.
22. Standard I552.6.14.5.(2), there is an error when referencing a standard in the precinct.
23. Under I552.8.2.(7), there is an error when referencing a standard in the precinct
24. Throughout the provisions you have made reference to the Resource Management Act 1991(RMA). When referring to a section in the RMA, can you please have a consistent approach.
25. A formatting guide to making changes to the Auckland Unitary Plan is provided as an attachment. Can you please identify all inconsistencies between the proposed Albany Precinct 10 and this document (which will need to be attended to, preferably prior to notification of the plan change)

#### Cultural values assessment

26. The proposed plan change package indicates a Cultural Values Assessment is being prepared. Has an assessment been supplied to you? If so, can you please supply this.

#### Urban Design Assessment

27. The attached memo (refer to Attachment 1) from Rebecca Skidmore dated 30 June 2020 has been prepared on behalf of council and refers to the documents lodged. This memo is attached as part of this request, please provide a response to the matters raised in this memo.

## Transport report

28. Stantec New Zealand has addressed the transport/traffic issues on behalf of council dated the 30 June 2020 (refer to Attachment 2). This memo is attached as part of this request, please provide a response to the matters raised in this memo.
29. Auckland Transport has provided two memos, being:
- *AT comments on precinct plan 473 Albany Highway* (refer to Attachment 3)
  - *Auckland Transport feedback on the ITA for 473 Albany Highway*. (refer to Attachment 4)
30. Both of these memos are attached as part of this request. Some of these comments have been provided on a 'without prejudice' basis and AT reserves the right to lodge a submission. It is acknowledged that some of the comments are not requests for further information but pertain to merits (and wording) of the precinct provisions. Please respond to all requests for further information or explanation.
31. During pre-lodgement discussions with yourselves and the applicant a private transport service was being considered to mitigate transport effects. I would like to understand if a private transport service is still being considered. If it is still being considered, will this affect any of the outcomes that are established in the ITA. Please explain.

## Engineering aspects

### *Stormwater – Healthy Waters team*

32. A memo dated 5 June 2020 is attached (Attachment 5) from Irish Jayawardena of the Healthy Waters Department of Auckland Council, which refers to the lodged documents. Please provide a response to the matters raised in this memo.

### *Geotechnical*

33. A memo dated 18 June 2020 is attached (Attachment 6) from Nicole Li of the Regulatory Services of Auckland Council, which refers to the lodged documents. It is noted that these matters are likely to be resolved at the resource consent stage. However, can you please confirm that you agree that all the matters raised can be appropriately addressed at the resource consent application stage.
34. Can you please also identify which Auckland-wide earthwork rules are expected to be triggered.

## Ecology and Biodiversity

35. Attached is correspondence between Carl Tutt, Auckland Council Ecologist, and Todd Elder (refer to Attachment 7). Please address the points below raised in that correspondence:
- a. The RPS assessment made reference to policy B7.2.2(5), can you please also provide an assessment against B7.2.1(2);
  - b. The AEE refers to B7.2.2(9), which does not exist; and
  - c. Can you please provide an assessment against E15 Vegetation management and Biodiversity.

## Economics

The Chief Economist Unit (**CEU**) has provided a memo dated 25 May 2020 (Attachment 8). I have extracted six key questions from this memo. Please respond to these questions below:

36. Under the 'additional points to note' in the CEU memo, can you please explain/clarify:
- a. If there are any future public transport services that are likely to help service the development (para 1a);
  - b. The economic report states that the applicant has determined the optimal height configuration that would satisfy neighbouring properties. Can you please explain how this configuration was arrived at working with neighbours (para 2);
  - c. How would the mix of retail and commercial services offered from within the development compete with those provided within the Albany Metropolitan Centre (para 9);
  - d. Does the flow-on effects of competition from Albany Metropolitan Centre, OKLA Apartments and Rose Garden Apartments risk viability of retail space within the development (para 10);
  - e. Public amenity benefits have been considered to be significantly better in this proposal. How does this differ from the original plan, if the park is stated to be only slightly larger? Is this due to redesign? This has significant use and non-use benefits and other health related benefits that should be addressed with further discussion (para 11);
  - f. Are the buildings being built as high as possible with the design and amenity features in mind? (para12);

## GIS/BIM files

37. Can you please provide the GIS shapefiles or dwg/dgn files in NZGD 2000 (datum) NZTM for Precinct Plans 1 – 4. The proposed precinct maps are required to be a part of the AUP precinct, and the council GIS team will put them in a format suitable for the AUP. Ideally this will be completed before notification. Council is happy to assist with this process and will arrange a GIS specialist to discuss if required.
38. Can you please provide the 3D GIS format for the buildings that are visible in the landscape visuals provided by Boffa Miskell. Or any Arc GIS capable file.

If you have any queries please do not hesitate to contact me by phone on 021 282 870.

Yours sincerely



Todd Elder  
Planner

North West & Islands Unit  
Plans and Places Department  
Chief Planning Office

# Memo

**To:** Todd Elder  
**CC:** David Sanders  
**From:** Rebecca Skidmore  
**Date:** 30<sup>th</sup> June 2020  
**Re:** PRIVATE PLAN CHANGE AT 473 ALBANY HIGHWAY (ALBANY 10 PRECINCT) – URBAN DESIGN, LANDSCAPE AND VISUAL EFFECTS ASSESSMENT REVIEW, REQUEST FOR FURTHER INFORMATION

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## **INTRODUCTION**

1. Thank you for forwarding the private plan change request by the BEI Group Ltd. in relation to the Albany 10 Precinct of the Auckland Unity Plan. The proposed plan change relates to land at 473 Albany Highway, Albany. I have now had the opportunity to review the documents supporting the plan change request. In particular, my review relates to the Urban Design Assessment by Boffa Miskell (Appendix H of the Plan Change request) and the Landscape and Visual Effects Assessment, also by Boffa Miskell (Appendix I of the Plan Change request). However, it has been informed by other documents that form part of the request documentation.
2. My review has been assisted by preliminary site visits carried out on the 14<sup>th</sup> March 2019 and the 22<sup>nd</sup> January 2020.

## **FURTHER INFORMATION REQUEST**

3. The plan change request includes detailed analysis in relation to urban design, landscape and visual effects considerations. The documentation also includes a Masterplan and Design Report (Appendix E). While the masterplan represents only one possible outcome for the Precinct, it is helpful in explaining how some of the proposed precinct provisions have been determined. The report also includes a very clear and detailed site and context analysis that leads to documentation of design testing and the finally determined key design strategies for the Precinct. This masterplan report forms a helpful foundation for reviewing the Urban Design Assessment and Landscape and Visual Effects Assessment reports.
4. However, there are a number of additional points that would be helpful to assist the review.

## **Urban Design Assessment (Appendix H)**

5. Section 4 (p.5) describes the distance of the Site from a number of key destinations. Is this a direct measurement or distance by street connection? If the former, it would be

helpful to also identify the distance by street connection. The description would also be assisted by a diagram with distances to the various destinations depicted.

6. Section 7.2 sets out a number of Precinct specific outcomes. Please advise whether creating a local sense of place/character, and creating a vibrant community are additional outcomes that are important for the Precinct to achieve.
7. The list includes 'providing for taller buildings'. The provisions relating to this outcome are assessed in Section 9. Please advise why 35m has been determined as an appropriate maximum permitted height for Area 3. Also please provide an analysis of why 19m is specified as the height for additional set-back to be provided and whether 3m is adequate to create a clear visual differentiation between the building components.
8. Section 9 includes an analysis around the provision of greater development intensity. Why has 1,800 dwellings been determined as a suitably density cap for the precinct, as described in this section?
9. Please provide additional analysis around the scale and intensity of development enabled by the Precinct provisions in relation to other zones in the AUP, having regard to the RPS objectives and policies relating to intensification in and around centres and along corridors, and the hierarchy of centres created.
10. Section 9 also includes an analysis of provisions relating to retail and other commercial uses. In my opinion, the provision for such activities around the main axis into the Site and opening onto the central park area is important to create a civic heart for the evolving community. Why does the proposed commercial frontage control not extend to the intersection with Albany Highway? Has consideration been given to whether a Business Mixed Use zone would be more appropriate in this area?
11. The analysis on p. 18 relating to walkability and pedestrian open spaces describes the provision for off-road share paths adjacent to the Days Bridge Esplanade Reserve. Please identify the relevant precinct provisions that will ensure adjacent development will create an interface with this area that reinforces it as publicly accessible, creates a positive amenity and ensures good passive surveillance.
12. The analysis regarding residential amenity addresses internal shading within the Precinct (p.21). I note that shading is a matter of discretion for new buildings with an associated criterion (c)(i). Further analysis (by way of shade diagrams) of the potential shading of open space resulting from the proposed height limits would be helpful at this stage.

#### **Landscape and Visual Effects Assessment**

13. Section 2.1 describes the preparation of visual simulations used to inform the assessment. Please provide a plan (and/or 3D axonometric model) showing what has been modelled in the visual simulations.
14. This section notes that the visual simulation viewpoints were agreed with me. However, I suggested that two additional visual simulations would be helpful to better understand how development in accordance with the precinct provisions would be viewed in relation to Albany Highway. The suggested viewpoints are from:
  - The footpath outside the entrance to Albany High School;
  - The bus stop on Albany Highway just to the south of Summerfield Lane.
15. Having now carried out a complete review of the plan change request material, I think it would also be helpful to prepare a visual simulation from one of the more distant

viewpoints that are included in the photographic package. I suggest either Viewpoint 14 or 15 would be helpful.

16. Section 3.1 describes the Site's context. This section describes the landscape features in the wider area. In my opinion, an important feature is the series of bush-clad escarpments in the wider area that provide a backdrop to and contain the urban environment. Section 2.8 of the Masterplan document includes a plan depicting the topography of the site with identification of spot heights in the surrounding area. An expansion of the colour varied topography identification for the site and its surrounding context would be helpful.
17. A key consideration in relation to landscape effects is the height strategy proposed and particularly the permitted height limit proposed for Area 3. Please identify the RL heights this would enable across the Site. Also, please provide an analysis of how buildings of this height would relate to the Fernhill Escarpment and contribute to the pattern of urban development in the wider environment, considering its relationship to the surrounding escarpments. In this regard, the analysis set out on Section 6.1, (p.15) should be expanded.
18. In relation to visual effects, the assessment notes that "for some viewing audiences the setback and height transition away from the Fernhill Escarpment will be a noticeable design response to preserving the legibility of this landscape feature" (Section 6.2.1, p. 17). Please be more specific about the location/viewing audience this is referring to.
19. In section 6.2. (p.17) the assessment notes that in close proximity to the Site and within the Site itself, the visual corridors required in Precinct Plan 1 will strengthen the visual connection to the Fernhill Escarpment. Modelling imagery from various locations would be helpful to demonstrate how this will be achieved.
20. As requested in relation to the urban design assessment, having considered Point 17 above, please advise why 35m is considered appropriate as the permitted height limit for Area 3.
21. Section 5 (p.11) refers to a ZTV analysis being carried out. Please provide the ZTV analysis plans.
22. Finally, the proposed precinct will be realised over a long timeframe. Please provide some commentary/analysis about the way this gradual transition/evolution for the Site will be perceived by those in the surrounding context and from within the Precinct.



Ref: 310204148

30 June 2020

Auckland Council  
Private Bag 92300  
Wellesley Street  
Auckland 1142

**Attention: Todd Elder**

Dear Todd,

### **Private Plan Change, 473 Albany Highway – Transport Request for Further Information**

Auckland Council has received a Private Plan Change (**PPC**) request from Bei Group Limited for the site at 473 Albany Highway in Albany, Auckland. The PPC seeks to rezone the site from the existing Residential – Mixed Housing Suburban Zone to Residential – Terrace Housing and Apartment Buildings Zone, with an associated Precinct Plan and Provisions for a new Albany 10 Precinct.

Stantec has been asked by Auckland Council to review the PPC documentation associated with transport matters, in order to determine if any further information is required to enable appropriate assessment of the PPC application from a transport perspective. Specifically, transport-related sections of the following documents have been reviewed including:

- Application for Private Plan Change, Albany (Albany 10 Precinct), prepared by Campbell Brown Planning Ltd, dated 8 May 2020, including:
  - Appendix B – Proposed Plan Change Precinct and Zone Maps;
  - Appendix C – Proposed Albany 10 Precinct Provisions;
  - Appendix F – Integrated Transport Assessment (**ITA**);
- Auckland Transport (**AT**) preliminary feedback on the ITA for the PPC; and
- AT preliminary comments on I552 Albany 10 Precinct, dated 26 May 2020.

We note that we have not engaged with Auckland Transport (**AT**) as part of this initial review of adequacy of the PPC information.

## Further Information Requests

Having reviewed the documents above, we recommend that the following additional information is requested from Bei Group in order to properly and fully assess the transport effects and their management as part of a Plan Change process:

1. Please update the five-year road safety assessment in Section 2.5 of the ITA to include the northern site frontage of Albany Highway from Wharf Road to a point at least 50m beyond the northern road connection proposed.

**Stantec New Zealand**

Level 3 Stantec House  
111 Carlton Gore Road  
Newmarket, Auckland 1023

PO Box 13-052  
Armagh  
Christchurch 8141

TEL +64 9 580 4500

Ref Nos., Parent: 310204148, Child: 100-0101

310204148\_473 Albany Highway - Transport  
RFI 200630\_final.docx

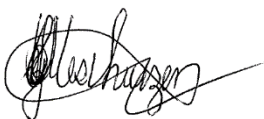
Please visit [www.stantec.com](http://www.stantec.com) to learn more about how Stantec design with community in mind.

2. Please elaborate on the injury crash involving a pedestrian. Does this indicate a safety issue with any of the existing pedestrian provisions (or lack of) in the vicinity that may be exacerbated by the higher pedestrian demand anticipated by the development, that would be facilitated through the PPC? If so, please provide an assessment of mitigation measures identified and recommended by Bei Group.
3. Figure 11 in Section 3.2 of the ITA shows two additional pedestrian/cycle connections across the Days Bridge Esplanade Reserve. However, Appendix B, Precinct Plan 2, Albany Movement Network shows only one connection. The ITA also refers to Precinct Plan 3, not 2. Please clarify which plan is correct and update the documentation accordingly. If only one connection is included or proposed, please explain the implications of proposing a single connection on the suitability and amenity of the proposed pedestrian connections in serving the needs of future residents and visitors to the area.
4. Please provide assessment of the predicted transport mode share / volume of trips generated by modes other than private car (active modes, public transport and heavy vehicles) and assess the appropriateness of the proposed facilities to support these modes, and in the case of heavy vehicles, please show how the operational needs of these vehicles and activities have been taken account of in the traffic effects assessment.
5. Section 4.1 of the ITA states that the number of dwellings or scale of retirement village is uncertain at this stage and that trip generation cannot be calculated. The trip generation assessment needs to consider the potential level of development enabled by the PPC, to enable assessment of the traffic effects. While the “thresholds for mitigation” of traffic effects is a generally valid approach, there is still a need for consideration of a particular (even if theoretical) level of development and its generated external effects. Could the applicant please revise the trip generation, traffic effects assessment and mitigation analysis in Section 5 of the ITA accordingly, for the levels of development and associated generated traffic that can be expected under the overall scale of development that the PPC will facilitate.
6. The traffic distribution assumptions in the ITA (Section 4.3.1) assess that the predominant traffic flows will be to and from the north. This conflicts with the 50/50 split of traffic assessed at each of the two signalised intersections to access the site and gives no consideration to the expected location of various activities within the site. Please consider a revised split of traffic at the signalised intersections that considers the likely location of activities within the site and peak directional flows. If the revised assessment demonstrates that these intersections cannot continue to operate safely and efficiently in their currently proposed form, please consider further mitigation measures required to support the level of development enabled by the PPC.
7. The effect of growth in background traffic, such as typical annual growth or due to known Plan Changes or committed/consented developments, within the vicinity of the PPC area has not been assessed. Please consider a timeframe of development to full build out allowed by the PPC (and consider interim scenarios if required), and assess the associated growth in background traffic along Albany Highway over that time. Please revise the traffic effects and mitigation analysis in Section 5 of the ITA accordingly.
8. The effects (vehicular, cyclist and pedestrian) of the left-in left-out intersection proposed towards the north of the site have not been assessed. Please provide an assessment of the safety and efficiency of the intersection, including consideration of the safety and operation of the adjacent T2 lane (and site generated movements across the lane).
9. The SIDRA modelling in Section 5 of the ITA focuses on isolated intersections only, but the results of the modelling show that significant queue lengths may result on the northern Albany Highway approach at the Bass Road intersection, exceeding the intervening spacing between the two intersections. As the traffic effects at the assessed intersections will also potentially affect upstream intersections, please provide an assessment which accounts for the potential safety and operational effect on upstream intersections, including those beyond the site frontage of the PPC area if needed, such as network modelling. Please provide the modelling files for verification purposes.

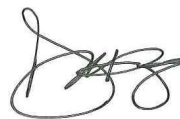
10. The Sidra results show LOS F on the Albany Highway / Bass Road intersection western approach during the morning peak hour (with a total PPC area trip generation of 600vph), which is not typically acceptable without an associated mitigation strategy. Please provide further commentary on the acceptability of this LOS and provide an appropriate mitigation strategy (if required) in light of the revised assessment requested in points 5-9 above.
11. Please demonstrate how the development (including future developers and landowners) will encourage the use of public transport, cycling and walking from the time of initial occupation. The ITA (Section 8.4) only refers to future trigger levels, however it is important to understand how the applicant will be implementing pedestrian / cycle / public transport provisions from day one. Please provide an assessment of the appropriateness of any such future triggers in terms of easily quantifiable development scales such as dwelling units, rather than trip generation numbers as currently referenced in the ITA.
12. Please update Section 11 of the ITA to detail the consultation undertaken with Auckland Council and Auckland Transport prior to lodgement of the PPC application.
13. The PPC is reliant on potential external upgrades such as the Upper Harbour Greenways Plan September 2019 and improvement of public transport provision (provided by AT) (refer to section 7.3 within the ITA). Please provide information on how the development will cater for these modes if these upgrades are not to be implemented or are delayed in implementation. If there is certainty that these upgrades will be implemented, please provide expected timeframes for the upgrades required to support the development enabled by the PPC and how the timing aligns with the development timeframes expected at the site.
14. Please update the Precinct Provisions and Precinct Plans as needed to reflect the revised assessments requested above.

We trust this assessment meets your requirements; however please do not hesitate to contact us if you have any queries on the above.

Yours sincerely



Gerhard van der Westhuizen  
**Project Transportation Engineer**  
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**Stantec New Zealand**

## AT preliminary comments on I552 Albany 10 Precinct

These comments are on the precinct provisions as included in the lodgement package (12 May 2020). This feedback is provided on a without prejudice basis, and AT reserves its right to lodge a submission on the private plan change once notified.

Provision	Comment
Objective 14	<p>Amend as follows: 'Development is integrated with the capacity of the local transport network to ensure <del>traffic</del> <u>travel</u> demand is supported by suitable transportation infrastructure'</p> <p>This wording recognises that suitable transport infrastructure may provide for walking and cycling rather than traffic,</p> <p>Also, what is meant by the 'local transport network' - would it be clear to the user of the plan that this includes access in and out of the precinct from Albany Highway.</p>
Policy 16	<p>'Where the number of dwellings constructed within the precinct generates sufficient demand, require upgrades to identified signalised intersections and public cycling facilities.'</p> <p>Reword policy - it should not be 'sufficient demand' that triggers the need for these mitigations - particularly the cycling upgrades.</p>
Policy 17	<p>Amend as follows:</p> <p>'Ensure new roads are located in accordance with Precinct Plan 2 – Albany movement network to <del>achieve</del> <u>contribute to</u> a highly connected pedestrian, cycle and road network that provides for all modes of transport.'</p> <p>The roads to vest are only part of achieving the desired transport network.</p>
Policy 18	<p>'Ensure pedestrian and cycle linkages through the site as generally indicated on Precinct Plan 2 – Albany movement network, to allow for safe and efficient movements within the precinct.'</p> <p>Amend to include a reference to the linkages to be provided across the boundaries of the precinct.</p>
Policy 19	<p>'Ensure that care centres and healthcare services are of a size and intensity that supports the local residents within the precinct, without encouraging excessive trip movements from outside the precinct.'</p> <p>Amend to include reference to commercial activities. It is also not clear why 'care centres' are mentioned as they are included in the precinct activity table. Also have concern about the term 'excessive' - is there a better way of describing this.</p>
Policy	<p>Add a policy (or amend an existing one) to reference the use of parking maximums to control traffic generation and manage travel demand.</p>
Table I552.4.1 Activity table (A2)	<p>Does the exclusion of drive through restaurants in (A2) mean that they are intended to default to (A14) or (A15) - D or RD?</p> <p>Healthcare facilities is the defined term in the AUP - rather than healthcare activities. The description should be 'Commercial activities and healthcare facilities'. Amend throughout.</p>
Table I552.4.1 Activity table (A5)	<p>Support NC status for large format retail, including supermarkets, not otherwise provided for.</p>

Provision	Comment
Table I552.4.1 Activity table (A15)	Support D or NC status for direct vehicle access from sites onto Albany Highway. However, this should be separately listed in the activity table - rather than combined with other activities
Table I552.4.1 Activity table (A19)	The wording 'but proposes alternative measures to achieve required transport access, capacity and safety' is too subjective for an activity description. This wording is more appropriate for an assessment criteria.
Table I552.4.1 Activity table	Commercial and healthcare activities of up to 150m <sup>2</sup> which don't comply with I552.6.7(3) - overall 4.000 GFA - should be D, and not default to RD
Table I552.4.1 Activity table	Integrated residential developments (retirement villages) need to be listed in the activity table. It is clear from the ITA that they are still envisaged. s
I552.5 Notification (1)	Question whether all RDs in the activity table should automatically be considered without notification. Concern is A19.
I552.6 Standards	<p>The second para states 'non-compliance with any standard to be complied with is a restricted discretionary activity under General Rule C1.9'. It needs to be clear that this does not apply where the activity is otherwise identified in the activity table.</p> <p>Also, there are some standards where non-compliance should not default to RD.</p>
I552.6.11 Special frontage and height control Table I552.6.11 Special height and frontage matrix	<p>The table includes vehicle access restrictions for Albany Highway, vested road, and the commercial GFA control (which applies along some of the vested road). The Albany Highway vehicle access restriction is noted in the activity table. The other restrictions could be overlooked. In order to practically implement these restrictions, rear lane access will need to be provided at subdivision - so these requirements should be reflected in the subdivision rules.</p> <p>The purpose of the vehicle access restrictions is identified in the table, but this also needs to be included in the purpose statement.</p>
I552.6.13 Transport infrastructure development thresholds	It is not clear how (2) applies - it states that notwithstanding the table above, the dwelling thresholds shall be confirmed as part of any Traffic Impact Assessment or Integrated Transport Assessment required for subdivision and / or development within the precinct.
Table I552.6.13.1 Transport infrastructure development upgrade thresholds	Comments on the identified transport infrastructure upgrades have been included in the comments on the ITA.
I552.6.14.1 Subdivision standards for stormwater management	It is not clear how the statement 'these devices must be located in general accordance with Precinct Plan 1 - Albany features plan' applies to stormwater raingardens. The only stormwater devices identified on PP1 is a stormwater management wetland.
I552.6.14.2 Subdivision standards for key roading and access	These standards apply to subdivision - is there a risk of transport infrastructure not being provided if development occurs without subdivision e.g. an integrated residential development.
I552.6.14.2 Subdivision standards for key roading and access	(2) Amend to clarify the roads being referred to are the vested roads on precinct plan 2 (these would be better described as 'roads to vest')
Table I552.6.14.2.1 Construction standards for road types within the Albany 10 precinct	<p>Change the description - these are not construction standards - rather they specify the width of the road reserve and some of the components.</p> <p>A 20m legal road width implies a collector road rather than a local road - depending on the carriageway width. A separated cycle way may be needed to meet AT's Standards (as per the Transport Design Manual).</p>

Provision	Comment
I552.6.14.2 Subdivision standards for key roading and access	(3) More information is needed about the publicly accessible shared cycle / footpath. What standard will this be built to? What hours will it be publicly accessible, and how can that be assured? Is a shared path appropriate in this location - or are separated walking and cycling facilities more appropriate?
I552.6.14.2 Subdivision standards for key roading and access	(4) The northern access point may not be acceptable to AT. It has not been properly addressed in the ITA.
I552.6.14.2 Subdivision standards for key roading and access	(5) The reference to the private roads and lanes is confusing as these standards don't seem to apply to them in any case (1) to (3) apply to the roads to vest, the pedestrian / cycle connections, and the shared cycle / footpath next to the esplanade reserve.  It is also not clear what is meant by the reference to an approved ITA. How does an ITA become approved?
I552.8.1 Matters of discretion (3) vehicle and bicycle parking	This activity is not listed in the activity table.
I552.8.1 Matters of discretion (5) Not complying with commercial GFA and location control	This activity is not listed in the activity table
I552.8.2 Assessment criteria	A more in-depth review of the assessment criteria may result in additional wording changes being suggested.
I552.8.2(1)(g)	(g)(i) Any roads to be vested will need to meet AT standards - any tree planting and footpath paving considered at resource consent stage will need to be consistent with AT standards. The wording in I552.8.2(4)(d)(i) is better.  (g)(ii) The location of service lines under roads is a matter that should be left to AT standards and not addressed in assessment criteria for a precinct plan.
I552.8.2(2)(a)(i)	Reference to adequate car parking being provided to accommodate the additional GFA should be deleted. This is inconsistent with the application of parking maximums in the precinct.
I552.8.2(4)(b)	(b)(i) and (ii) - same comments as previous about AT standards for roads to vest.
I552.8.2(6)(c)	(c)(i) and (ii) - same comments as previous about AT standards for roads to vest.
I552.9 Special information requirements	There should be a requirement for applications for commercial development to be accompanied by an assessment of the current GFA within the precinct
Precinct Plan 1 Albany features plan	Commercial frontage shown here doesn't quite match with precinct plan 4
Precinct Plan 2 Albany movement network	AT has concerns about the northern left in / left out road - the ITA has not properly assessed this. 'Vested roads' should be rename 'road to vest'.

## Auckland Transport preliminary feedback on the ITA for 473 Albany Highway

Auckland Transport's comments below are based on review of the following document:

- 473 Albany Highway, Albany, Proposed Plan Change, Integrated Transportation Assessment Report, Commute Transportation Specialists, 29 April 2020.

Auckland Transport reserves the right to make a submission on the plan change request once notified. The feedback below is provided on a 'without prejudice' basis.

Topic / section	AT comments on ITA
General comments	<ul style="list-style-type: none"> <li>• The ITA expresses a desire to reduce private vehicle traffic in favour of active modes and public transport. Auckland Transport supports this in principle but has concerns about the transport connectivity of the development. From a public transport perspective, the bus services currently provided by Auckland Transport would provide a limited service to the future residents of the development. Furthermore, the development site is located some distance from key destinations which would discourage walking and cycling in spite of the proposed cycling infrastructure upgrades.</li> <li>• If these issues are not adequately addressed in the ITA and reflected in the precinct provisions, they could result in adverse effects on the transport network and the aspirations reflected in some of the precinct objectives and policies would not be met. For instance, future residents may become reliant on private vehicles for travel.</li> </ul>
Public transport 2.3.2	<ul style="list-style-type: none"> <li>• The 917 route isn't an all-day 15-minute service. The 15-minute frequency is during the peaks. The route has an AM peak focus towards Massey University and PM peak focus from Massey University. This service is focused around the needs of Massey University as well as providing connection to Albany and the busway station. The ITA should address this. One of the disadvantages of the current service is the time taken to get to Albany Bus Station given the roading layout around Albany.</li> <li>• As part of the Northern Corridor improvements, a new Rosedale Station will be constructed to the east of the site. There may be opportunities for improvements to the bus network and services in the area with the opening of Rosedale Station. However, there is no current funding for this.</li> </ul>
Transport connectivity 3.2	<ul style="list-style-type: none"> <li>• At the pre-application meeting, it was suggested the northern entrance to the site may be used as pedestrian and cyclist access only. The ITA (and the precinct plan) identify this as a new left in / left out road connection. However, the ITA does not assess the left-in-left-out entrance to show that it can operated both safely and efficiently. The effect of such a connection on the adjacent T2 lane would also need to be considered. It is noted that Auckland Transport has not supported access in this location for previous proposals on this site.</li> <li>• Figure 11 shows an additional pedestrian / cycle connection across the Days Bridge Esplanade Reserve which does not appear in Precinct Plan 1 included in the plan change.</li> </ul>
Parking 6.0	<ul style="list-style-type: none"> <li>• The ITA should address the vehicle parking proposed to be provided in the Central Park green space.</li> </ul>

Internal facilities 7.3.1	<ul style="list-style-type: none"> <li>This section states that any internal collector roads will feature separated cycle facilities. The ITA needs to identify the collector roads.</li> </ul>
Suggested measures 8.4	<ul style="list-style-type: none"> <li>This section lists when transport infrastructure upgrades are required and this has been carried through to the precinct provisions. Given that the development proposal seeks to encourage active modes and public transport over the use of private vehicles, it is suggested that these dwelling thresholds for completing cycleway projects and improving public transport be lowered. This would enable residents to take advantage of these improvements from an earlier date. If these travel patterns are not established early, future residents will likely rely on private vehicles. Further, the ITA needs to be more specific about the what would be required to improve public transport provision for future residents.</li> </ul>
Implementation Plan 12	<ul style="list-style-type: none"> <li>Table 17 states that public transport improvements will be required as per the triggers in the precinct. It also notes that this will be funded by AT and the developer. Please note that Auckland Transport cannot accept responsibility for any improvements not funded in the RLTP.</li> </ul>
Transport modelling	<ul style="list-style-type: none"> <li>The LT volume from Albany north in Table 8 looks incorrect (too high). This should be corrected.</li> <li>There are no queue length surveys provided in the ITA. This should be addressed.</li> </ul>



# Memo

05/06/2020

**To:** Todd Elder, Planner, Plans and Places

**From:** Iresh Jayawardena, Senior Specialist, Resource Management Team, Healthy Waters

**Cc:** Lakshmi Nair, Senior Specialist, Healthy Waters  
KC Lee, Senior Specialist, Healthy Waters  
Mark Iszard, Manager, Growth and Development  
Clarke McKinney, Resource Management Team Manager, Healthy Waters

**Subject:** Review of Stormwater Management Plan for the Private Plan Change request for 473 Albany Highway

The memo provides Healthy Waters review comments on the Private Plan Change documents, including the Stormwater Management Plan, lodged for 473 Albany Highway Private Plan Change.

Section of the SMP	Request for further information	Reason for request
<b>HW 1 Hydrology mitigation</b>	Further clarification of the proposed hydrology mitigation within the precinct is required. Section 5 of the SMP discusses hydrology mitigation requirements of the precinct and recommend SMAF like provisions without detention component. However, Page #14 Point 4 states to provide detention as per SMAF 2 requirements. Please demonstrate in the SMP how these provisions and benefits will be realised from the proposed development.	The information provided in the proposed stormwater management section of the SMP and Infrastructure report discusses full retention and detention components.
<b>HW 2 Hydrology mitigation</b>	Table 1 of the SMP indicates infiltration test results. It is noted in areas near HA02, HA03, HA04 and HA06 infiltration rates exceed 2mm/hr. Therefore on-site retention is required. But no assessment or any discussion provided in the SMP on why on-site retention is not provided where infiltration rates exceed 2mm/hr. Please confirm.	Stormwater management for roof runoff via rain tanks is acceptable in areas where infiltration rates are less than 2mm/hour.
<b>HW 3 Stormwater Quality</b>	In Section 5 of the SMP, please provide a Table outlining areas, options analysis, and different performance standards being proposed for the different impervious coverage types within the precinct (i.e. Roof, paved areas, traffic areas and roads etc.)	The approach to SW management should reflect the receiving environment, and it's sensitivity to changes in imperviousness and contaminants. The receiving environment, in this case, is

<p><b>HW 4 Stormwater Quality</b></p>	<p>Giving regards to the different impervious surface areas, stormwater outlets to stream network, please provide details in the SMP on how the performance of each standard intends to achieve the stormwater quality treatment and its appropriateness for the development (at individual land use and/or subdivision stages as solutions) set by the direction of the AUP on the receiving environment.</p>	<p>defined in the AUP maps as a Sensitive Marine Environment 2 (SEA-M2-57b) and the approach should reflect the sensitivity/importance of this overlay and the fact it is a low energy environment that will be vulnerable to sediments and contaminants settling out onto the seabed.</p>
<p><b>HW 5 Stormwater Quality</b></p>	<p>Figure 9 of the SMP (Figure 6 of the Infrastructure Report) provides permeable paving on lots. There is a lack of information and clarity around flexibility and what if permeable paving cannot be used or not supported by future development for residential hardstand and private roads. Please discuss what alternative options are explored to enable flexibility of choice to suit circumstances and to provide the Best Practicable Options (BPO) for development</p>	
<p><b>HW 6 Stormwater Planning</b></p>	<p>The precinct proposes three different Height Management Areas and Table I552.6.4.1 seeks separate impervious coverage across the PPC. In the SMP, it is recommended to require future Lot development to achieve SMAF 2 similar hydrology mitigation. Still, it is not clear how this mechanism will be ascertained in the future development and subdivision stages across the PPC. Further clarifications are required around how the stormwater management will be achieved in the precinct to adhere to the SMAF 2 similar approaches as recommended by the SMP.</p> <p>Further information also required to demonstrate how the ongoing ownership, operation and maintenance of individual lot hydrology mitigation will be achieved within the precinct.</p>	<p>The proposed precinct rules/standards need to provide a framework for ensuring ongoing individual Lot hydrology mitigation requirements.</p> <p>The precinct plan should include a further mechanism to ensure hydrology mitigation devices are operative and maintained in perpetuity as a consequence of development.</p>
<p><b>HW 7 Stormwater Management</b></p>	<p>In the SMP, Section 5.1, the last paragraph on page 15 states five public communal Raingardens and three private Raingardens to be provided. The plan P19-236-00-1360-SK shows seven Raingardens in total and One wetland (A).</p>	<p>Stormwater management for the runoff from proposed roads and JOALs via communal rain gardens is acceptable, but consultations with Auckland Transport and AC Community Facilities need to be carried</p>

	<p>i. Please confirm in the SMP, including in plans which of these devices are public or private. And any discussion with regards to operations and maintenance of these assets</p> <p><i>Advise note: It is recommended to explore possible options within the precinct to reduce the number of public rain gardens by combining some of them</i></p>	<p>out prior to adopting the SMP under NDC.</p>
<b>HW 8 Stormwater Management</b>	<p>The precinct plan 1, including submitted plan P19-236-00-1361-SK of the SMP, presents a proposed wetland A. However, no reference or description in the SMP of what is being treated, why it requires, the purpose, objective and or design. For clarity, please provide further information in the SMP about the proposed Wetland A</p>	<p>There is a lack of description in the SMP as to how the elements of integrated stormwater management are connected and work together</p>
<b>SW 9 Primary Networks</b>	<p>In the SMP, Section 6.1, Page 16, mentioned that there are four outlets to Oteha Stream, and these will be bubble up chambers. It is assumed there are four new outlets. Drawing number P19-236-00-1361-SK shows three existing watercourses/outfall and only two new outfalls – one for the wetland and the other at the northern end of Road 1b. Where is the other two proposed bubble up outlets? Please confirm in the SMP</p>	
<b>SW10 External Overland Flow path</b>	<p>Use of 1.2 x 0.5m concrete channel for diversion of overland flow paths are not an acceptable approach. Please explore alternative approaches using GDO1/GD04 water sensitive designs principles.</p> <ol style="list-style-type: none"> <li>I. Please provide the number of OLF discharge points to the Oteha Creek?</li> <li>II. Provide these proposed outfall locations on a map. At OLFP outfalls, it is recommended flows to be spread as wide as possible to avoid concentrated flows.</li> </ol>	
<b>SW 11 Conclusion</b>	<p>This section should allow for the presentation of how the proposed stormwater management will provide an integrated stormwater approach and how all the elements discussed will work together at the future subdivision and development stages.</p>	<p>Needs to confirm how the different stormwater elements will work together.</p>

<b>SW 12 General comment</b>	There appears to be no stakeholder engagement carried out to facilitate the proposed stormwater management. Please provide confirmation.	For example, consultation with AT and mana whenua is also required prior to HW adopting any SMP into the NDC.

# Memo

18/06/2020

**To:** Todd Elder  
**cc:** Charlie Brightman, Engineering & Technical Services  
**From:** Nicole Li, Regulatory Services  
**Subject:** Geotechnical Review of Private Plan Change Application at 473 Albany Highway, Albany  
**Status:** For Information Version: 0

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## 1 Introduction

We have been requested by Todd Elder from Auckland Council Regulatory Services to review geotechnical aspects of a private plan change at 473 Albany Highway, Albany. It is understood that the developer is seeking a change from Residential – Mixed Housing Suburban to Residential – Terrace Housing and Apartment Building. and provide. Our geotechnical review includes queries/comments/recommendations pertaining to geotechnical matters.

The following geotechnical report has been attached to the application and reviewed by us:

- CMW Ltd “Geotechnical Report for Plan Change Application”, reference AKL2018-0083AG Rev 0 and dated 29 January 2020

We understand that the reports have been prepared to support the private plan change application. Our findings and recommended conditions are summarised below.

## 2 Summary of assessment and recommended conditions

### Assessment of Geotechnical Effects

#### Geology and Geomorphology

The site is underlain by alluvial deposits of the Puketoka Formation of the Tauranga Group, overlying East Coast Bays Formation of the Waitemata Group. Sandstone of Waitemata Group was encountered between 1.5m and 4.5m depths below existing ground surface in machine boreholes.

The Oteha Stream runs along the eastern boundary of the site, while minor tributaries or associated gully features run west to east across the proposed site. The site typically consists of gently sloping ground, with localised steeper slopes in the eastern portion (within and in close vicinity of the gully features and the Oteha Stream).

It is noted that fill placement may have been undertaken on site to form the existing land profile. The fill encountered by the investigations appears to be uncontrolled and uncertified, containing areas of buried topsoil deposits.

### Earthworks

The CMW report states, “*Relatively minor fills up to approximately 1.5m depth will be required in some areas between buildings and beneath some of the buildings adjacent to Oteha Stream, with significant excavations being undertaken to form building basements*”. We note the proposed earthworks volumes, including basement excavations are 119,326 m<sup>3</sup> cut and 31,014 m<sup>3</sup> fill, with an excess fill volume of 88,312 m<sup>3</sup>. The intention for management of the excess material has not been provided, however we anticipate this will be carted off-site for disposal/reuse based on the submitted information.

Further details of the earthworks proposals will be required for resource consent application.

### High Groundwater Level

The CMW report states that “*high groundwater is typical in lower lying portions of this geology. High groundwater can cause limitations when planning earthworks and during construction and civil works*”. Subsoil and/or underfill drains are anticipated to be installed in these areas where required.

### Ground Stability

The CMW report indicates that adequate Factor of Safety (FoS) can be achieved for global stability on site; however, “*slope instability can occur in this geology when areas of the land are over steepened by streams and creeks or aggressive cut or fill gradients*”. The report states that numerical stability analysis has been completed within the proposed development boundaries. However, outputs of the stability modelling are not attached to the geotechnical report.

Further stability assessment will be required to be undertaken based on site-specific development in order to support resource consent application. As a minimum the stability assessment shall:

- include both existing and proposed ground profiles and remedial measures (if deemed required).
- address localised over steep areas.
- be undertaken in accordance with requirements outlined in the Auckland Council Geotechnical Code of Practice.

### Compressible Ground and Consolidation Settlement

The CMW report considers that “*due to the high moisture content and typically low degree of consolidation of the Tauranga Group alluvial deposits there is a potential for settlement of the soils if additional load is added with either building development or earthworks*”.

Resource consent application will require settlement assessment and associated monitoring for the future proposed fill placement. The settlement assessment shall consider both primary and secondary/creep settlement. No permanent structures or infrastructure shall be constructed until the settlement has attenuated to an acceptable level. The settlement attenuation shall be reviewed and approved by the Council’s geotechnical specialists.

### Settlement Induced by Groundwater Drawdown

Deep basements are proposed which require excavations potentially below groundwater levels. The CMW report states that settlement from groundwater drawdown were found to be negligible, however without an assessment/a review for the specific proposal the CMW statement of 'negligible' cannot be substantiated.

An assessment against Chapter E7 of the Auckland Unitary Plan will be required for resource consent application. If the proposed work is not determined a permitted activity under E7, a comprehensive groundwater assessment will be necessary.

### Settlement Induced by Basement Wall Deflection

It is understood that the future buildings will include up to 2-levels of basement parking below ground level, and effects of wall deflections were assessed by Initia Ltd (Initia) previously. It should be noted that the assessment carried out by Initia was not made available to Council at the time of memo preparation. The CMW report states that *"Assessment of the settlement effects from basement wall deflection were made by Initia for both 1 and 2 level basements in their report and found potential settlements of 5 to 20mm adjacent to basement walls, reducing to negligible amounts 5 to 10m from the walls. Initia also considered the potential settlement of the 725mm diameter wastewater pipeline that crosses the site from basement excavation activities and reported it to be negligible for the development scheme they were addressing at the time"*.

A comprehensive assessment will be required for resource consent application including (but not to be limited to) wall deflection, associated settlement, effects on the existing neighbouring land and infrastructure and remedial solutions (if needed) to be submitted for review at the time of future resource consent. The assessment shall be based on the latest development scheme.

### Erosion

Erosion may occur along the banks of Oteha Stream due to water flows, which may destabilise the toe of slopes supporting the developed land. There is no discussion in the CMW report on this matter. Resource consent application shall assess the potential for this erosion and incorporate remedial erosion protection measures.

### Foundations

It is understood that the proposed development on site will comprise of 2-3 storey terrace dwellings and 3-10 storey apartment buildings. Specifically designed deep foundations (e.g. piles) are anticipated for the taller apartment buildings.

### Ground Shrinkage and Swelling Potential

Shrink/swell ground movements are expected. While laboratory testing (water content, Atterberg limits and linear shrinkage) was performed which can provide data for shrinkable soil assessment, there is no discussion in the CMW report on this matter.

Assessment of ground shrinkage/swelling potential will be required for resource consent application based on an interpretation of site-specific laboratory results.

### Seismic Impacts

There is no discussion in the CMW report on this matter. Although the seismic risk is relatively low in the Auckland region, a preliminary assessment on seismic impacts, including liquefaction and lateral spreading due to the presence of the water body (Oteha Stream) will be required for resource consent application.

### **Request for Further Information**

The CMW report states that numerical stability analysis has been completed within the proposed development boundaries. As this has been completed, we require the applicant to provide this numerical stability analysis in the report.

We require the following referenced reports to be provided:

- Stability assessment outputs discussed in the CMW geotechnical report (dated 29 January 2020)
- Groundwater & Settlement Analysis, Retirement Village Dewatering – Williamson Water and Land Advisory (WWLA) reference WWA0106, Rev 1 dated 14 August 2019
- Proposed Albany Estates Apartment Buildings, 473 Albany Highway, Albany Retaining Wall Deflection and Settlement Analysis for Resource Consent – Initia reference P-000625 dated 14 June 2019

### **Recommendations and Conclusions**

The above further information should be provided before plan change determination.

As a development proposal is associated with the plan change which includes large earthworks volumes of cut material to be removed off site, deep basement excavation and multi-storey building construction, the Auckland Unitary Plan provisions appear to have been triggered in relation to the geotechnical matters discussed above. We recommend that the appropriate Unitary Plan provisions are applied to ensure that geotechnical issues are addressed. This should be identified by planner or development engineer.

At the plan change stage, it is appropriate to comment on the suitability of the land for rezoning. We consider that the site is suitable to support the proposed private land change, provided that detailed assessments, specific engineering designs of earthworks, associated remedial measures, structures, infrastructures and appropriate construction methodologies are submitted. We recommend that the resource consent stage is the most appropriate time to address the specific geotechnical issues on the site. Inputs from the Council geotechnical specialists will be required at the future resource and building consent stages.



### 3 Quality assurance

**Reviewed and approved for release by**

**Reviewer**

Charlie Brightman, Principal Geotechnical Specialist, 18/06/2020

***This memo is satisfactorily completed to fulfil the objectives of the scope. I have reviewed, and quality checked all information included in this memo***

**Author**

Nicole Li, Development Engineer, Regulatory Services

**File location**

<https://aklcouncil.sharepoint.com/sites/EXT/ETS/Shared Documents/Memo template ETS.docx>

**Date printed**

29/06/2020 12:47 PM

**Memo:** Chief Economist Unit Feedback on the Economic Assessment of Proposed High-Density Residential Development in Albany

**To:** Todd Elder, Plans & Places

**From:** Shyamal Maharaj and Shane Martin, Chief Economist Unit

**Date:** 25 May 2020

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The Chief Economist Unit has reviewed the economic case made by Insight Economics on behalf of the applicant (Bei Group Albany Estates).

### **Summary of the Draft Economic Assessment**

The author's argument is essentially that a plan change should be allowed, based on the following:

1. Auckland has a housing affordability problem.
2. Multi-unit dwellings are more affordable than stand-alone dwellings.
3. The proposed higher-density multi-unit development contributes to Auckland's goals of a compact urban form by using land more efficiently.
4. The proposed development is a more efficient use of bulk infrastructure.
5. There will be no material negative impact on the nearby Albany Metropolitan Centre.

### **Additional points to note**

Our view is that the argument set out by the authors is generally reasonable. We do have some unresolved questions or and comments, set out below.

1. One of the goals of a compact city in the Auckland Unitary Plan and Auckland Plan 2050 is to reduce congestion and emissions from improved use of existing transport networks by enabling density around such areas. Has the applicant provided any evidence of these impacts because of the development in another part of the assessment such as traffic modelling?
  - a. The proposed development does not have close access to the Park and Ride facilities of the Albany Centre. Are there any future public transport services that are likely to help service the development?
2. The report states that the applicant has determined an optimal height configuration that would satisfy neighbouring properties. We would be keen to understand how this configuration was arrived at working with neighbours.
3. The report states that construction costs over the 20-year period would produce 275 FTEs and \$530m in GDP for the region. Construction costs are not economic benefits, as costs do not generate additional economic benefits. This activity would likely displace activity elsewhere in the region.
4. In section 7.3 of the report, the argument is that supply will over time respond to changes in demand. The point is made that the proposed development will be more responsive than the trend expansion in supply. However, it can be argued that no single development can set the price. Even 1,800 additional dwellings is unlikely to lead to any material price changes especially if demand is unconstrained as it is in a market experiencing a shortage.
5. Notwithstanding this point, we acknowledge that changing of the zone does have an additional component with regard to overall land development capacity within Auckland, which may reduce the price per dwelling in a market where supply and demand are equally balanced.

6. In section 10.2, the assumption that infrastructure will be more efficiently used (89% more efficient use of stormwater infrastructure and 25% efficiency gain for all other infrastructure networks) is not supported by evidence. Brownfield bulk infrastructure costs can vary widely from site to site, and the report provides no evidence that there is sufficient capacity in existing networks to allow the desired level of development without significant infrastructure upgrades. If the applicant's view is correct, evidence should be provided.
7. Auckland Council's DCs calculator is used to point out infrastructure efficiencies of the proposed development. This may or may not be true. The HUEs are calculated over wide catchments and are averaged costs not necessarily applicable to a particular site. It is unclear whether the report relies on the DCs calculator, but it would be wrong to do so as the calculator does not apply a site-by-site estimate of costs but estimates of costs within wider catchment zones.
8. The \$140,000 figure from the FULSS is now obsolete. The Chief Economist Unit has recently published a report detailing a better estimate of infrastructure cost breakdowns. [Linked here](#).
9. Section 11: we agree that there will be no material impact on the vibrancy and vitality of the nearby Albany Metropolitan Centre. We agree that the new development would likely boost activity at the nearby MC. How would the mix of retail and commercial services offered from within the development compete with those provided within the Albany MC?
10. Does the flow-on effects of competition from Albany MC, OKLA Apartments and Rose Garden Apartments) risk viability of retail space within the development?
11. Public amenity benefits have been considered to be significantly better in this proposal. How does this differ from the original plan, if the park is stated to be only slightly larger? Is this due to redesign? This has significant use and non-use benefits and other health related benefits that should be addressed with further discussion.
12. Are the buildings being built as high as possible with the design and amenity features in mind?

**From:** [Carl Tutt](#)  
**To:** [Todd Elder](#)  
**Subject:** RE: Private Plan Change at 473 Albany Highway  
**Date:** Thursday, 21 May 2020 6:41:25 pm

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Hi Todd,

I've reviewed the documents and am largely supportive of this plan change. Just a couple points. In the Regional Policy Statement assessment of the Campbell Brown report they have referenced policy B7.2.2 (5) in terms of avoiding adverse effects. It would be a good idea for them to also note B7.2.1 (2) in relation to restoring and enhancing indigenous biodiversity. Comments provided in the this document around the riparian planting are in relation to amenity, character and aquatic ecology, not so much terrestrial. There is opportunity for greater connectivity of the riparian areas to the Days Bridge Esplanade Reserve and Fernhill Escarpment. The Ecology report talks to it however the policy assessment is missing.

They also reference B7.2.2(9) which does not exist.

There also needs to be mention of chapter E15 of the AUP, Vegetation management and Biodiversity.

Its also great to know that no stream reclamation will occur as part of this PPC. However unsure if road crossings will be culverts or bridges, bridges are preferable.

Cheers,

Carl

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**From:** Todd Elder <[todd.elder@aucklandcouncil.govt.nz](mailto:todd.elder@aucklandcouncil.govt.nz)>

**Sent:** Tuesday, 12 May 2020 2:59 PM

**To:** Carl Tutt <[carl.tutt@aucklandcouncil.govt.nz](mailto:carl.tutt@aucklandcouncil.govt.nz)>

**Subject:** RE: Private Plan Change at 473 Albany Highway

Hi Carl,

This document failed to attached in my first round of emails – please see attached.

Cheers

Todd

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**From:** Carl Tutt <[carl.tutt@aucklandcouncil.govt.nz](mailto:carl.tutt@aucklandcouncil.govt.nz)>

**Sent:** Monday, 11 May 2020 3:42 PM

**To:** Todd Elder <[todd.elder@aucklandcouncil.govt.nz](mailto:todd.elder@aucklandcouncil.govt.nz)>; Ecological Advice <[ecologicaladvice@aucklandcouncil.govt.nz](mailto:ecologicaladvice@aucklandcouncil.govt.nz)>

**Subject:** RE: Private Plan Change at 473 Albany Highway

Thanks Todd

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**From:** Todd Elder <[todd.elder@aucklandcouncil.govt.nz](mailto:todd.elder@aucklandcouncil.govt.nz)>

**Sent:** Monday, 11 May 2020 3:28 PM

**To:** Ecological Advice <[ecologicaladvice@aucklandcouncil.govt.nz](mailto:ecologicaladvice@aucklandcouncil.govt.nz)>

**Cc:** Carl Tutt <[carl.tutt@aucklandcouncil.govt.nz](mailto:carl.tutt@aucklandcouncil.govt.nz)>

**Subject:** Private Plan Change at 473 Albany Highway

Kia ora Environmental Services

A Private Plan Change (PPC) for the land at 473 Albany Highway has been lodge to Council. The Council is now in the initial stage of establishing if further information is needed. Carl Tutt has been acting on Councils behalf to date.

What I need from your team at this stage is a initial review of the lodged assessments (please see attached). This review is to establish if Council requires any further information to process the plan change.

Can you please start this review and get back to me by the **26 May 2020**.

Please let me know if you have any questions or if you require any other reports lodged by

the applicant.

**Todd Elder | Planner**

**Planning North, West & Islands | Plans and Places**

M | 021 870 282

Auckland Council, Level 24, 135 Albert Street, Auckland Central

Visit our website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

17 August 2019

Plans and Places - Planning North, West & Islands  
Auckland Council  
Private Bag 92300  
**AUCKLAND 1142**

Attention: Todd Elder

**by email**

Dear Todd

**FURTHER INFORMATION RESPONSE – ALBANY 10 PRECINCT (PRIVATE PLAN CHANGE REQUEST) - 473 ALBANY HIGHWAY**

I refer to your Schedule 1, Clause 23 further information requests outlined in the letter dated 1 July 2020, and the various requests from technical specialists circulated prior to that date.

These requests have been summarised in the attached 'response table' for ease of reference, with the necessary amendments made to the documentation supporting the Plan Change Request as-required.

The attachments to this response are as follows:

- Consolidated Clause 23 response table – 17 August 2020
- Albany 10 Precinct Provisions – Amended v2
- Plan Change Request v2 (Planning Report)
- Revised Integrated Transport Assessment
- Appendix 1 – Landscape Attachments
- Appendix 2 – Updated Precinct Plans
- Appendix 3 – Infrastructure response
- Appendix 4 – Cultural Values Assessment and Response
- Appendix 5 – Public open day consultation summary
- Appendix 6 – GIS BIM files

Please note that we have been actively following up with Ngāi Tāi Ki Tāmaki to obtain a Cultural Values Assessment. However, at the time of this response an assessment is yet to be provided.

Upon confirmation that Council has no further matters of clarification, we will supply and complete and updated version of the Plan Change request for notification.

Please do not hesitate to get in touch should you wish to discuss any of the responses to the further information request.

Kind regards

A handwritten signature in black ink, appearing to read 'M Thode'.

**Mark Thode**

**Principal Planner | MplanPrac (hons), MNZPI**

**Campbell Brown Planning Limited**





## BEI Group | 473 Albany Highway Private Plan Change Request

Council's further information requests under the Resource Management Act 1991

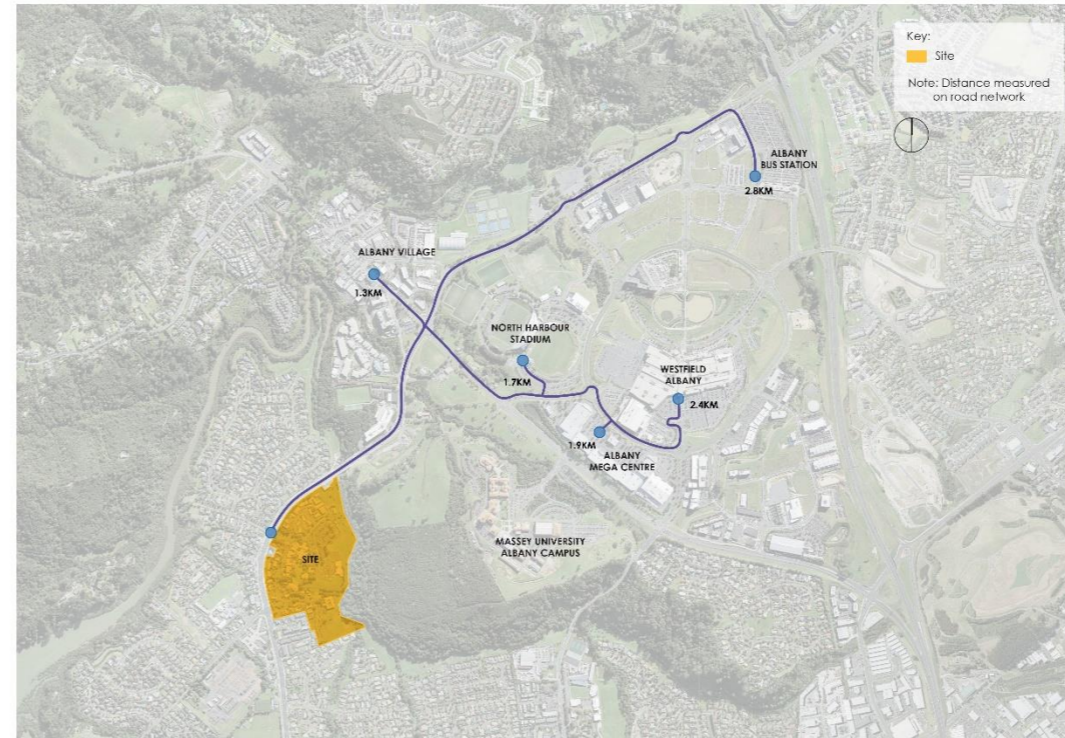
17 August 2020

Council Request	Team Comments / Response
<p><b>Section One:</b> <b>Healthy Waters CCO - 5/6/2020</b></p>	
<p>1. Further clarification of the proposed hydrology mitigation within the precinct is required. Section 5 of the SMP discusses hydrology mitigation requirements of the precinct and recommend SMAF like provisions without detention component. However, Page #14 Point 4 states to provide detention as per SMAF 2 requirements. Please demonstrate in the SMP how these provisions and benefits will be realised from the proposed development.</p> <p><i>The information provided in the proposed stormwater management section of the SMP and Infrastructure report discusses full retention and detention components.</i></p>	<p>The SMP has been updated to reflect that both retention and detention will be provided. A stormwater management strategy has been given in Section 7. By providing hydrology mitigation as outlined in the SMP, the proposed development meets the requirements as prescribed by the NDC.</p>
<p>2. Table 1 of the SMP indicates infiltration test results. It is noted in areas near HA02, HA03, HA04 and HA06 infiltration rates exceed 2mm/hr. Therefore on-site retention is required. But no assessment or any discussion provided in the SMP on why on-site retention is not provided where infiltration rates exceed 2mm/hr. Please confirm.</p> <p><i>Stormwater management for roof runoff via rain tanks is acceptable in areas where infiltration rates are less than 2mm/hour.</i></p>	<p>The SMP has been updated to reflect this. We note that infiltration designs will need to consider where the proposed roading and building infrastructure will be located i.e. not all areas where rates were over 2mm/hr would be necessarily suitable for use depending on the layout and geotechnical considerations. Designs and locations will be provided at consenting stages where the additional testing is likely to be carried out and devices sized accordingly.</p>
<p>3. In Section 5 of the SMP, please provide a Table outlining areas, options analysis, and different performance standards being proposed for the different impervious coverage types within the precinct (i.e. Roof, paved areas, traffic areas and roads etc.)</p> <p><i>In relation to stormwater quality: the approach to SW management should reflect the receiving environment, and it's sensitivity to changes in imperviousness and contaminants. The receiving environment, in this case, is defined in the AUP maps as a Sensitive Marine Environment 2 (SEA-M2-57b) and the approach should reflect the sensitivity/importance of this overlay and the fact it is a low energy environment that will be vulnerable to sediments and contaminants settling out onto the seabed.</i></p>	<p>Section 5 has been changed to Section 7. Table 3 in the SMP covers the various options and how/where they would be applicable. Bioretention devices have been proposed to meet the requirements for the sensitive receiving environment. The proposed devices are expected to meet performance standards as they are to be designed based on accepted guidelines. The development provides an improvement in an otherwise non controlled/mitigated area.</p>
<p>4. Giving regards to the different impervious surface areas, stormwater outlets to stream network, please provide details in the SMP on how the performance of each standard intends to achieve the stormwater quality treatment and its appropriateness for the development (at individual land use and/or subdivision stages as solutions) set by the direction of the AUP on the receiving environment.</p>	<p>Table 3 in the SMP covers the various options and how/where they would be applicable. The layout is noted to be conceptual and the proposed mitigation measures are flexible to allow them to be applied accordingly depending on the final subdivision/land-use designs/layouts.</p>
<p>5. Figure 9 of the SMP (Figure 6 of the Infrastructure Report) provides permeable paving on lots. There is a lack of information and clarity around flexibility and what if permeable paving cannot be used or not supported by future development for residential hardstand and private roads. Please discuss what alternative options are explored to enable flexibility of choice to suit circumstances and to provide the Best Practicable Options (BPO) for development</p>	<p>Figure 11/9 has been updated and, together with the information contained in table 3, demonstrates that there is flexibility on the applicability of permeable paving (and infiltration in general).</p>
<p>6. The precinct proposes three different Height Management Areas and Table I552.6.4.1 seeks separate impervious coverage across the PPC. In the SMP, it is recommended to require future Lot development to achieve SMAF 2 similar hydrology mitigation. Still, it is not clear how this mechanism will be ascertained in the future development and subdivision stages across the PPC. Further clarifications are required around how the stormwater management will be achieved in the precinct to adhere to the SMAF 2 similar approaches as recommended by the SMP.</p>	<p>SMAF 2 like hydrology mitigation will be achieved via a BPO approach. The report outlines how these measures will be applied depending on their suitability for the various types of contributing catchments/surface.</p> <p>The respective land use and subdivision standards refer to the requirements of the SMP. This is an appropriate approach as the site is not identified as being within a SMAF overlay under the Operative AUP. As Council is aware, the SMP is a requirement of the Global NDC and therefore stormwater discharge from any future development sites must accord with the NDC requirements - regardless of whether treatment devices are public or private.</p>

<p>Further information also required to demonstrate how the ongoing ownership, operation and maintenance of individual lot hydrology mitigation will be achieved within the precinct. <i>The proposed precinct rules/standards need to provide a framework for ensuring ongoing individual Lot hydrology mitigation requirements. The precinct plan should include a further mechanism to ensure hydrology mitigation devices are operative and maintained in perpetuity as a consequence of development.</i></p>	<p>Management and maintenance of private devices is a detailed design matter which would be dealt with through the resource consent process. Management of private devices is typically the responsibility of the landowner and, where held in common ownership, a body corporate or similar legal entity. As all development within the precinct would require consent, this can be dealt with at future consenting stages.</p>
<p>7. In the SMP, Section 5.1, the last paragraph on page 15 states five public communal Raingardens and three private Raingardens to be provided. The plan P19-236-00-1360-SK shows seven Raingardens in total and One wetland (A). a. Please confirm in the SMP, including in plans which of these devices are public or private. And any discussion with regards to operations and maintenance of these assets  <i>Advice note: It is recommended to explore possible options within the precinct to reduce the number of public rain gardens by combining some of them  Stormwater management for the runoff from proposed roads and JOALs via communal rain gardens is acceptable, but consultations with Auckland Transport and AC Community Facilities need to be carried out prior to adopting the SMP under NDC.</i></p>	<p>Section 5 has been changed to Section 7 and the number of rain gardens (private and public) has been confirmed and Plan P19-236-00-1360-SK updated. Table 3 covers who will be responsible for the maintenance based on ownership of respective assets.  Consultation with Auckland Transport is ongoing and feedback shall be forwarded to Healthy Waters.</p>
<p>8. The precinct plan 1, including submitted plan P19-236-00-1361-SK of the SMP, presents a proposed wetland A. However, no reference or description in the SMP of what is being treated, why it requires, the purpose, objective and or design. For clarity, please provide further information in the SMP about the proposed Wetland A.  <i>There is a lack of description in the SMP as to how the elements of integrated stormwater management are connected and work together</i></p>	<p>Section 7.1 in the SMP provides a preliminary discussion of the wetland with Table 3 providing information on its suitability. We note that this layout is conceptual and some of the devices may be moved around to achieve maximum treatment efficiency i.e. treatment train approach to be applied where appropriate.</p>
<p>9. In the SMP, Section 6.1, Page 16, mentioned that there are four outlets to Oteha Stream, and these will be bubble up chambers. It is assumed there are four new outlets. Drawing number P19-236-00-1361-SK shows three existing watercourses/outfall and only two new outfalls – one for the wetland and the other at the northern end of Road 1b. Where is the other two proposed bubble up outlets? Please confirm in the SMP</p>	<p>P19-236-00-1361-SK has been updated to show the correct number of outlets. Designs will be provided at consenting stage. Two new outlets will discharge to Oteha Stream and four other outlets will discharge to the various internal watercourses as shown on the plan.</p>
<p>10. Use of 1.2 x 0.5m concrete channel for diversion of overland flow paths are not an acceptable approach. Please explore alternative approaches using GDO1/GDO4 water sensitive designs principles. a. Please provide the number of OLF discharge points to the Oteha Creek? b. Provide these proposed outfall locations on a map. At OLF outfalls, it is recommended flows to be spread as wide as possible to avoid concentrated flows.</p>	<p>The channel discussed in the report is not concrete however it will be lined (material to be determined but likely to be grassed) given the steepness of the slope to avoid scouring.  There will be four overland flow paths into Oteha Stream and, where concentrated flows are to be discharged, appropriate energy dissipation devices will be provided and designed in accordance with TR2013/018 (see plans P19-236-00-1360-SK and P19-236-00-1361-SK).</p>
<p>11. This section should allow for the presentation of how the proposed stormwater management will provide an integrated stormwater approach and how all the elements discussed will work together at the future subdivision and development stages.  <i>Needs to confirm how the different stormwater elements will work together.</i></p>	<p>The conclusion section of the report has been updated to address this request.</p>
<p>12. There appears to be no stakeholder engagement carried out to facilitate the proposed stormwater management. Please provide confirmation.  <i>For example, consultation with AT and mana whenua is also required prior to HW adopting any SMP into the NDC.</i></p>	<p>Various Hui have been held with local iwi and CVAs received. Discussions have also been held with Healthy Waters on the draft SMP prior to lodgement of the PPC, and a meeting was held with Auckland Transport to discuss the further information request on 28 July 2020. No issues were raised by Auckland Transport in regards to the SMP.</p>
<p><b>Section Two: Urban Design   Rebecca Skidmore – 27 May 2020</b></p>	
<p><b>Urban Design Assessment</b></p>	

1. Section 4 (p.5) describes the distance of the Site from a number of key destinations. Is this a direct measurement or distance by street connection? If the former, it would be helpful to also identify the distance by street connection. The description would also be assisted by a diagram with distances to the various destinations depicted.

The measurements provided are direct measurements from the northern end of the site to the locations listed. Please refer to the below diagram outlining distances:



2. Section 7.2 sets out a number of Precinct specific outcomes. Please advise whether creating a local sense of place/character, and creating a vibrant community are additional outcomes that are important for the Precinct to achieve.

The design principles that have informed the masterplan (and subsequently the precinct), are contained within the masterplan design report.

The local sense of place and character is, in the first instance, derived from the response to the site topography and landscape patterns / elements present on the site and in its immediate context. Through the precinct development process and masterplan testing, landscape features were identified and incorporated into the proposed precinct provisions. These include the Days Bridge Esplanade Reserve and escarpment backdrop, the southern stream and the three viewing corridors from Albany Highway to the escarpment, creating a strengthened connection to the adjacent landform that is a feature of the local landscape and providing sense of place amenity. The proposal seeks to connect to the vegetated escarpment both within the development but also from Albany Highway for people passing the site.

In addition, proposed built form is structured to create a large central open space and focus of community activity framed / defined by taller buildings, the main entry road and activity generated through the provision of commercial activities. Precinct Plan 2 outlines the provision of open space and defines the extent of developable area, building heights and roading, thereby setting up the framework for the open spaces to be experienced within, and give character and form to, the development. The location and distribution of these is considered to support a strong and evident sense of place and urban amenity for the development.

A vibrant community is provided for in the precinct provisions through the proposed higher density of residential living, local amenities afforded in terms of open space and local commercial services that are structured around a legible and walkable movement and open space network. The central hub clusters local convenience retail and commercial services around the central open space providing landscape amenity and opportunities for passive and some active forms of recreation for the future residents. Connections to the wider internal network of open space provide variety and choice while also connecting the precinct to the wider area and local facilities, including schools, Albany Village, walkways etc.

3. The list includes 'providing for taller buildings'. The provisions relating to this outcome are assessed in Section 9. Please advise why 35m has been determined as an appropriate maximum permitted height for Area 3. Also please provide an analysis of why 19m is specified as the height for additional set-back to be provided and whether 3m is adequate to create a clear visual differentiation between the building components.

**Why 35m ?**

1) Provision for height in relation to the planning context:

- The Massey University sub precincts A and B allow for a height of 32.5m.
- The design team believes a similar height limit would be appropriate for the subject site – which is currently sub-precinct C.
- Sub-precincts A, B and C front major roads, Albany Expressway and Albany Highway; these 'outer' sub precincts surround the inner sub precinct D, which has a height limit of 18m (16+2) and a significant ecological area overlay.

The height limit of 32.5m would allow for 10 residential floors. The applicant is aiming to deliver quality apartment living with a floor to ceiling height of 2.7m clear in the main rooms (standard for quality apartments). We have compared this with recent multi-storey residential projects. Wynyard Central (East 2) has a floor to floor height of 3.25m; this resulted in some difficulties with structure and services. For this reason it has been decided to increase

the floor-floor height at Catalina Bay in Hobsonville to 3.3m. 35m allows for 10 floors with a floor to floor height of 3.25m, the ground floor can be slightly raised above natural terrain, or taller to allow for other uses. Refer sections below.

2) Appropriate height for medium density multi residential development

Precinct Plan 3 proposes the following heights/numbers of storeys to achieve a built form with appropriate scale and massing

- Area 1 - 11m + 2m roof (max 3 storeys)
- Area 2 - 19m + 2m roof (max 5 storeys)
- Area 3 - 35m (max 10 storeys)

A height of 10 storeys is an appropriate height limit for a residential development of this kind. In deciding on the height limit we have carefully considered the following criteria:

- Widths of streets.
- Building separation.
- Relationship of upper levels to the ground (visual contact).
- The relationship of the lower part of the building (max 5 storeys to set back) to the upper part (max 10).
- Solar access and shading.
- Providing a height limit sufficient for variation of height to occur.
- The context, as described under point 1.

A relevant example of a residential development with similar graduated height is the development at Wynyard Central E2 where the timber clad pavilions along Daldy Street are 5 storeys tall and the Artisan apartment building 'behind' is 11 storeys tall.

**Why 19m?**

The Terrace Housing and Apartment Building (THAB) zone has a height limit of 16m which allows for a maximum of 5 storeys. The design team believes it is appropriate to introduce a step / set back above 5 storeys. A closer look at the sections shows that a 16m height limit does not allow for 5 storeys with a floor to floor height of 3.25m (as established above). The proposed 19m height limit would enable a step above 5 storeys as illustrated in the sections.

There are additional controls above 19m which define the towers and which will help distinguish the podium from the tower. These are:

- the floorplate max dimension; and
- the maximum area of the tower floor plate.

**Is a 3m setback enough?**

Yes, this will create a clear visual setback to the upper levels as experienced from the street / public realm. Essentially it equates to the depth of the balcony 'zone'. The 3m setback also works functionally from a buildability standpoint as the vertical structure can maintain the same alignment which has cost / buildability benefits (leading to a realistic ability to commercially deliver the setback).

Building Heights



4. Section 9 includes an analysis around the provision of greater development intensity. Why has 1,800 dwellings been determined as a suitably density cap for the precinct, as described in this section?

This is a combination of factors relating to traffic and land use intensity.

GFA is generally a metric not employed in residential zones, so ‘dwellings’ has been utilised for plan consistency and simplicity. In addition, a sustainable level of traffic generation has been determined in reference to ‘trip movements’ within the ITA, which has in turn been translated into various thresholds where necessary transportation infrastructure or service upgrades will be required. This has been converted into a dwelling threshold. Were a ‘trip generation’ metric to be employed, this would essentially require onerous trip generation calculations throughout the ongoing development of the site and constant provision of updated or new ITAs. A dwelling metric (and associated special information requirement) is a far more practical way to measure development intensity.

From a design perspective, the design process which led to the masterplan for the site did not set out to achieve a certain pre-determined yield; the yield expressed in number of dwellings is a result of the built form which was considered to be appropriate in realising the vision for the site. The residential GFA on the site is 146,000sqm. If we assume an 80% efficiency (20% area for circulation and common areas) we arrive at a net residential area of 116,800sqm. If we assume nominally all 2-bedroom apartments of 65sqm\* we arrive at an apartment yield of 1800 units.

\*65sqm is on the smaller end of a 2-bedroom apartment – which is a conservative approach in assessing the maximum apartment yield.

5. Please provide additional analysis around the scale and intensity of development enabled by the Precinct provisions in relation to other zones in the AUP, having regard to the RPS objectives and policies relating to intensification in and around centres and along corridors, and the hierarchy of centres created.

Analysis of the proposed precinct has been provided within the planning report regarding the RPS and examples of other areas where similar height in the THAB zone has been provided for in the AUP(OP). The planning report and supporting documentation concludes that the scale of development sought to be enabled by the precinct does not compete with the hierarchy of centres. Limitations on commercial activities within the precinct are included to ensure that the precinct is predominately residential in character and land use (rather than the breadth of activities that are otherwise enabled in nearby centres).

6. Section 9 also includes an analysis of provisions relating to retail and other commercial uses. In my opinion, the provision for such activities around the main axis into the Site and opening onto the central park area is important to create a civic heart for the evolving community. Why does the proposed commercial frontage control not extend to the intersection with Albany Highway? Has consideration been given to whether a Business Mixed Use zone would be more appropriate in this area?

The physical location of the commercial activities area within the site relates to its intended function as a local amenity for the development / community within the site rather than being a car based destination for the wider public / area. In this respect a location adjacent to the Albany Highway would seek to trade from passing traffic, which is not the primary intent of this small scaled retail centre. The sizing of the commercial centre seeks to primarily provide for convenient access to goods and services for development / residents within the site, encouraging a walkable community, whilst not competing with the other centres in the locality, namely Albany Village and Albany Town Centre (the metropolitan centre). The consolidation around the community hub provides a civic heart for the site around the central open space and higher density development rather than stretching the commercial activity away from this area to the Highway and passing traffic.

Additionally, care has been taken to avoid impacting the large established specimen tree at the entrance to the site on the northern side of the proposed road / entrance, preserve the visual corridor into the site and promote the three storey height transition on the southern side of the road.

Provision of a Mixed Use (MU) zone along or at the intersection with Albany Highway would prompt a different design response within the precinct that encouraged greater ‘destination’ type retail activities and associated parking (as per MU zone outcomes/obs/pols). This is not desirable in a THAB zone or

	<p>within the site, for the reasons outlined in the economic and transport assessments (encourages destination trips and potential retail effects). A greater streetscape presence and interface between Albany Highway and the site has therefore been proposed (and is consistent with the anticipated outcomes of the proposed THAB zoning – refer masterplan example).</p>
<p>7. The analysis on p. 18 relating to walkability and pedestrian open spaces describes the provision for off-road share paths adjacent to the Days Bridge Esplanade Reserve. Please identify the relevant precinct provisions that will ensure adjacent development will create an interface with this area that reinforces it as publicly accessible, creates a positive amenity and ensures good passive surveillance.</p>	<p>This refers to the building zone interface with Days Bridge Esplanade reserve. Buildings of 11m +2m, and 19m +2m are provided for against the Days Bridge Esplanade Reserve.</p> <p>Provisions that control the interface with this open space are:</p> <ul style="list-style-type: none"> <li>• A fencing control for this interface of 1.4m max height and visual permeability.</li> <li>• Frontage control that does not allow for at grade or multi-level parking at this interface.</li> <li>• Features plan identifying the protected visual corridors, open space provision and minimum width of the open space.</li> <li>• Building heights allowing for multi storey development whereby habitable rooms can overlook space – providing beneficial passive surveillance.</li> </ul> <p>The desired outcome is similar to the interface of buildings to the Alice Eaves Scenic Reserve within Kensington Park, Orewa.</p>
<p>8. The analysis regarding residential amenity addresses internal shading within the Precinct (p.21). I note that shading is a matter of discretion for new buildings with an associated criterion (c)(i). Further analysis (by way of shade diagrams) of the potential shading of open space resulting from the proposed height limits would be helpful at this stage.</p>	<p>Additional shading analysis of the potential maximum built form resulting from the precinct provisions has been provided by way of video simulation and extracts demonstrating the shading studies. These are provided for the summer, winter and equinox showing the shadow coverage at each time of day. These videos can be paused at any point giving more flexibility than static imagery at set intervals. The model for generating shadow is the same as the Landscape and Visual Effects model which maximises the building envelopes.</p> <p>Please refer to Appendix 1 of this response.</p>
<p><b>Landscape and Visual Effects Assessment</b></p>	
<p>9. Section 2.1 describes the preparation of visual simulations used to inform the assessment. Please provide a plan (and/or 3D axonometric model) showing what has been modelled in the visual simulations.</p>	<p>An axonometric view of the model is now provided. Please refer to Figure 7 of the updated graphic supplement for the LVA (Appendix 2).</p>
<p>10. This section notes that the visual simulation viewpoints were agreed with me. However, I suggested that two additional visual simulations would be helpful to better understand how development in accordance with the precinct provisions would be viewed in relation to Albany Highway. The suggested viewpoints are from:</p> <ol style="list-style-type: none"> <li>The footpath outside the entrance to Albany High School;</li> <li>The bus stop on Albany Highway just to the south of Summerfield Lane.</li> </ol>	<p>The two requested visual simulations have now been provided. Please refer to VS16A / B and VS17A / B in the updated graphic supplement. Further commentary on these views is provided below.</p> <p><b>Viewpoint 16: The footpath outside the entrance to Albany High School</b>  Positioned on Albany Highway outside of the main entrance to the High School, this viewpoint represents people traveling south as well as those entering and exiting the school. It is considered that the transient nature of these viewing audiences contributes to their low sensitivity to visual change. Views from this location comprise the road corridor, the main school building and rising grass slopes to the north of the Fernhill Escarpment. The back of the Fernhill Escarpment with vegetated slopes features in the mid ground of the view, with the site and existing campus buildings behind.</p> <p>Development within the site, facilitated by the plan change, will change the character of the view along the road corridor to a more urbanised environment than currently experienced. MU zoning within the Massey University land to the east of the highway (occupying the grass slopes), signals that a more urbanised character is anticipated, and this is echoed by the 3 storey high school building in the foreground of this view. Existing vegetation at the crest of the Fernhill Escarpment currently visually softens the enabled development and obscures lower portions of the areas enabling the greatest height. Development up to 18m, enabled in the MU zone, will also obscure portions of the buildings facilitated by the plan change. Set back controls proposed on the upper levels of the tallest buildings will minimise potential visual dominance effects on the neighbouring properties, in combination with the setback provided by the road corridor.</p> <p><b>Viewpoint 17: The bus stop on Albany Highway just to the south of Summerfield Lane</b>  View from locations along Albany Highway such as those depicted in Viewpoint 17 are characterised by the road corridor environment and associated residential housing to the west (predominantly single storey). The site is observed with a vegetated frontage to the highway and principally single storey campus buildings behind.</p> <p>Development facilitated by the plan change will result in an increase in built density, with maximum 3 storey built form along the interface with the highway, this lesser height development forms a visual foil to the taller development behind. Development would front / address the street through the proposed frontage controls (instead of a likely alternative development scenario where development backs on to the highway). Existing development along the opposite side of the highway is typically at a lower elevation than the road carriageway and therefore single storey houses (the predominant residential character along this interface) effectively have their front garden below the road set behind closed board fences.</p> <p>It is considered that up to moderate-low adverse visual effects would be generated in respect of viewing audiences within these properties, consistent with that outlined in the lodged assessment.</p>

<p>11. Having now carried out a complete review of the plan change request material, I think it would also be helpful to prepare a visual simulation from one of the more distant viewpoints that are included in the photographic package. I suggest either Viewpoint 14 or 15 would be helpful.</p>	<p>A visual simulation from the Viewpoint 15 photograph location has now been provided. Please refer to VS15A/ B in the updated graphic supplement.</p> <p>Outcomes facilitated by the plan change would result in an alternative but inherently urban residential development in the context of this wider landscape. The development density and associated increase in height, over and above that currently allowed for, will introduce a visual 'landmark' residential community into the suburban topography for wider context viewing audiences. The neighbouring MU zone with 32.5m height variation control will be observed alongside the application from these western locations which will visually link the site with these areas.</p> <p>The underlying THAB zoning and precinct specific provisions will enable and indicate a quality residential community that redefines the purpose of the site and its relationship with the wider area. As considered in the lodged assessment, visual effects in respect of these wider viewing audiences, be they residential, worker, transient / moving through or visiting viewers, are therefore considered to be very low and essentially benign.</p>
<p>12. Section 3.1 describes the Site's context. This section describes the landscape features in the wider area. In my opinion, an important feature is the series of bush-clad escarpments in the wider area that provide a backdrop to and contain the urban environment. Section 2.8 of the Masterplan document includes a plan depicting the topography of the site with identification of spot heights in the surrounding area. An expansion of the colour varied topography identification for the site and its surrounding context would be helpful.</p>	<p>The plan depicting the colour varied topography in Section 2.8 of the masterplan document was generated by a drone flyover of the site. Restrictions on flying over neighbouring private properties means that expanding this information in the same way is difficult. We have therefore provided an elevation map of the site and surrounding context using GIS. This demonstrates the characteristics of the site's falling topography towards the east, in addition to the topographical nature of the surrounding context, including the Fernhill Escarpment. The topographical data was created using Councils 2016 LIDAR and colour bands continue to be used to illustrate topographical elevation. Please refer to Figures 5 and 6 in the updated graphic supplement.</p>
<p>13. A key consideration in relation to landscape effects is the height strategy proposed and particularly the permitted height limit proposed for Area 3. Please identify the RL heights this would enable across the Site.</p> <p>14. Also, please provide an analysis of how buildings of this height would relate to the Fernhill Escarpment and contribute to the pattern of urban development in the wider environment, considering its relationship to the surrounding escarpments. In this regard, the analysis set out on Section 6.1, (p.15) should be expanded.</p>	<p>Please refer to the Height Plan now provided.</p> <p>The wider topographical characteristics of the context (illustrated in Figure 5 of the updated graphic supplement) demonstrates the enclosing landforms of the Fernhill Escarpment and Lucas Creek Escarpment. It is considered that the rising topography in the context of the site contributes to providing an opportunity to increase the building heights within the site.</p> <p>In reference to the cross sections (Section A and B) provided on page 35 of the masterplan document, the building height strategy shown in the proposed height control plan allows for a recognisable height transition from the Fernhill Escarpment to preserve the feature's legibility in the developed context. Buildings up to 10 storeys in height have been set back from the Fernhill Escarpment and in considering the urban context, the areas of greatest height are focused in the central portions of the site. The Albany 9 Precinct B occupies land to the east of the site behind the Fernhill Escarpment and opposite the Albany High School. Buildings up to 10 storeys in height in the northern and central portions of the site will visually relate to the density of enabled development in this zoning.</p> <p>Buildings will then transition to lesser height / lower densities with open space areas along the site's margins which will appropriately address the site's more sensitive edges including adjoining and adjacent residential neighbours.</p>
<p>15. In relation to visual effects, the assessment notes that "for some viewing audiences the setback and height transition away from the Fernhill Escarpment will be a noticeable design response to preserving the legibility of this landscape feature" (Section 6.2.1, p. 17). Please be more specific about the location/viewing audience this is referring to.</p>	<p>The viewing audiences that will most appreciate the setback and height transition are those viewing audiences to the north and south of the site that see a profile view of the Fernhill Escarpment, in addition to future viewing audiences on the neighbouring Massey University land to the east. Viewing audiences to the north include residents along Lucas Point Road, Settlers Retirement Village, those residing along Widdison Place and those in Albany Heights. To the south of the site, viewing audiences who will observe the setback from the Fernhill Escarpment include residents located off Vanderbilt Parade and within Brookfield Park.</p>
<p>16. In section 6.2. (p.17) the assessment notes that in close proximity to the Site and within the Site itself, the visual corridors required in Precinct Plan 1 will strengthen the visual connection to the Fernhill Escarpment. Modelling imagery from various locations would be helpful to demonstrate how this will be achieved.</p>	<p>Modelling imagery from the site's interface with Albany Highway has now been provided with the updated Graphic Supplement (refer Appendix 1) to demonstrate how the visual connection to the Fernhill Escarpment is strengthened as a result of the proposed plan change. The 3D model utilised is consistent with the model used in the visual simulations whereby maximum massing and height enabled by the plan change have been illustrated.</p> <p>Instead of a permitted development scenario under the site's current zoning that effectively allows for buildings up to 9m in height (8m + 1 m for roof form) both along the entire interface with Albany highway and the site's interface with the Fernhill Escarpment, the provision for these visual corridors through the site ensures the verticality of the Fernhill Escarpment is able to be appreciated. Building setback controls on buildings of greatest height will assist in ensuring buildings do not visually compete with the landscape feature at the terminus of the view. Moreover, the allocation of open space along the site's eastern interface (and indeed along one of the visual corridors), in addition to the proposal to retain 'significant' trees within these corridors, will allow elements of the escarpment to connect to the site and its green network.</p>
<p>17. As requested in relation to the urban design assessment, having considered Point 17 above, please advise why 35m is considered appropriate as the permitted height limit for Area 3.</p>	<p>Please refer to the response in item 3 above.</p>
<p>18. Section 5 (p.11) refers to a ZTV analysis being carried out. Please provide the ZTV analysis plans.</p>	<p>The ZTV analysis is illustrated in Figure 4 (Appendix 2 of the LVEA assessment) which also contains the viewpoints. Refer to Appendix 1 to this response.</p>

<p>19. Finally, the proposed precinct will be realised over a long timeframe. Please provide some commentary/analysis about the way this gradual transition/evolution for the Site will be perceived by those in the surrounding context and from within the Precinct.</p>	<p>The site will progressively change over a number of decades from its current institutional/ campus characteristic to a new residential community comprising a mixture of housing types including terrace housing, low and mid-rise apartment buildings and integrated residential development as well as publicly accessible streets and open space. As the character of the site transitions, this long-term transition will assist in managing the scale and impact of the change and its related effects within the local and wider context. Viewing audiences within the precinct and surrounding areas will observe gradual change and an increase in the site intensity. This change is in line with the aspirations of the Auckland Plan / Unitary Plan as well as the more recent NPS on Urban Development for a quality compact city. The nature of this urban intensification is likely at the same time to be observed in other areas in the vicinity including within the neighbouring Mixed Uses Zones to the east, the Albany Metropolitan Centre, Albany Village and within the Albany Massey Campus lands.</p> <p>The gradual nature of the change, as opposed to an ‘overnight’ full re-development of the site as illustrated in the visual simulations, will soften the impact of the potential change resulting from the plan change occurring as it will over at least 10 to 20 years.</p>
<p><b>Section Three Transportation – Stantec 30 June 2020</b></p>	
<p>1. Please update the five-year road safety assessment in Section 2.5 of the ITA to include the northern site frontage of Albany Highway from Wharf Road to a point at least 50m beyond the northern road connection proposed.</p>	<p>Section 2.5 of the ITA has been updated to incorporate this request, a total of 8 crashes were identified.</p>
<p>2. Please elaborate on the injury crash involving a pedestrian. Does this indicate a safety issue with any of the existing pedestrian provisions (or lack of) in the vicinity that may be exacerbated by the higher pedestrian demand anticipated by the development, that would be facilitated through the PPC? If so, please provide an assessment of mitigation measures identified and recommended by Bei Group.</p>	<p>Section 2.5 of the ITA has been updated to incorporate this request. The pedestrian crash involved a vehicle reversing out of a driveway and failing to see a pedestrian. The site will not provide any direct property accesses to Albany Highway. As such, and given the good safety record detailed above, development in accordance with the proposed precinct provisions is not expected to significantly affect the operation and safety of the nearby intersections.</p>
<p>3. Figure 11 in Section 3.2 of the ITA shows two additional pedestrian/cycle connections across the Days Bridge Esplanade Reserve. However, Appendix B, Precinct Plan 2, Albany Movement Network shows only one connection. The ITA also refers to Precinct Plan 3, not 2. Please clarify which plan is correct and update the documentation accordingly. If only one connection is included or proposed, please explain the implications of proposing a single connection on the suitability and amenity of the proposed pedestrian connections in serving the needs of future residents and visitors to the area.</p>	<p>Precinct Plan 2 is correct with one connection across the Days Bridge Reserve. The ITA has been updated to reflect this. It is understood that additional connections are not proposed as a result of feedback from Mana Whenua and a desire to avoid potential effects on the Oteha Stream through additional crossings. The precinct will still have connections to the south and north of the site (and a shared path between them) and therefore will not affect pedestrian connectivity to / from the site. These connections are considered sufficient to service the precinct and provide connectivity to the Fernhill Escarpment.</p>
<p>4. Please provide assessment of the predicted transport mode share / volume of trips generated by modes other than private car (active modes, public transport and heavy vehicles) and assess the appropriateness of the proposed facilities to support these modes, and in the case of heavy vehicles, please show how the operational needs of these vehicles and activities have been taken account of in the traffic effects assessment.</p>	<p>The existing mode share statistics from the 2018 Census have been referenced to understand the existing travel to work patterns. The statistics for Albany South are detailed in Section 4.1. As detailed, public bus travel to work is well-utilised within Albany South.</p>
<p>5. Section 4.1 of the ITA states that the number of dwellings or scale of retirement village is uncertain at this stage and that trip generation cannot be calculated. The trip generation assessment needs to consider the potential level of development enabled by the PPC, to enable assessment of the traffic effects. While the “thresholds for mitigation” of traffic effects is a generally valid approach, there is still a need for consideration of a particular (even if theoretical) level of development and its generated external effects. Could the applicant please revise the trip generation, traffic effects assessment and mitigation analysis in Section 5 of the ITA accordingly, for the levels of development and associated generated traffic that can be expected under the overall scale of development that the PPC will facilitate.</p>	<p>The scenarios modelled reflect a possible (likely) development scenario, rather than a maximum yield scenario that can be achieved under the proposed zoning. Development will only be required to mitigate transport effects of the development undertaken, rather than a theoretical maximum scenario. Provided an appropriate mechanism is in place to address cumulative effects (discussed in the ITA), we do not consider assessment of a worst case is necessary or required.</p>
<p>6. The traffic distribution assumptions in the ITA (Section 4.3.1) assess that the predominant traffic flows will be to and from the north. This conflicts with the 50/50 split of traffic assessed at each of the two signalised intersections to access the site and gives no consideration to the expected location of various activities within the site. Please consider a revised split of traffic at the signalised intersections that considers the likely location of activities within the site and peak directional flows. If the revised assessment demonstrates that these intersections cannot continue to operate safely and efficiently in their currently proposed form, please consider further mitigation measures required to support the level of development enabled by the PPC.</p>	<p>It is considered that vehicles travelling north but originating from the southern section of the site will use the southern intersection to travel north and vice versa. Based on the site layout, the intersections are considered to accommodate approximately 50% each of the development traffic, with the distributions at those intersections predominantly to the north, as was assessed in the ITA. The ITA assessment is therefore considered appropriate. It is further noted that once one intersection becomes more congested than another it is likely that residents will re-route to the other intersection.</p> <p>We have tested a 45%/55% split scenario with 55% of development traffic added to the critical southern intersection (given the possible queue length effects to the northern intersection) and those findings are detailed in Section 5.5. The sensitivity testing requires the development trip generation to be reduced to 550vph to achieve suitable intersection operation. As detailed previously, the intersections are considered to accommodate approximately 50% each of the development traffic and, once one intersection become more congested than another, it is likely that residents will re-route to the other intersection. As such, the 600vph threshold detailed in Section 5.4 (subject to mitigation) is considered appropriate.</p>



7. The effect of growth in background traffic, such as typical annual growth or due to known Plan Changes or committed/consented developments, within the vicinity of the PPC area has not been assessed. Please consider a timeframe of development to full build out allowed by the PPC (and consider interim scenarios if required), and assess the associated growth in background traffic along Albany Highway over that time. Please revise the traffic effects and mitigation analysis in Section 5 of the ITA accordingly.	The background growth on Albany Highway has been sourced from the ART model 11.5. Future movements on Albany Highway are of a similar order than those surveyed (existing). As such, no modelling of background growth is considered necessary. It is however noted that the development is in itself a significant portion of the growth that could occur in the area.
8. The effects (vehicular, cyclist and pedestrian) of the left-in left-out intersection proposed towards the north of the site have not been assessed. Please provide an assessment of the safety and efficiency of the intersection, including consideration of the safety and operation of the adjacent T2 lane (and site generated movements across the lane).	A draft concept design of this intersection is detailed in Commute Attachment S1 (generally based on other recently upgraded priority intersections on Albany Highway). Vehicle tracking is shown in S2. As shown, vehicles can safely and efficiently manoeuvre into and out of the site. Traffic modelling of this intersection is not considered necessary given the low volume of traffic expected to use this intersection, as well as the simple left-in, left-out arrangement. The concept design has been included in the ITA.
9. The SIDRA modelling in Section 5 of the ITA focuses on isolated intersections only, but the results of the modelling show that significant queue lengths may result on the northern Albany Highway approach at the Bass Road intersection, exceeding the intervening spacing between the two intersections. As the traffic effects at the assessed intersections will also potentially affect upstream intersections, please provide an assessment which accounts for the potential safety and operational effect on upstream intersections, including those beyond the site frontage of the PPC area if needed, such as network modelling. Please provide the modelling files for verification purposes.	Section 5 of the ITA has been updated. The intersections have been reassessed incorporating platooning effects given the proximity of the signalised intersections and optimising cycle times at intersections. Queue lengths are greatest for the full development (600vph) traffic in the AM peak, however as shown are still less than the intersection separation of 275m. As such, the proposed intersection arrangements are considered appropriate.
10. The Sidra results show LOS F on the Albany Highway / Bass Road intersection western approach during the morning peak hour (with a total PPC area trip generation of 600vph), which is not typically acceptable without an associated mitigation strategy. Please provide further commentary on the acceptability of this LOS and provide an appropriate mitigation strategy (if required) in light of the revised assessment requested in points 5-9 above.	Agree, these assessments were undertaken to ascertain at what level the intersections would be near capacity. The proposed mitigation strategy is set out in section 5.4 of the ITA.
11. Please demonstrate how the development (including future developers and landowners) will encourage the use of public transport, cycling and walking from the time of initial occupation. The ITA (Section 8.4) only refers to future trigger levels, however it is important to understand how the applicant will be implementing pedestrian / cycle / public transport provisions from day one. Please provide an assessment of the appropriateness of any such future triggers in terms of easily quantifiable development scales such as dwelling units, rather than trip generation numbers as currently referenced in the ITA.	We agree that active modes travel needs to be encouraged early as the site develops. This will create behaviour change which enables mode share out of private vehicles and into active modes.  As such, the dwelling thresholds relating to a private shuttle from the site to Albany Bus Station (to encourage use of public transport) had been introduced from those detailed in Section 8.4 of the ITA, and reflected in the amended precinct provisions. The details of this service will need to be explored however it is generally considered to be a more direct / frequent route from the site to Albany Bus Station and should be in place until the Auckland Transport Bus service is sufficiently improved.
12. Please update Section 11 of the ITA to detail the consultation undertaken with Auckland Council and Auckland Transport prior to lodgement of the PPC application.	Section 11 of the ITA has been updated, detailing the meeting held with Council and Auckland Transport and the feedback provided.
13. The PPC is reliant on potential external upgrades such as the Upper Harbour Greenways Plan September 2019 and improvement of public transport provision (provided by AT) (refer to section 7.3 within the ITA). Please provide information on how the development will cater for these modes if these upgrades are not to be implemented or are delayed in implementation. If there is certainty that these upgrades will be implemented, please provide expected timeframes for the upgrades required to support the development enabled by the PPC and how the timing aligns with the development timeframes expected at the site.	Mitigation measures are required as per the thresholds detailed in Section 8 of the ITA. A new threshold has also been introduced and reflected in the amended precinct provisions (refer I552.6.13.1), as discussed in earlier responses including the bringing-forward of the private shuttle to provide surety of service:  <ul style="list-style-type: none"> <li>Initial development: Level where a private shuttle bus between the site and Albany Station is provided for residents to encourage behaviour change away from private vehicle and towards public transport. This can be reviewed as development progresses in regards to public transport improvements (i.e. the need for the shuttle bus will likely reduce as public transport improvements are made).</li> </ul>
14. Please update the Precinct Provisions and Precinct Plans as needed to reflect the revised assessments requested above.	Refer to amended precinct provisions.
<b>Section Four Auckland Transport CCO</b>	
<b>Auckland Transport Comments on ITA</b> Separate specific comments provided on precinct provisions themselves and noted in next section.	
1. The ITA expresses a desire to reduce private vehicle traffic in favour of active modes and public transport. Auckland Transport supports this in principle but has concerns about the transport connectivity of the development. From a public transport perspective, the bus services currently provided by Auckland Transport would provide a limited service to the future residents of the development. Furthermore, the development site is located some distance from key destinations which would discourage walking and cycling in spite of the proposed cycling infrastructure upgrades.	We agree that active modes travel needs to be encouraged early as the site develops. This will create behaviour change which enables mode share out of private vehicles and into active modes.

<p>2. If these issues are not adequately addressed in the ITA and reflected in the precinct provisions, they could result in adverse effects on the transport network and the aspirations reflected in some of the precinct objectives and policies would not be met. For instance, future residents may become reliant on private vehicles for travel.</p>	<p>Mitigation measures are required as per the thresholds detailed in Section 8 of the ITA. A new threshold has also been introduced and reflected in the amended precinct provisions (refer I552.6.13.1), as discussed in earlier responses including the bringing-forward of the private shuttle to provide surety of service:</p> <ul style="list-style-type: none"> <li>Initial development: Level where a private shuttle bus between the site and Albany Station is provided for residents to encourage behaviour change away from private vehicle and towards public transport. This can be reviewed as development progresses in regards to public transport improvements (i.e. the need for the shuttle bus will likely reduce as public transport improvements are made)</li> </ul>
<p><b>Public Transport 2.3.2</b></p> <p>3. The 917 route isn't an all-day 15-minute service. The 15-minute frequency is during the peaks. The route has an AM peak focus towards Massey University and PM peak focus from Massey University. This service is focused around the needs of Massey University as well as providing connection to Albany and the busway station. The ITA should address this. One of the disadvantages of the current service is the time taken to get to Albany Bus Station given the roading layout around Albany.</p> <p>4. As part of the Northern Corridor improvements, a new Rosedale Station will be constructed to the east of the site. There may be opportunities for improvements to the bus network and services in the area with the opening of Rosedale Station. However, there is no current funding for this.</p>	<p>Agree, the 917 bus route can be modified to better serve the residential development. Private shuttle buses to serve residents between the development and Albany Bus Station are also proposed.</p> <p>Noted. The local bus network should be reinvestigated if the proposed Rosedale Station goes ahead (which is understood to have been submitted as a 'shovel ready' project).</p>
<p><b>Transport Connectivity 3.2</b></p> <p>5. At the pre-application meeting, it was suggested the northern entrance to the site may be used as pedestrian and cyclist access only. The ITA (and the precinct plan) identify this as a new left in / left out road connection. However, the ITA does not assess the left-in-left-out entrance to show that it can operated both safely and efficiently. The effect of such a connection on the adjacent T2 lane would also need to be considered. It is noted that Auckland Transport has not supported access in this location for previous proposals on this site.</p> <p>6. Figure 11 shows an additional pedestrian / cycle connection across the Days Bridge Esplanade Reserve which does not appear in Precinct Plan 1 included in the plan change.</p>	<p>A draft concept design of this intersection is detailed in Commute Attachment S1. Vehicle tracking is shown in S2. As shown, vehicles can safely and efficiently manoeuvre into and out of the site. Traffic modelling of this intersection is not considered necessary given the low volume of traffic expected to use this intersection, as well as the simple left-in, left-out arrangement.</p> <p>The pedestrian/cycle connection is shown on Precinct Plan 2, as explained in the ITA.</p> <p>Connection is not shown on Precinct Plan 1 because it is shown on Precinct Plan 2 specifically in relation to the proposed 'movement network'.</p>
<p><b>Parking 6.0</b></p> <p>7. The ITA should address the vehicle parking proposed to be provided in the Central Park green space.</p>	<p>The proposed parking within the site will be detailed in future resource consent stages. Parking provisions / dimensions are not required to be assessed as part of a Plan Change application and are a detailed design matter.</p>
<p><b>Internal facilities 7.3.1</b></p> <p>8. This section states that any internal collector roads will feature separated cycle facilities. The ITA needs to identify the collector roads.</p>	<p>Collector roads are those to be vested with Council, as shown on Precinct Plan 2.</p> <p>While noted as collector roads in the ITA , in reality these roads will function as local roads. These roads have been shown with 20m road reserve to provide some flexibility in the future with x-section (e.g. wider footpath). Precinct Plan 2 shows an internal shared path network (both north south and also connecting to Albany Highway which has cycle facilities). As such a separated cycle facility on the internal roads is not considered to be required and the ITA has been updated to reflect this.</p>
<p><b>Suggested measures 8.4</b></p> <p>9. This section lists when transport infrastructure upgrades are required and this has been carried through to the precinct provisions. Given that the development proposal seeks to encourage active modes and public transport over the use of private vehicles, <u>it is suggested that these dwelling thresholds for completing cycleway projects and improving public transport be lowered.</u></p> <p>This would enable residents to take advantage of these improvements from an earlier date. If these travel patterns are not established early, future residents will likely rely on private vehicles. Further, the ITA needs to be more specific about the what would be required to improve public transport provision for future residents.</p>	<p>We agree that active modes travel needs to be encouraged early as the site develops. This will create behaviour change which enables mode share out of private vehicles and into active modes.</p> <p>The proposed upgrades form part of the precinct and are required to be implemented as part of the precinct provisions. The mitigations are required as per the thresholds detailed in Section 8 of the ITA. A new threshold has also been introduced and reflected in the amended precinct provisions:</p> <ul style="list-style-type: none"> <li>Initial development: Level where a private shuttle bus between the site and Albany Station is provided for residents to encourage behaviour change away from private vehicle and towards public transport. This can be reviewed as development progresses in regards to public transport improvements (ie the need for the shuttle bus will likely reduce as public transport improvements are made)</li> </ul>
<p><b>Implementation Plan 12</b></p> <p>10. Table 17 states that public transport improvements will be required as per the triggers in the precinct. It also notes that this will be funded by AT and the developer. Please note that Auckland Transport cannot accept responsibility for any improvements not funded in the RLTP.</p>	<p>The applicant will fund private shuttle buses to / from Albany Bus Station to serve residents. It is also understood that as development intensifies, the RLTP should be updated to reflect this intensification.</p>

<p><b>Transport Modelling</b></p> <p>11. The LT volume from Albany north in Table 8 looks incorrect (too high). This should be corrected.</p> <p>12. There are no queue length surveys provided in the ITA. This should be addressed.</p>	<p>Updated. No noticeable changes to the modelling outcomes result from this change.</p> <p>The SIDRA models have been calibrated using surveyed traffic volumes and SCATS data for phasing information. The software is therefore considered to suitably reflect the actual operation of the subject intersections. No queue length surveys are required as the model is suitably calibrated.</p>
<p><b>Section Five</b> <b>Auckland Transport comments on Precinct Provisions</b></p>	
<p>1. <b>Objective 14</b></p> <p>Amend as follows: 'Development is integrated with the capacity of the local transport network to ensure traffic travel demand is supported by suitable transportation infrastructure'</p> <p>This wording recognises that suitable transport infrastructure may provide for walking and cycling rather than traffic,</p> <p>Also, what is meant by the 'local transport network' - would it be clear to the user of the plan that this includes access in and out of the precinct from Albany Highway.</p>	<p>Precinct provisions amended accordingly.</p> <p>Local Transport Network is intended to comprise the internal (site) transport network and any connections to Albany Highway.</p>
<p>2. <b>Policy 16</b></p> <p>'Where the number of dwellings constructed within the precinct generates sufficient demand, require upgrades to identified signalised intersections and public cycling facilities.'</p> <p>Reword policy - it should not be 'sufficient demand' that triggers the need for these mitigations - particularly the cycling upgrades.</p>	<p>Precinct provisions amended accordingly: 'appropriate demand' wording used.</p>
<p>3. <b>Policy 17</b></p> <p>Amend as follows:</p> <p>'Ensure new roads are located in accordance with Precinct Plan 2 – Albany movement network to achieve contribute to a highly connected pedestrian, cycle and road network that provides for all modes of transport.'</p> <p>The roads to vest are only part of achieving the desired transport network.</p>	<p>Precinct provisions amended accordingly.</p>
<p>4. <b>Policy 18</b></p> <p>'Ensure pedestrian and cycle linkages through the site as generally indicated on Precinct Plan 2 – Albany movement network, to allow for safe and efficient movements within the precinct.'</p> <p>Amend to include a reference to the linkages to be provided across the boundaries of the precinct.</p>	<p>Precinct provisions amended accordingly: '...within the precinct and across the boundaries of the precinct' wording used.</p>
<p>5. <b>Policy 19</b></p> <p>'Ensure that care centres and healthcare services are of a size and intensity that supports the local residents within the precinct, without encouraging excessive trip movements from outside the precinct.'</p> <p>Amend to include reference to commercial activities. It is also not clear why 'care centres' are mentioned as they are included in the precinct activity table. Also have concern about the term 'excessive' - is there a better way of describing this.</p>	<p>In both cases the precinct provisions are amended accordingly:</p> <ul style="list-style-type: none"> <li>• 'Ensure that commercial activities and healthcare facilities...'</li> <li>• 'Significant' instead of excessive.</li> </ul>
<p><b>Policy</b></p> <p>6. Add a policy (or amend an existing one) to reference the use of parking maximums to control traffic generation and manage travel demand.</p>	<p>Policy 20 has been amended to reflect this, and its role in mitigating traffic generation:</p> <p><i>Apply parking maximums to activities enabled within the precinct to mitigate the effects of traffic generation, and to ensure that alternative transport modes are a viable alternative to private vehicle use.</i></p>
<p><b>Table I552.4.1 Activity table (A2)</b></p> <p>7. Does the exclusion of drive through restaurants in (A2) mean that they are intended to default to (A14) or (A15) - D or RD?</p>	<p>This exclusion was omitted in error from A3 and therefore has now been included. Please note that A15 relates to 'development' (i.e. construction/buildings etc). Activities not otherwise provided for, such as drive through restaurants, would default to discretionary under C1.7. Drive through restaurants are also not otherwise provided for in the underlying THAB zone.</p>

8. Healthcare facilities is the defined term in the AUP - rather than healthcare activities. The description should be 'Commercial activities and healthcare facilities'. Amend throughout.	Precinct provisions amended accordingly.
<b>Table I552.4.1 Activity table (A5)</b> 9. Support NC status for large format retail, including supermarkets, not otherwise provided for.	Noted.
<b>Table I552.4.1 Activity table (A15)</b> 10. Support D or NC status for direct vehicle access from sites onto Albany Highway. However, this should be separately listed in the activity table - rather than combined with other activities	We consider discretionary activity status to be appropriate. Vehicle access to Albany Highway would not be in accordance with Precinct Plan 2 – Movement Network, which annotates vehicle entry/exit points in respect of Albany Highway, and would therefore default to discretionary activity status under A14, which explicitly includes separate vehicle access to Albany Highway.
<b>Table I552.4.1 Activity table (A19)</b> 11. The wording 'but proposes alternative measures to achieve required transport access, capacity and safety' is too subjective for an activity description. This wording is more appropriate for an assessment criteria.	The activity status would capture any alternative measure proposed – the assessment criteria require assessment of what that alternative is and whether it is appropriate. Similar wording is utilised in I610.4.1(A14) provision of Red Hills Precinct (northwest).
<b>Table I552.4.1 Activity table</b> 12. Commercial and healthcare activities of up to 150m2 which don't comply with I552.6.7(3) - overall 4.000 GFA - should be D, and not default to RD	Precinct provisions amended to remove the 150m <sup>2</sup> reference to clarify the location and 4000m <sup>2</sup> cap applies to all (regardless of individual GFA).
<b>Table I552.4.1 Activity table</b> 13. Integrated residential developments (retirement villages) need to be listed in the activity table. It is clear from the ITA that they are still envisaged.	Retirement villages and integrated residential development are provided for in the underlying THAB zone, along with a number of other activities which have not been included specifically in the precinct provisions. There is no need to replicate these within the precinct provisions. The AUP is clear under C1.4(1) that any proposal must comply with any “overlay, zone and precinct rules” that apply, unless they have been specifically excluded. An integrated residential development would still require consent for ‘development’ under (A8) of the Albany 10 Precinct.
<b>I552.5 Notification (1)</b> 14. Question whether all RDs in the activity table should automatically be considered without notification. Concern is A19.	Noted and agreed – precinct provisions amended to remove A19 from the public notification exemption under I552.5(1).
<b>I552.6 Standards</b> 15. The second para states 'non-compliance with any standard to be complied with is a restricted discretionary activity under General Rule C1.9'. It needs to be clear that this does not apply where the activity is otherwise identified in the activity table. Also, there are some standards where non-compliance should not default to RD.	C1.9 applies to ‘the infringement of standards’ – it does not apply to <i>activities</i> listed in an activity table. If non-compliance with (for example) the transport infrastructure upgrades standard was triggered, then we agree this is provided for in the activity table with an accordant activity status. Clarification added to the wording under I552.6.
<b>I552.6.11 Special frontage and height control and Table I552.6.11 Special height and frontage matrix</b> 16. The table includes vehicle access restrictions for Albany Highway, vested road, and the commercial GFA control (which applies along some of the vested road). The Albany Highway vehicle access restriction is noted in the activity table. The other restrictions could be overlooked. In order to practically implement these restrictions, rear lane access will need to be provided at subdivision - so these requirements should be reflected in the subdivision rules.  17. The purpose of the vehicle access restrictions is identified in the table, but this also needs to be included in the purpose statement.	We do not agree and note that land use development (such as establishment of roads and access which is not just a subdivision matter) would trigger these particular standards.  Refer amended precinct provisions. Wording updated but disagree the wording needs to be as specific as the table. The purpose is the intended outcome, not the method/standard itself.
<b>I552.6.13 Transport infrastructure development thresholds</b> 18. It is not clear how (2) applies - it states that notwithstanding the table above, the dwelling thresholds shall be confirmed as part of any Traffic Impact Assessment or Integrated Transport Assessment required for subdivision and / or development within the precinct.	Noted. This may introduce a qualitative element to implementation of the standard, and therefore has been deleted.
<b>Table I552.6.13.1 Transport infrastructure development upgrade thresholds</b> 19. Comments on the identified transport infrastructure upgrades have been included in the comments on the ITA.	Noted. Refer earlier responses.
<b>I552.6.14.1 Subdivision standards for stormwater management</b>	Raingardens are best located at detailed design stage. However, the wetland is required to be generally located in the identified area. Precinct wording updated to reflect this.

20. It is not clear how the statement 'these devices must be located in general accordance with Precinct Plan 1 - Albany features plan' applies to stormwater raingardens. The only stormwater devices identified on PP1 is a stormwater management wetland.	
<b>I552.6.14.2 Subdivision standards for key roading and access</b> 21. These standards apply to subdivision - is there a risk of transport infrastructure not being provided if development occurs without subdivision e.g. an integrated residential development.	We consider this highly unlikely given the nature and scale of intended development within the precinct. These features are nevertheless identified on the precinct plans themselves and, as such, development that does not provide for them would trigger assessment.
<b>I552.6.14.2 Subdivision standards for key roading and access</b> 22. (2) Amend to clarify the roads being referred to are the vested roads on precinct plan 2 (these would be better described as 'roads to vest')	Noted and amended accordingly.
<b>Table I552.6.14.2.1 Construction standards for road types within the Albany 10 precinct</b> 23. Change the description - these are not construction standards - rather they specify the width of the road reserve and some of the components. 24. A 20m legal road width implies a collector road rather than a local road - depending on the carriageway width. A separated cycle way may be needed to meet AT's Standards (as per the Transport Design Manual).	Noted and amended to 'road typologies'.  Acknowledged that 20m could allow for separate cycle way or shared path if needed. To be determined at detailed design stages.
<b>I552.6.14.2 Subdivision standards for key roading and access</b> 25. (3) More information is needed about the publicly accessible shared cycle / footpath. a. What standard will this be built to? b. What hours will it be publicly accessible, and how can that be assured? c. Is a shared path appropriate in this location - or are separated walking and cycling facilities more appropriate?	a) The cycle path at this stage is not intended to be a vested asset (although the precinct does not preclude this possibility). Shared cycle paths are generally accepted to have a 3m minimum width. ATCOP would likely inform the design but this would be determined at future resource consent stages. b) 'Publicly accessible' would need to be justified at future resource consent stage. The simplest method being an easement for public access. However, it is anticipated this would necessarily mean 24/7 access. c) Separated facilities will reduce available land for development and reduce possible landscaping opportunities. In addition, it is not anticipated (given the location and presence of Albany Highway which also provides for cycling) that the volume of usage would justify a separated and dedicated cycle path.
<b>I552.6.14.2 Subdivision standards for key roading and access</b> 26. (4) The northern access point may not be acceptable to AT. It has not been properly addressed in the ITA.	Refer to earlier transportation responses and revised ITA.
<b>I552.6.14.2 Subdivision standards for key roading and access</b> 27. (5) The reference to the private roads and lanes is confusing as these standards don't seem to apply to them in any case (1) to (3) apply to the roads to vest, the pedestrian / cycle connections, and the shared cycle / footpath next to the esplanade reserve. 28. It is also not clear what is meant by the reference to an approved ITA. How does an ITA become approved?	This is enabling an alternative private lane layout to avoid situations where any deviation from the precinct plan is seen as a non-compliance. (1) applies to all development and this has been clarified with amended wording "All roads, lanes and pedestrian/cycle connections...".  Approved as part of the first development/subdivision (refer special information requirement (1)).
<b>I552.8.1 Matters of discretion (3) vehicle and bicycle parking</b> 29. This activity is not listed in the activity table.	It does not require a specific activity as it is relevant to restricted discretionary activities under C1.9 (non-compliance with a standard). However, these matters and corresponding criteria have been deleted, in light of the approach taken within the precinct and reliance on C1.9.
<b>I552.8.1 Matters of discretion (5) Not complying with commercial GFA and location control</b> 30. This activity is not listed in the activity table	As per item #12 above this would be a discretionary activity and is therefore deleted. I552.8.1(2) deals with commercial over 150m <sup>2</sup> .
<b>Assessment Criteria</b>	
<b>I552.8.2(1)(g)</b> 31. (g)(i) Any roads to be vested will need to meet AT standards - any tree planting and footpath paving considered at resource consent stage will need to be consistent with AT standards. The wording in I552.8.2(4)(d)(i) is better. 32. (g)(ii) The location of service lines under roads is a matter that should be left to AT standards and not addressed in assessment criteria for a precinct plan.	Agreed and wording amended.  Agreed and deleted.
<b>I552.8.2(2)(a)(i)</b> 33. Reference to adequate car parking being provided to accommodate the additional GFA should be deleted. This is inconsistent with the application of parking maximums in the precinct.	Agreed and wording amended.
<b>I552.8.2(4)(b)</b> 34. (b)(i) and (ii) - same comments as previous about AT standards for roads to vest.	Agreed and wording amended.
<b>I552.8.2(6)(c)</b>	

35. (c)(i) and (ii) - same comments as previous about AT standards for roads to vest.	Agreed and wording amended.
<b>I552.9 Special information requirements</b>	
36. There should be a requirement for applications for commercial development to be accompanied by an assessment of the current GFA within the precinct	Agreed – have included an additional special information requirement for a GFA assessment.
<b>Precinct Plan 1 Albany features plan</b>	
37. Commercial frontage shown here doesn't quite match with precinct plan 4	The precinct plan has been updated.
<b>Precinct Plan 2 Albany movement network</b>	
38. AT has concerns about the northern left in / left out road - the ITA has not properly assessed this.	Please refer to updated ITA regarding northern access.
39. 'Vested roads' should be renamed 'road to vest'.	The precinct plans have been updated to 'road to vest'.
<b>Section Six</b>	
<b>Carl Tutt, Ecological Services   Auckland Council</b>	
1. In the Regional Policy Statement assessment of the Campbell Brown report they have referenced policy B7.2.2 (5) in terms of avoiding adverse effects. It would be a good idea for them to also note B7.2.1 (2) in relation to restoring and enhancing indigenous biodiversity. Comments provided in the this document around the riparian planting are in relation to amenity, character and aquatic ecology, not so much terrestrial. There is opportunity for greater connectivity of the riparian areas to the Days Bridge Esplanade Reserve and Fernhill Escarpment. The Ecology report talks to it however the policy assessment is missing.	Assessment has been included within section 9.9 of the Planning Report.
2. They also reference B7.2.2(9) which does not exist.	This has been corrected and now references B2.7.2(9).
3. There also needs to be mention of chapter E15 of the AUP, Vegetation management and Biodiversity.	Assessment has been included within section 9.10.3 of the Planning Report.
4. Its also great to know that no stream reclamation will occur as part of this PPC. However unsure if road crossings will be culverts or bridges, bridges are preferable.	The intention at this stage is to have bridges. However, detailed analysis of a preferred option would be undertaken at future resource consenting stage. It is noted in either case that resource consent would be required such that an assessment of appropriateness would need to be undertaken at that time.
<b>Section Seven</b>	
<b>Chief Economist Unit – Shyamal Maharaj and Shane Martin</b>	
Note: <u>key</u> items identified in formal Clause 23 letter (item 36) and 'greyed' below..	
1. One of the goals of a compact city in the Auckland Unitary Plan and Auckland Plan 2050 is to reduce congestion and emissions from improved use of existing transport networks by enabling density around such areas. Has the applicant provided any evidence of these impacts because of the development in another part of the assessment such as traffic modelling? a. The proposed development does not have close access to the Park and Ride facilities of the Albany Centre. Are there any future public transport services that are likely to help service the development?	This has been acknowledged in the ITA and accounted for in the transportation planning of the development. Due to proximity and to enable uptake of public transport, a regular private shuttle service is proposed at an appropriate stage of development (refer to responses above regarding Transport and ITA).  It is not considered that the proposal is divorced from existing centres - it is located within a walkable catchment to benefit from the Albany metro centre and the Albany Village. Existing cycle lanes and regular transport along Albany Highway do connect the site to the wider area and those centres. These matters are addressed throughout the plan change materials and further information response.
2. The report states that the applicant has determined an optimal height configuration that would satisfy neighbouring properties. We would be keen to understand how this configuration was arrived at working with neighbours.	Testing of the proposed building heights has been undertaken through shading and visual analysis. Please refer to the urban design assessment and landscape and visual effects assessments. Please also refer to the engagement summary.
3. The report states that construction costs over the 20-year period would produce 275 FTEs and \$530m in GDP for the region. Construction costs are not economic benefits, as costs do not generate additional economic benefits. This activity would likely displace activity elsewhere in the region.	Insight Economics Response – We agree that some of this activity may represent displacement from elsewhere in the region, but not all of it. Accordingly, there is likely to be a net benefit. Further, the creation of regional GDP and the provision of income and employment are key goals of most economic development agencies, including ATEED (which is an Auckland Council CCO). We therefore consider likely effects on GDP, incomes and employment to be relevant effects to consider in the wider context of the proposal's likely economic impacts.
4. In section 7.3 of the report, the argument is that supply will over time respond to changes in demand. The point is made that the proposed development will be more responsive than the trend expansion in supply. However, it can be argued that no single development can set the price. Even 1,800 additional dwellings is unlikely to lead to any material price changes especially if demand is unconstrained as it is in a market experiencing a shortage.	Insight Economics Response – We agree that it is unlikely that any given development will have a material impact on regionwide prices. However, this is a very large development. Accordingly, its potential market impacts extend beyond that of a typical (much smaller) development. In addition, it is important to acknowledge that any price pressures created by the development will likely be exerted at the local or sub-regional levels, where its significance (and hence potential for price pressure) are even greater.

5. Notwithstanding this point, we acknowledge that changing of the zone does have an additionality component with regard to overall land development capacity within Auckland, which may reduce the price per dwelling in a market where supply and demand are equally balanced.	Insight Economics Response - Agreed.
6. In section 10.2, the assumption that infrastructure will be more efficiently used (89% more efficient use of stormwater infrastructure and 25% efficiency gain for all other infrastructure networks) is not supported by evidence. Brownfield bulk infrastructure costs can vary widely from site to site, and the report provides no evidence that there is sufficient capacity in existing networks to allow the desired level of development without significant infrastructure upgrades. If the applicant's view is correct, evidence should be provided.	Insight Economics Response – This analysis was based on applying the Council's own development contributions policy and methodology to the site. While we accept that the development contributions policy employs an averaging approach that may not always be exactly correct, we disagree that it should not be used in this way to demonstrate the likely efficiency gains of the development overall. If this approach is incorrect as has been suggested, then it essentially invalidates the entire basis upon which the development contributions policy has been designed and operates. We therefore respectfully disagree. Please refer to the Infrastructure Report prepared by Woods Ltd (Appendix K to the application).
7. Auckland Council's DCs calculator is used to point out infrastructure efficiencies of the proposed development. This may or may not be true. The HUEs are calculated over wide catchments and are averaged costs not necessarily applicable to a particular site. It is unclear whether the report relies on the DCs calculator, but it would be wrong to do so as the calculator does not apply a site-by-site estimate of costs but estimates of costs within wider catchment zones.	Insight Economics Response - Please see response to previous question.
8. The \$140,000 figure from the FULSS is now obsolete. The Chief Economist Unit has recently published a report detailing a better estimate of infrastructure cost breakdowns.	Insight Economics Response - We have reviewed the recent work by the Chief economist unit, which states that: "Across the nine development areas, the lowest estimated bulk infrastructure cost is \$72,600 per dwelling. The costliest area is around \$208,600 per dwelling. The average is \$115,200." This new average value of \$115,000 is lower than the \$140,000 used in the economic assessment, but is still significantly higher than the average cost for existing urban areas. We therefore consider the points made in the economic assessment on this matter to remain valid.
9. Section 11: we agree that there will be no material impact on the vibrancy and vitality of the nearby Albany Metropolitan Centre. We agree that the new development would likely boost activity at the nearby MC. How would the mix of retail and commercial services offered from within the development compete with those provided within the Albany MC?	Insight Economics Response – This is covered in the economic assessment. There will be a slight degree of overlap, but the quantum of provision onsite will pale into insignificance compared to the Albany metropolitan centre. Accordingly, there is no real scope for adverse effects on the metropolitan centre to occur (in our view).
10. Does the flow-on effects of competition from Albany MC, OKLA Apartments and Rose Garden Apartments) risk viability of retail space within the development?	Insight Economics Response – The viability of onsite retail space will be underwritten by the presence of thousands of onsite residents (at full build out), which is not really affected by the presence or development of other apartment complexes nearby. In addition, and as outlined throughout supporting documentation, the extent of retail offering within the precinct is intended to support local residents.
11. Public amenity benefits have been considered to be significantly better in this proposal. How does this differ from the original plan, if the park is stated to be only slightly larger? Is this due to redesign? This has significant use and non-use benefits and other health related benefits that should be addressed with further discussion.	We are assuming that the 'original proposal' is the consented housing development across the site. That consent had little to no provision for park and community recreation space, shared cycle path provision or informal recreation areas throughout the development. That consent also authorised the loss of existing streams through the site.  There are, therefore, significant benefits associated with the proposed precinct. However, Insight Economics notes that this is not necessarily relevant to the economic assessment and has been addressed within the planning report.
12. Are the buildings being built as high as possible with the design and amenity features in mind?	We are unsure of the relevance of this query from an economic perspective but nevertheless this is addressed in supporting assessments (urban design and visual/landscape). The proposed building heights enabled by the precinct seek to provide for development yield and intensity to support the planned built form and layout of the precinct, while also not being so 'high' as to generate unacceptable amenity effects of the wider environment and nearby lower-intensity residential zones.
<b>Section Eight Planning</b>	
AEE/S32 Analysis	
1. The AEE/S32 compares the change in zone from MHS to THAB. Was Mixed Housing Urban Zone considered as an option and if not, why not?	Mixed Housing Urban (MHU) was considered as a potential zoning. However, in order to deliver the intensity of development sought (which is necessary to justify the high level of onsite amenity and public shared areas being provided) it was not considered an appropriate zoning. As noted in the MHU objectives and policies, this is a zone that provides for predominately three storey residential development in a variety of forms. It was not considered appropriate therefore to apply a height variation control to the MHU zone that would otherwise result in a level of built form that is arguably not compatible with the planned outcomes for that zone.  As outlined in the s32 report, the THAB zone was identified as the most-appropriate to deliver the outcomes sought by the precinct, in conjunction with the height variation sought.
2. Standard I552.6.1 limits the precinct to 1800 dwellings. Can you please explain how you came to this figure.	Refer earlier responses – informed by supportable level of vehicle trip movements, translated into number of dwellings along with the GFA anticipated through the master planning exercise.

<p>3. Section 10.2 considers ecological effects, and the assessment determines that most matters can be appropriately considered at a resource consent stage. However, are there any potential adverse effects on SEA_T_8340 being next to:</p> <ol style="list-style-type: none"> <li>1800 dwelling (approximate); and</li> <li>Building heights listed in Precinct Plan 3 as 4.5m, 13m, 21m and 35m.</li> </ol>	<p>This response has been incorporated into section 10.2 of the planning report:</p> <p>“...in respect of potential effects from built form, scale and intensity of residential occupation; that any potential effects on the SEA within the Fernhill Escarpment (outside of the site) would be less than minor. The site and eventual land development are divorced from the SEA due to the intervening esplanade reserve and Oteha Stream and as a result the proposed precinct would not physically alter or degrade the SEA, nor would it necessitate vegetation clearance within the SEA itself. For the same reasons, the intensity of development and built for (building heights in particular) being enabled by the precinct are removed from the SEA and would not compromise existing biodiversity and ecological values, but rather enhance them as assessed above”</p>
<p>4. Section 10.3 considers economic effects, and the economic assessment concludes “...it frees up more land for other uses, and enables lower density development to occur elsewhere while still maintaining high density overall”. Therefore can you please explain how:</p> <ol style="list-style-type: none"> <li>Allowing for greater density at 473 Albany Highway will limit residential density elsewhere;</li> <li>Can you please be specific with the location of ‘elsewhere’;</li> <li>Will the increased density for this area affect the residential market in the Albany Metropolitan area?</li> </ol>	<p>Insight Economics has advised that this statement was not intended to suggest that the proposal will cause lower density to occur elsewhere, just that the possibility of lower density occurring elsewhere (than may have been envisaged) may be offset by the higher than expected density provided onsite. It was intended to suggest that there may not be a consistent density achieved in this locality, with the development representing one potential location where a higher than expected density is able to be achieved.</p> <p>There is no evidence to suggest that this development will affect the density of future residential development at the metropolitan centre.</p>
<p>5. Under section 10.6.3 Wastewater, has any consideration been made for the ability for redevelopment of the surrounding area and capacity for growth after the 1800 dwellings have been built out. I would like to understand the amount of wastewater capacity this level of intensity will have on the wastewater network post development.</p>	<p>Woods has advised that in many ways this request is seeking analysis of a hypothetical future scenario as it would require a future-understanding of redevelopment within the wider area which is unknown. Were capacity issues to arise at a future date through development outside the precinct, then the precinct (and underlying zone) requires an assessment of infrastructure sufficiency through the resource consent process. Any potential effects would be required to be mitigated through that process.</p> <p>All current correspondence with Watercare is outlined in section 6.3, and contained within Appendix 7 of the updated infrastructure report.</p>
<p>6. At the time of lodgement no feedback was received from the public. Since lodgement on 8 May 2020 have you received any feedback? And if you have received feedback, what does it say?</p>	<p>Since lodgement a public open day has been held with the local community, along with a Cultural Values Assessments (‘CVA’) being received from Ngati Manuhiri. We have been actively following up with Nga Tai ki Tamaki to obtain a Cultural Values Assessment. However, at the time of this response an assessment is yet to be provided.</p> <p>A response to the recommendations contained within the CVA is attached in Appendix 4 – Cultural Values Assessment and Response.</p>
<p>7. To date Watercare Services Limited (Watercare) have yet to provide feedback. In Appendix K – Infrastructure Assessment, section 6.3 from the report provided by Woods outlines the correspondence to date with Watercare. This report indicates that there is only sewage capacity for 1600 residential units and that a pump station would be required to facilitate the development to occur in the south. A Capacity request has been requested from Watercare by Woods, for 1800 residential units and 3000m2 gross floor area for commercial. When Watercare responds, can you please provide an assessment that:</p> <ol style="list-style-type: none"> <li>there is sufficient wastewater and water supply capacity for the site to be serviced for 1800 residential units and 4000m2 gross floor area commercial space; and</li> <li>the effects on the development potential on the adjacent areas.</li> </ol>	<p>Woods have provided revised calcs to Watercare for 1800 units with 4000m2 GFA of commercial space confirming that there is capacity to accommodate this level of development. Watercare have advised that they are carrying out capacity testing on Van Der Bilt pump Station to the south of the development site and will assess capacity once its complete.</p> <p>As noted in item 5 above; were capacity issues to arise at a future date through development outside the precinct, then the precinct (and underlying zone) requires an assessment of infrastructure sufficiency through the resource consent process. Any potential effects would be required to be mitigated through that process.</p> <p>All current correspondence with Watercare is outlined in section 6.3, and contained within Appendix 7 of the updated infrastructure report.</p>
<p>8. In Appendix D, Section 32 Option Evaluation Table, objective H6.2.(2) refers to “built character of predominantly five, six or seven storey buildings...”. Can you please provide commentary on the areas of Precinct Plan 3 which exceed seven storeys.</p>	<p>Please refer to the response in item 10 below, and the assessment within section 9.10.2 of the Plan Change report which addresses this query.</p>
<p>Precinct Provisions</p>	
<p>9. Objective I552.2 (5) refers to ‘Green Star Sustainable Communities’. Can you please clarify if these documents are to be an incorporation of documents by reference in the AUP.</p>	<p>This is a rating tool utilised to quantify the ‘sustainability’ of a community (as opposed to a sustainability rating of a building itself). The Albany 10 precinct aspires to ensure that the community itself is a sustainable one, and this can only be quantified through a rating assessment.</p> <p>That assessment is not proposed to be embedded into the precinct provisions themselves through documentation or the like, due to the rating assessment being undertaken by a third party. This is necessary to avoid any complications with plan administration should rating tools or methodology change. As such, reference to ‘sustainable communities’ is given in the precinct objectives and policies themselves, and within the assessment criteria for development. This is considered appropriate in order to provide flexibility of assessment through future resource consenting processes.</p> <p>We anticipate that as part of any resource consent (where appropriate) evidence of the community rating would need to be provided at an appropriate time.</p>



<p>10. Please confirm that objective I552.2(7) does not conflict with objective H6.2.(2) and please explain why it does not.</p>	<p>The THAB zone, and H6.2.(2) specifically, provides for a “...planned urban built character of <i>predominantly</i> five, six or seven storey buildings in identified areas” [emphasis added]. The use of the word ‘predominantly’ both in this zone and other zones throughout the AUP(OP) ensures that the zone does not preclude other types of development (and heights) provided they do not <i>compete with the predominant planned</i> urban built character.</p> <p>Despite the reference to the number of storeys with the THAB zone, there are numerous areas of Auckland subject to the THAB zoning that are also subject to height variation controls enabling building heights that exceed seven storeys. Please refer to the assessment within section 9.10.2 of the Plan Change report which addresses this query.</p> <p>Accordingly, there is no tension between the two objectives identified by Council. While the zone provides for a predominant urban built character, the proposed Albany 10 Precinct proposes additional height in identified areas that is assessed to not compromise the predominant urban built character otherwise present within the THAB zone throughout the region.</p>
<p>11. Objective I552.2 (17) falls under ‘infrastructure’ but there does not seem to be a correlating policy under I552.3. Can you please clarify which rules will achieve this objective and how ‘mauri’ will be assessed.</p>	<p>The proposed stormwater management methods within the precinct and SMP, along with the preservation of existing streams within the site (which flow to the Oteha Stream) and their riparian enhancement, all collectively contribute to achieving this objective. Because this matter is somewhat ‘integrated’ across the open space considerations (i.e. integrating streams and riparian areas into the open space network), there are other policies that do speak to this matter. Nevertheless, new policies have been added to the precinct to make this clear. Policy 21 relates to the quantity of runoff and impervious coverage, and Policy 22 relates to stream quality and ecosystems.</p>
<p>12. It is noted that under I552.6 Standards that “Non-compliance with any ‘standard to be complied with’ is a restricted discretionary activity under General Rule C1.9”. However, it is not clear what activities are required to comply with what standard. Can you please clarify which activities are required to meet what standard.</p>	<p>It is anticipated that all development and activities are required to comply with the standards. This is noted, and has been clarified through amended wording, in the text under ‘I552.6 Standards’, along with removal of the reference ‘standard to be complied with’ to avoid any confusion. If non-compliance with a standard is identified in the activity table as either a discretionary or non-complying activity, then specific assessment criteria have not been provided.</p>
<p>13. Further to point 12, for permitted standards that are not complied with, will the default assessment fall under C1.9(3). Or will the application be required to comply with the underlying zone? For example, if a development does not comply with standard ‘I552.6.4 Maximum building coverage, impervious area and landscaping’, there does not seem to be restricted discretionary assessment criteria relating to the standard or an objective or policy relating to impervious area in the precinct if processed under C1.9(3). Please explain.</p>	<p>Having clarified this request via phone call on 11/8/20: please refer to item #12 above for clarification on how non-compliance with standards is intended to function (default to C1.9 as provided for in the plan). This is intended, noting that C1.9(3) requires a somewhat broad assessment of any infringement, but also in reference to the purpose of the standard itself. We also have noted in the precinct that the THAB standards apply, unless specifically excluded.</p> <p>We acknowledge that there was a policy gap relating to stormwater/coverages, and an additional policy has therefore been provided.</p>
<p>14. Section 10.6.1 of the AEE makes commentary on impervious coverage and concludes 70% is an acceptable coverage for the full site. Table I552.6.4.1 indicates the impervious area based on individual lots. Can you please comment on why:</p> <ol style="list-style-type: none"> <li>a. For apartments 100% coverage is acceptable;</li> <li>b. For detached or attached housing 85% coverage is acceptable;</li> <li>c. How will the individual ‘sites’ be determined for compliance with these standards?</li> </ol>	<p>Coverages have been aggregated over the entirety of the precinct itself as a result of it being a ‘contained’ site through the southern boundary, Albany Highway and Oteha Stream. Providing for traditional THAB coverages on a site by site basis would result in an inefficient land use and constrain the ability of the development to realise the planned-intensity of development sought. As noted within supporting documentation, the overall provision of greenspace, shared spaces and landscaped common areas throughout the precinct off set the coverages being sought.</p> <p>In addition, in the case of Area 3 it is anticipated that internal landscaped common areas would be above ground level and may be considered ‘buildings’ or contribute to building coverage. Detached or attached housing necessitates a greater level of onsite amenity and therefore the coverage allowance is reduced to provide for this.</p> <p>Compliance is to be determined on an individual allotment basis and across the overall precinct. Non-compliance with either would trigger consent and assessment.</p>
<p>15. Can you please confirm if activities (A16) and (A17) relate to permanent or temporary buildings and/or structures. Can you please compare this to Chapter J under the definitions for ‘buildings’. In addition, do these activities relate to ‘temporary activities’.</p>	<p>These are intended to relate to permanent buildings and/or structures and activities. A reduced height limit applies in these areas compared to the rest of the precinct. The open space areas and central park within the precinct are not subject to an open space ‘zoning’ (in reference to the building definitions and exclusions therein). Features other than those specified within A16, A17 or A7 would fall into the category of ‘not provided for’.</p> <p>Temporary activities are managed under Chapter E40 which would otherwise apply.</p>
<p>16. Can you please provide commentary on how the height maximums of 13m, 21m and 35m were arrived at?</p>	<p>Please refer to earlier urban design responses.</p>
<p>17. Commercial and healthcare activities are provided for up to a total of 4,000m2 GFA. Can you please confirm how you reached this figure.</p>	<p>Refer ITA and economic assessments – this measurement was proposed to avoid cumulative effects associated with excessive retail floor space and related trip movements, and in recognition of the desire to ensure the site does not become a ‘destination’ area for retail at risk of competing with nearby centres.</p>
<p>18. Can you please confirm for commercial activities (A2) to (A7), how did you determine the figures for square metres, for example 150m2.</p>	<p>Refer ITA and economic assessments – these measurements were proposed to avoid cumulative effects associated with excessive retail floor space and related trip movements, and in recognition of the desire to ensure the site does not become a ‘destination’ area for retail at risk of competing with nearby centres.</p>

19. Under 'Standard I552.6.4 Maximum building coverage, impervious area and landscaping', can you please confirm what the maximum impervious area control is for a development being located in Precinct Plan 3 Area 4.	Wording has been added to the standard to clarify the intent. Where an area (such as the Central Park) has not been specified then it is subject to the 'total precinct' coverage. That has been proposed for the reasons outlined in item 14 above.
20. Standard I553.6.14.3 has: a. An error in the heading; and b. Can you please confirm in I553.6.14.3.(3) that the 'Section 224(c) certificate...' is under the RMA.	a) Amended. b) Amended.
21. Standard I522.6.14.4. has an error in the heading; please amend.	Amended.
22. Standard I552.6.14.5.(2), there is an error when referencing a standard in the precinct.	Amended.
23. Under I552.8.2.(7), there is an error when referencing a standard in the precinct	Amended.
24. Throughout the provisions you have made reference to the Resource Management Act 1991(RMA). When referring to a section in the RMA, can you please have a consistent approach.	Noted.
25. A formatting guide to making changes to the Auckland Unitary Plan is provided as an attachment. Can you please identify all inconsistencies between the proposed Albany Precinct 10 and this document (which will need to be attended to, preferably prior to notification of the plan change)	Updated.
<b>Cultural Values Assessment</b>	
26. The proposed plan change package indicates a Cultural Values Assessment is being prepared. Has an assessment been supplied to you? If so, can you please supply this.	Ngāti Manuhiri CVA received, Ngā Tai Ki Tāmaki outstanding.  Please refer to Appendix 4 for the Ngāti Manuhiri CVA and the response table to the recommendations therein. It is noted that this CVA makes reference to 1600 dwellings within the precinct. This references an initial version of the master plan and discussions with iwi – the 1,800 dwelling threshold as-reflected in the precinct provisions has been the figure consistently consulted on throughout the majority of discussions with iwi, the public and Council.
<b>Geotech</b>	
33. A memo dated 18 June 2020 is attached (Attachment 6) from Nicole Li of the Regulatory Services of Auckland Council, which refers to the lodged documents. It is noted that these matters are likely to be resolved at the resource consent stage. However, can you please confirm that you agree that all the matters raised can be appropriately addressed at the resource consent application stage.	Yes, we agree that there are no fundamental underlying geotechnical matters identified that make the site inappropriate for rezoning. Detailed investigations would be undertaken as part of future resource consenting.  Please refer to Appendix 3 for the revised geotechnical report which makes reference to earlier studies undertaken on the site (as per the detailed geotechnical further information request).
34. Can you please also identify which Auckland-wide earthwork rules are expected to be triggered.	We consider it likely that the following activities at a minimum would be triggered in respect of the Regional Earthworks provisions (E11 of the AUP(OP)). This would obviously depend on whether the earthworks are to be staged or not, as opposed to being undertaken comprehensively across the site. It is also noted that the site has areas of varying slope and topography: <ul style="list-style-type: none"> <li>• E11.4.1(A5) Greater than 50,000m2 where land has a slope less than 10 degrees outside the Sediment Control Protection Area;</li> <li>• E11.4.1(A8) Greater than 2,500m2 where the land has a slope equal to or greater than 10 degrees</li> <li>• E11.4.1(A9) Greater than 2,500m2 within the Sediment Control Protection Area</li> </ul>
<b>GIS/BIM Files</b>	
37. Can you please provide the GIS shapefiles or dwg/dgn files in NZGD 2000 (datum) NZTM for Precinct Plans 1 – 4. The proposed precinct maps are required to be a part of the AUP precinct, and the council GIS team will put them in a format suitable for the AUP. Ideally this will be completed before notification. Council is happy to assist with this process and will arrange a GIS specialist to discuss if required.	These are currently drawn in a graphic software package which is not geolocated. We have taken the 'pictures' of the precinct plans and geo- located them within a CAD file according to the coordinate system. If this is not satisfactory then we will have to recreate the precinct plans in CAD.  Please refer to Appendix 6 of this response.
38. Can you please provide the 3D GIS format for the buildings that are visible in the landscape visuals provided by Boffa Miskell. Or any Arc GIS capable file.	We have provided the 3D model which comprises: <ul style="list-style-type: none"> <li>• natural contours;</li> <li>• tree canopy on Fernhill Escarpment;</li> <li>• neighbouring buildings; and</li> <li>• the model of the proposed buildings (LVEA massing).</li> </ul> Please refer to Appendix 6 of this response.

03 September 2020

Mark Thode  
Principal Planner  
Campbell Brown Ltd  
PO Box 147001  
Auckland 1144

Dear Mark

**Private plan change application – proposed “Albany 10 precinct” – additional information request (without prejudice)**

Auckland Council has now completed a review of the further information provided with the assistance of its various experts and requests the following additional information pursuant to clause 23 of the First Schedule to the Resource Management Act 1991 (RMA).

The request has been put together as a compilation of parts, including attaching the requests as received from experts, and therefore some specific requests may appear to be repeated. The information requested is indicated at the numbered points below and is needed for all the reasons set out in clause 23.

The following further information is needed in order to have a clearer understanding under section 23(2) of the RMA.

Precinct Provisions

1. In the request sent on 1 July 2020 request ‘9.’ was as below:

“9. Objective I552.2 (5) refers to ‘Green Star Sustainable Communities’. Can you please clarify if these documents are to be an incorporation of documents by reference in the AUP.”

The response to request ‘9.’ was as follows:

*“This is a rating tool utilised to quantify the ‘sustainability’ of a community (as opposed to a sustainability rating of a building itself). The Albany 10 precinct aspires to ensure that the community itself is a sustainable one, and this can only be quantified through a rating assessment.*

*That assessment is not proposed to be embedded into the precinct provisions themselves through documentation or the like, due to the rating assessment being undertaken by a third party. This is necessary to avoid any complications with plan administration should rating tools or methodology change. As such, reference to ‘sustainable communities’ is given in the precinct objectives and policies themselves, and within the assessment criteria for development. This is considered appropriate in order to provide flexibility of assessment through future resource consenting processes.*

*We anticipate that as part of any resource consent (where appropriate) evidence of the community rating would need to be provided at an appropriate time.* [emphasis added].

The two emphasised points above appear to contradict each other. As the 'Green Star Sustainable Communities rating tool' is specifically referenced throughout the provisions and used in assessment criteria '1552.8.2.(1)(b)(ii)' we would consider Part 3 of Schedule 1 of the RMA to be applicable. To fulfil requirements of s.34 of Schedule 1 of the RMA, can we please obtain the proposed material to be incorporated by reference.

### Engineering aspects

#### *Stormwater – Healthy Waters team*

2. Attached is the 'response table' provided by yourself with an additional column containing additional information required. This document is dated 31 August 2020 (Attachment 1) from Irish Jayawardena of the Healthy Waters Department of Auckland Council. Please provide a response to the matters raised in this column.
3. In the further information request from 1 July 2020 Nicole Li of Regulatory Services of Auckland Council requested three documents. Although not considered a request formally under Clause 23, can we please obtain the following reports for our records:
  - *Ground & Settlement Analysis, Retirement Village Dewatering – Williamson Water and Land Advisory (WWLA) reference WWA0106, Rev 1 dated 14 August 2019;*
  - *Proposed Albany Estates Apartment Buildings, 473 Albany Highway, Albany Retaining Wall Deflection and Settlement Analysis for Resource Consents – Initial reference P-000625 dated 14 June 2019.*

It is acknowledged that the third report "*Stability assessment outputs discussed in the CMW geotechnical report (dated 29 January 2020)*" has been incorporated into the geotechnical report.

### Cultural values assessment

4. 'Clause 23 response cover letter' indicates that you are actively following up with Ngāi Tai ki Tāmaki to obtain a Cultural Values Assessment. Can you please confirm Ngāi Tai ki Tāmaki intend to prepare a CVA.

### Transport report

Stantec New Zealand has addressed the transport/traffic issues on behalf of council dated 30 June 2020. Below is a list of queries for additional information to process the plan change request, the 'item number' below is relating to Stantec's original queries.

5. Item 4: Journey to work mode share has been assessed using Census data. However no information or assessment of heavy vehicles volumes/proportions has been provided. Within the SIDRA analysis, a blanket 5% heavy vehicles was used for both traffic generated by the development and non-development traffic on the road, and no justification provided. This may affect the traffic modelling results.

Further request: Please provide information to justify the heavy vehicle volumes/proportions adopted for the assessment, considering both the volume/proportion expected to be generated by the development and that of non-development traffic on the road. If this results in any changes to the heavy vehicle volumes/proportions currently used in the assessment, please update the traffic modelling and mitigation if required.

6. Item 6: Although a sensitivity test was provided, there is minimal difference between this (55%/45%) and the original assumption (50%/50%) and this may not be reflective of potential operating conditions at the intersections. At the meeting, Commute stated they would test a 60%/40% distribution scenario.

Further request: Please provide a sensitivity test using a 60% southern intersection / 40% northern intersection split and re-assess the effects and mitigation if required.

7. Item 9: During the meeting, Commute advised that a SIDRA network model had been used, using existing cycle times at the intersections. The SIDRA files provided are for individual intersections, and only platooning effects have been adopted to take into effect upstream intersections and SIDRA optimised cycle times have been adopted. Platooning effects in SIDRA only influence the arrival pattern at an upstream intersection and not the departure pattern. The departure pattern influences how vehicles dissipate at the downstream intersection, which may affect queuing.

Further request: Please reassess the intersections as a network model within SIDRA and use existing cycle times or provide justification of cycle time optimisation and how it fits into ATOC's coordination strategy for the Albany Highway corridor (if this can be determined through consultation with ATOC). Please provide the updated SIDRA network files for verification purposes. Please revise the response to Item 10 based on the reassessment of the intersections.

Please contact Todd Elder on 021 870 282 if you have any questions or wish to clarify any of the above.

Yours sincerely



Warren Maclennan

Manager Planning – North West and Islands  
Plans and Places Department



## BEI Group | 473 Albany Highway Private Plan Change Request

Council's further information requests under the Resource Management Act 1991

17 August 2020

Council Request	Team Comments / Response	HW Comments
<b>Section One: Healthy Waters CCO - 5/6/2020</b>		
<p>1. Further clarification of the proposed hydrology mitigation within the precinct is required. Section 5 of the SMP discusses hydrology mitigation requirements of the precinct and recommend SMAF like provisions without detention component. However, Page #14 Point 4 states to provide detention as per SMAF 2 requirements. Please demonstrate in the SMP how these provisions and benefits will be realised from the proposed development.</p> <p><i>The information provided in the proposed stormwater management section of the SMP and Infrastructure report discusses full retention and detention components.</i></p>	<p>The SMP has been updated to reflect that both retention and detention will be provided. A stormwater management strategy has been given in Section 7. By providing hydrology mitigation as outlined in the SMP, the proposed development meets the requirements as prescribed by the NDC.</p>	<ul style="list-style-type: none"> <li>Section 7.2.1.4 proposed to provide 10-yr detention for roof water. We support the maximise of water re-use via rain tanks, however, 10-year detention is not required as there are no known flooding issues downstream and being close to the estuary/Upper Waitemata Harbour.</li> </ul>
<p>2. Table 2 of the SMP indicates infiltration test results. It is noted in areas near HA02, HA03, HA04 and HA06 infiltration rates exceed 2mm/hr. Therefore on-site retention is required. But no assessment or any discussion provided in the SMP on why on-site retention is not provided where infiltration rates exceed 2mm/hr. Please confirm.</p> <p><i>Stormwater management for roof runoff via rain tanks is acceptable in areas where infiltration rates are less than 2mm/hour.</i></p>	<p>The SMP has been updated to reflect this. We note that infiltration designs will need to consider where the proposed roading and building infrastructure will be located i.e. not all areas where rates were over 2mm/hr would be necessarily suitable for use depending on the layout and geotechnical considerations. Designs and locations will be provided at consenting stages where the additional testing is likely to be carried out and devices sized accordingly.</p>	<ul style="list-style-type: none"> <li>The Raingarden calculations have assumed 2mm/hour for all, even in locations where infiltration rates are less than 2mm/hour, which is not acceptable. Please clarify. For example, the public RG for catchment 02 is near location HA05 borehole with infiltration rate at 1.14m/hour.</li> <li>The method of detention for compensating retention need to be clarified. Note that RGs are not suitable detention devices, so offsetting retention with detention within private devices is a possible solution.</li> <li>FIG 11 to include a decision box for "Infiltration Rates" &gt; 2mm/hr and branch out accordingly.</li> </ul>
<p>3. In Section 5 of the SMP, please provide a Table outlining areas, options analysis, and different performance standards being proposed for the different impervious coverage types within the precinct (i.e. Roof, paved areas, traffic areas and roads etc.)</p> <p><i>In relation to stormwater quality: the approach to SW management should reflect the receiving environment, and it's sensitivity to changes in imperviousness and contaminants. The receiving environment, in this case, is defined in the AUP maps as a Sensitive Marine Environment 2 (SEA-M2- 57b) and the approach should reflect the sensitivity/importance of this overlay and the fact it is a low energy environment that will be vulnerable to sediments and contaminants settling out onto the seabed.</i></p>	<p>Section 5 has been changed to Section 7. Table 3 in the SMP covers the various options and how/where they would be applicable. Bioretention devices have been proposed to meet the requirements for the sensitive receiving environment. The proposed devices are expected to meet performance standards as they are to be designed based on accepted guidelines. The development provides an improvement in an otherwise non controlled/mitigated area.</p>	<ul style="list-style-type: none"> <li>Instead of providing general comments for Table 3, please provide specific comments for the proposed devices and the catchments served by them based on the proposed development layout and the treatment train approach</li> </ul>
<p>4. Giving regards to the different impervious surface areas, stormwater outlets to stream network, please provide details in the SMP on how the performance of each standard intends to achieve the stormwater quality treatment and its appropriateness for the development (at individual land use and/or subdivision stages as solutions) set by the direction of the AUP on the receiving environment.</p>	<p>Table 3 in the SMP covers the various options and how/where they would be applicable. The layout is noted to be conceptual and the proposed mitigation measures are flexible to allow them to be applied accordingly depending on the final subdivision/land-use designs/layouts.</p>	
<p>5. Figure 9 of the SMP (Figure 6 of the Infrastructure Report) provides permeable paving on lots. There is a lack of information and clarity around flexibility and what if permeable paving cannot be used or not supported by future development for residential hardstand and private roads. Please discuss what alternative options are explored to enable flexibility of choice to suit circumstances and to provide the Best Practicable Options (BPO) for development</p>	<p>Figure 11/9 has been updated and, together with the information contained in table 3, demonstrates that there is flexibility on the applicability of permeable paving (and infiltration in general).</p>	

<p>6. The precinct proposes three different Height Management Areas and Table I552.6.4.1 seeks separate impervious coverage across the PPC. In the SMP, it is recommended to require future Lot development to achieve SMAF 2 similar hydrology mitigation. Still, it is not clear how this mechanism will be ascertained in the future development and subdivision stages across the PPC. Further clarifications are required around how the stormwater management will be achieved in the precinct to adhere to the SMAF 2 similar approaches as recommended by the SMP.</p> <p>Further information also required to demonstrate how the ongoing ownership, operation and maintenance of individual lot hydrology mitigation will be achieved within the precinct.</p> <p><i>The proposed precinct rules/standards need to provide a framework for ensuring ongoing individual Lot hydrology mitigation requirements. The precinct plan should include a further mechanism to ensure hydrology mitigation devices are operative and maintained in perpetuity as a consequence of development.</i></p>	<p>SMAF 2 like hydrology mitigation will be achieved via a BPO approach. The report outlines how these measures will be applied depending on their suitability for the various types of contributing catchments/surface.</p> <p>The respective land use and subdivision standards refer to the requirements of the SMP. This is an appropriate approach as the site is not identified as being within a SMAF overlay under the Operative AUP. As Council is aware, the SMP is a requirement of the Global NDC and therefore stormwater discharge from any future development sites must accord with the NDC requirements - regardless of whether treatment devices are public or private.</p> <p>Management and maintenance of private devices is a detailed design matter which would be dealt with through the resource consent process. Management of private devices is typically the responsibility of the landowner and, where held in common ownership, a body corporate or similar legal entity. As all development within the precinct would require consent, this can be dealt with at future consenting stages.</p>	
<p>7. In the SMP, Section 5.1, the last paragraph on page 15 states five public communal Raingardens and three private Raingardens to be provided. The plan P19-236-00-1360-SK shows seven Raingardens in total and One wetland (A).</p> <p>a. Please confirm in the SMP, including in plans which of these devices are public or private. And any discussion with regards to operations and maintenance of these assets</p> <p><i>Advice note: It is recommended to explore possible options within the precinct to reduce the number of public rain gardens by combining some of them</i></p> <p><i>Stormwater management for the runoff from proposed roads and JOALs via communal rain gardens is acceptable, but consultations with Auckland Transport and AC Community Facilities need to be carried out prior to adopting the SMP under NDC.</i></p>	<p>Section 5 has been changed to Section 7 and the number of rain gardens (private and public) has been confirmed and Plan P19-236-00-1360-SK updated. Table 3 covers who will be responsible for the maintenance based on ownership of respective assets.</p> <p>Consultation with Auckland Transport is ongoing and feedback shall be forwarded to Healthy Waters.</p>	<ul style="list-style-type: none"> <li>Section 7.1.1 states 4 private, 3 public raingardens and 1 public wetland but drawing P19-236-00-1360-Sk shows 2 public rain gardens, 1 public wetland, 5 private rain gardens and another 4 private rain gardens or tree pits. The information is inconsistent, please clarify.</li> <li>Please provide a <u>summary table</u> in the SMP for the devices giving the catchment names, areas, retention/detention volumes and the proposed ownership status to avoid confusion as stated above.</li> <li>Please amend drawing P19-236-00-1362-SK to relate to the summery table requested above.</li> </ul>
<p>8. The precinct plan 1, including submitted plan P19-236-00-1361-SK of the SMP, presents a proposed wetland A. However, no reference or description in the SMP of what is being treated, why it requires, the purpose, objective and or design. For clarity, please provide further information in the SMP about the proposed Wetland A.</p> <p><i>There is a lack of description in the SMP as to how the elements of integrated stormwater management are connected and work together</i></p>	<p>Section 7.1 in the SMP provides a preliminary discussion of the wetland with Table 3 providing information on its suitability. We note that this layout is conceptual and some of the devices may be moved around to achieve maximum treatment efficiency i.e. treatment train approach to be applied where appropriate.</p>	<ul style="list-style-type: none"> <li>Table 3 states that the wetland will be vested to Auckland Transport. Does the means wetland receive and treat only road run-offs?</li> <li>Please provide further clarification on: <ul style="list-style-type: none"> <li>the ownership of this wetland, its purpose and the performance.</li> <li>who owns the land within which green pathway and the wetland is to be located?</li> <li>Confirmation from AT being agreeing to own the wetland.</li> </ul> </li> </ul>
<p>9. In the SMP, Section 6.1, Page 16, mentioned that there are four outlets to Oteha Stream, and these will be bubble up chambers. It is assumed there are four new outlets. Drawing number P19-236-00- 1361-SK shows three existing watercourses/outfall and only two new outfalls – one for the wetland and the other at the northern end of Road 1b. Where is the other two proposed bubble up outlets? Please confirm in the SMP</p>	<p>P19-236-00-1361-SK has been updated to show the correct number of outlets. Designs will be provided at consenting stage.</p> <p>Two new outlets will discharge to Oteha Stream and four other outlets will discharge to the various internal watercourses as shown on the plan.</p>	<ul style="list-style-type: none"> <li>The response indicates 2 new outlets plus other 4 outlets in which equals to 6 outlets in total to be provided. However, submitted drawing only shows 5 outlets. Please clarify and provide consistent information.</li> </ul>
<p>10. Use of 1.2 x 0.5m concrete channel for diversion of overland flow paths are not an acceptable approach. Please explore alternative approaches using GDO1/GD04 water sensitive designs principles.</p> <p>a. Please provide the number of OLF discharge points to the Oteha Creek? Provide these proposed outfall locations on a map. At OLFP outfalls, it is recommended flows to be spread as wide as possible to avoid concentrated flows.</p>	<p>The channel discussed in the report is not concrete however it will be lined (material to be determined but likely to be grassed) given the steepness of the slope to avoid scouring.</p> <p>There will be four overland flow paths into Oteha Stream and, where concentrated flows are to be discharged, appropriate energy dissipation devices will be provided</p>	<ul style="list-style-type: none"> <li>Suitable plant species to be used for planting of proposed swale. Grass on steep banks (1:1) is not recommended as this will not be mowable.</li> <li>It is noted that channel discharges to Road 4 before discharging into existing Watercourse A. AT's approval will be required.</li> <li>Discharge from channel to road will be concentrated when transitioning from channel flow to road berm. This could be a potential hazard to pedestrian and could result in scour of road berm. How is this mitigated? Please clarify.</li> <li>Please confirm Is the channel private or public?</li> </ul>



	and designed in accordance with TR2013/018 (see plans P19-236-00-1360-SK and P19-236-00-1361-SK).	<ul style="list-style-type: none"> <li>In Section 8, page 28, OLFP 3 and 4 are grass channel, Section 9, page 37 states that OLFP 5 will be lined. Is this correct?</li> </ul>
<p>11. This section should allow for the presentation of how the proposed stormwater management will provide an integrated stormwater approach and how all the elements discussed will work together at the future subdivision and development stages.</p> <p><i>Needs to confirm how the different stormwater elements will work together.</i></p>	The conclusion section of the report has been updated to address this request.	<ul style="list-style-type: none"> <li>This sentence in the conclusion section appears to be incomplete: <i>“Provide retention as per SMAF 2 requirements with an allowance for the volume to be contained and released over 24 hours if retention/reuse is not feasible. Infiltration to be used where adequate”</i></li> </ul>
<p>12. There appears to be no stakeholder engagement carried out to facilitate the proposed stormwater management. Please provide confirmation.</p> <p><i>For example, consultation with AT and mana whenua is also required prior to HW adopting any SMP into the NDC.</i></p>	Various Hui have been held with local iwi and CVAs received. Discussions have also been held with Healthy Waters on the draft SMP prior to lodgement of the PPC, and a meeting was held with Auckland Transport to discuss the further information request on 28 July 2020. No issues were raised by Auckland Transport in regards to the SMP.	
<b>Other comments</b>		Appendix F: Brownfield Practice Note – where is this sourced from? This has “DRAFT” watermark and notes inserted and highlighted.



To:	Liam Burkhardt		
From:	Martin Peake		
Project:	<b>Private Plan Change - 473 Albany Highway</b>	<b>Project No.</b>	<b>P20003</b>
Subject:	<b>Review of ITA</b>		
Date:	26 August 2020		

## 1. Introduction

A Private Plan Change has been submitted to re-zone land at 473 Albany highway from Residential – Mixed Housing Suburban to Residential – Terraced Housing and Apartment Building Zones. This Technical Note reviews an updated Integrated Transport Assessment that has been submitted in light of Clause 23 comments. The attached tables replicate the Clause 23 comments, the applicant’s response and the assessment made from this review of the updated documentation.

In addition, the following sections outline key issues that have been identified within the ITA.

## 2. Review Comments

The comments in the following sections are based on the review of the most recent ITA dated 6 August 2020. Summary recommendations are highlighted in ***bold and italic*** at the end of each section.

### 2.1 Public Transport

Section 10.4 of the AEE states that there are frequency bus services along Albany Highway every 15 minutes. However, this is only at peak times and in the peak direction of travel. The bus service is also scheduled to take 20 minutes from the stops adjacent to the precinct to Albany Bus Station as the bus service (Route 917) is not direct as it serves Albany Village and Massey University campus before travelling onto the Albany Bus Station. Given that Albany Bus Station is just 2km away (in a straight line), this is unlikely to be an attractive service for commuters wanting to interchange at the Albany Bus Station. The proposed shuttle bus would provide a direct service and would address this deficiency. No detail is given as to how the shuttle bus would work, e.g. frequency, size of vehicle etc. whilst, this level of detail would be best left to resource consent stage the precinct provisions should ensure that this is appropriately evaluated.

The internal road network is proposed to be designed for refuse vehicles trucks, but depending on the type of shuttle bus, the internal roads would need to be designed for an appropriate shuttle bus.

The development primarily relies on the existing signalised intersections to enable pedestrians to cross Albany Highway to reach the bus stops. A pedestrian additional access is proposed mid-way between the two intersections and this connects to the proposed the north-south shared path on the eastern boundary of the site. This facility is likely to focus pedestrians (and cyclists) to the refuge island on Albany Highway. Pedestrians crossing Albany Highway would be required to do so across four lanes, two lanes at a time. The traffic modelling shows queues that extend past the refuge

island which would pose a hazard for pedestrians as these queues may restrict visibility to a vehicle in the adjacent T2 lane travelling at speed compared to the queued lane. As it is intended that the development would encourage active modes and public transport, this would increase crossing demand at this location and consideration should be given to providing a more appropriate crossing facility on Albany Highway, such as a signalised crossing. If this were to be provided, consideration as to how this would operate with the up and downstream intersections would need to be considered.

***Assessment criteria or standards should be provided to ensure that the proposed shuttle bus service is appropriate for its intended purpose, and to enable it to be reviewed at future development stages.***

***The internal road network would need to be designed for an appropriate shuttle bus.***

***Consideration should be given to providing additional pedestrian crossing facilities on Albany Highway to enhance access to the bus stops in the vicinity of the site.***

## 2.2 Cycling and Walking

The ITA in section 7.3.2 states that the existing pedestrian connections are sufficient to provide safe and efficient movement between the site and Albany Bus Station but that there are deficiencies in the cycle network.

Examination of the potential pedestrian routes (based on a review of Streetview as lockdown has prevented a site visit), indicates that there are also deficiencies in the pedestrian network that are likely to be a deterrent for some pedestrians. For instance, at the Albany Highway / Oteha Valley Road intersection, pedestrians are required to cross two slip lanes uncontrolled and with no or substandard pram crossings. The intersection at Albany Expressway / Vineyard Road / Coliseum Drive intersection has similar deficiencies and the route from this intersection to Albany centre requires pedestrians to cross many vehicle accesses into car parks.

***Consideration should be given to addressing the deficiencies in the walking network earlier in the development of the precinct to provide a more viable and attractive alternative to private vehicle use.***

## 2.3 Site access

The proposals include a left-in left-out intersection at the northern end of the site. Whilst a plan of the intersection has been provided in the ITA no assessment or justification for the provision of this access is provided within the ITA. The modelling undertaken demonstrates that the development does not rely on this access.

***The northern left-in, left-out access should either be removed or clear justification for its provision should be provided.***

## 2.4 Traffic Modelling

The traffic modelling methodology is considered appropriate (subject to the comments below) and has adopted a conservative approach to assess the point at which the intersection 'fails'. The key

assessment factor used is the queue length on Albany Highway and how this may potentially interfere with the upstream intersection. The analysis shows that the Bass Road intersection is most critical in the AM peak.

Calibration of the SIDRA models has not been demonstrated, e.g. against queue lengths. The modelling has relied on the use of measured cycle times and the model itself to optimise timings.

It is not clear whether the existing T2 lanes on Albany Highway have been included in the models. Figure 15 shows as a schematic layout of the Wharf Road intersection which has been extracted from SIDRA. This schematic does not show the T2 lanes. Omission of these lanes is likely to favourably affect the capacity and operation of the intersections and could under report the queue lengths in the general traffic lanes.

Due to the close proximity of the two intersections, ideally the intersections should be modelled as a network. However, it is noted from the modelling results that the intersections generally operate satisfactorily with queues not extending back to the upstream intersection.

Section 5.5. of the ITA details a sensitivity test to examine the effects of traffic using one intersection in preference to the other. The assessment loads 55% of the development traffic onto the most critical intersection (Bass Road). This assessment indicates that a slightly reduced volume of development traffic (550 vph) can be accommodated. This has been used to identify the threshold levels for mitigation improvements.

Intersection improvements are proposed to enable higher development traffic volumes. These improvements consist of an additional turning lane on the roads exiting the precinct. Whilst these would improve traffic capacity, they would have an impact on pedestrians and cyclists due to longer crossing distances over these side roads. Any changes would need to be designed to minimise the impact on the length of the crossings.

***It should be confirmed that the T2 lanes on Albany Highway have been included in the models. If these have not been included, the modelling should be revised to include the lanes and the assessment revised accordingly.***

## 2.5 Parking

Section 8.5 (Page 52) of the AEE states that it is not proposed to amend the parking minimums or maximums for the THAB Zone. However, the ITA states that the parking maximums will be provided for various activities and these have been incorporated into the precinct provisions as Standard I552.6.12. The use of parking maximums for development activities is considered appropriate.

Section 6.2 of the ITA discusses on-street parking and that the number of car parks at a rate of 1 to 5 dwellings would be provided. Should the development provide the indicated upper limit of 1,800 dwellings, this would equate to 360 on-street spaces. This significant number of car parks may undermine the proposed car parking maximums, providing alternative additional car parks for the residents. The ITA notes that these would be provided in indented spaces. It is acknowledged that there may be physical limits to provide such a number due to the available length of roads. On-street car parking may have an impact on the safe movement of cyclists using the roads.

***Precinct objectives and/or policies should be included to guide users of the plan in limiting the potential for over provision of on-street parking.***

## 2.6 Infrastructure Improvement Thresholds

Section 8.4 of the ITA details proposed infrastructure improvement thresholds. The approach is supported however, the measures may not address the transport effects should there be significantly more than 930 dwellings or encourage use of alternative modes to the private vehicle if infrastructure is not provided in a time fashion. Special Information requirements do require a new or updated ITA when a threshold is likely to be triggered which could provide the mechanism for identifying and implementing further transport mitigation measures.

***Additional transport mitigation measures and/or reordering of the proposed infrastructure should be considered to encourage active modes earlier in the development to reduce private vehicle use.***

Comments on the thresholds are made in the right hand column of the table below replicated from the Precinct Provisions.

Dwelling Threshold	Transport Infrastructure required in order to exceed the dwelling threshold	Comments
Initial development	Level where a private shuttle bus between the site and Albany Station is provided for residents to encourage behaviour change away from private vehicle and towards public transport.	Measure supported.
460-770	Review of transportation mode share is required through a transport assessment as part of any resource consent application (for all such applications involving dwellings between 460 and 770 dwellings).	<p>Agree that a transport assessment should be prepared to determine the specific effects of the development at that time.</p> <p>It is unclear what would be the outcomes of the transportation mode share review. For instance, if it shows the existing development has a high private vehicle use, what actions would be undertaken to encourage alternatives to private vehicle use, or would other transport improvements be required? The measures for the trigger for 930 dwellings may be applicable at this stage.</p>
770	<p>Upgrades to the two primary intersections servicing the precinct at Wharf Road and Bass Road:</p> <ul style="list-style-type: none"> <li>• Addition of separate left and right turn lanes (60m queuing length) on the site approach (currently known as Eastbourne Road) to the Albany Highway / Wharf Road signalised intersection.</li> </ul>	Agree with the proposed measures based on the ITA.

	<ul style="list-style-type: none"> <li>• Addition of separate left and right turn lanes (60m queuing length) on the site approach (currently known as Oakland Road) to the Albany Highway / Bass Road signalised intersection.</li> </ul>	
<p>930 (or 770 dwelling without intersection upgrade)</p>	<p>Completion of the two cycleway projects identified in the Upper Harbour Greenways Plan (September 2019) being:</p> <ul style="list-style-type: none"> <li>– Oteha Valley Road Express Network between Albany Expressway and Mills Lane; and</li> <li>– Vineyard Road, Coliseum Drive, Don McKinnon Drive local network – street.</li> </ul> <ul style="list-style-type: none"> <li>• Improvement of public transport provision (e.g. increased frequency of public transport, modification of existing routes.).</li> </ul>	<p>To embed cycling and walking as part of the culture of the development, it is suggested that these measures should be adopted earlier within the development of the site.</p> <p>The ITA has assessed 930 dwellings as 600vph which is when the intersections reach their operating capacity. Therefore, depending on the number of dwellings over 930, the local network may not be able to satisfactorily accommodate the additional traffic. The implementation of the proposed measures are unlikely to address the effects on the immediate intersections.</p>

### 3. Review of Clause 23 Responses

The tables in Attachment 1 provide comments on the transport related Clause 23 requests and applicant’s responses. The tables have been replicated from the Clause 23 response.

### 4. Summary

There are a number of items in the ITA that require clarification with regards to the traffic modelling and access arrangement for the site.

The proposed infrastructure improvements and mitigation measures are generally supported, but the sequencing of these with the thresholds may not achieve the outcomes sought to encourage active modes and reduce private car use. It is considered that the order of proposed improvements / mitigation measures should be reviewed to establish a culture of public transport and active mode use from the outset of the development of the precinct. Adjustment to the precinct provisions are likely to be required to assist in this regard and to address issues raised.





The following tables provide commentary on the Clause 23 response. Text in bold in the right hand column indicates where further information or assessment is required, or where precinct provisions are required or need to be updated. The three tables include the comments on the ITA provided by Stantec, AT’s preliminary comments on the ITA and AT’s comments on the precinct provisions.

	Stantec Comments on ITA	Clause Response	Review of Response 26/08/2020
1	Please update the five-year road safety assessment in Section 2.5 of the ITA to include the northern site frontage of Albany Highway from Wharf Road to a point at least 50m beyond the northern road connection proposed.	Section 2.5 of the ITA has been updated to incorporate this request, a total of 8 crashes were identified.	There is no specific crash pattern along this section of Albany Highway.
2	Please elaborate on the injury crash involving a pedestrian. Does this indicate a safety issue with any of the existing pedestrian provisions (or lack of) in the vicinity that may be exacerbated by the higher pedestrian demand anticipated by the development, that would be facilitated through the PPC? If so, please provide an assessment of mitigation measures identified and recommended by Bei Group	Section 2.5 of the ITA has been updated to incorporate this request. The pedestrian crash involved a vehicle reversing out of a driveway and failing to see a pedestrian. The site will not provide any direct property accesses to Albany Highway. As such, and given the good safety record detailed above, development in accordance with the proposed precinct provisions is not expected to significantly affect the operation and safety of the nearby intersections.	Agree, that the pedestrian related crash is not relevant to the proposals, although it highlights that vehicle access on Albany Highway should be restricted to the intersections only.
3	Figure 11 in Section 3.2 of the ITA shows two additional pedestrian/cycle connections across the Days Bridge Esplanade Reserve. However, Appendix B, Precinct Plan 2, Albany Movement Network shows only one connection. The ITA also refers to Precinct Plan 3, not 2. Please clarify which plan is correct and update the documentation accordingly. If only one connection is included or proposed, please explain the implications of proposing a single connection on the suitability and amenity of the proposed pedestrian connections in serving the needs of future residents and visitors to the area.	Precinct Plan 2 is correct with one connection across the Days Bridge Reserve. The ITA has been updated to reflect this. It is understood that additional connections are not proposed as a result of feedback from Mana Whenua and a desire to avoid potential effects on the Oteha Stream through additional crossings. The precinct will still have connections to the south and north of the site (and a shared path between them) and therefore will not affect pedestrian connectivity to / from the site. These connections are considered sufficient to service the precinct and provide connectivity to the Fernhill Escarpment.	No comments.
4	Please provide assessment of the predicted transport mode share / volume of trips generated by modes other than private car (active modes, public transport and heavy vehicles) and assess the appropriateness of the proposed facilities to support these modes, and in the case of heavy vehicles, please show how the operational needs of these vehicles and activities have been taken account of in the traffic effects assessment.	The existing mode share statistics from the 2018 Census have been referenced to understand the existing travel to work patterns. The statistics for Albany South are detailed in Section 4.1. As detailed, public bus travel to work is well-utilised within Albany South.	The mode share for Albany South shows that these are generally in line with the Auckland averages. The proposals will need to encourage greater share of active and public transport modes as an alternative to private vehicle use.
5	Section 4.1 of the ITA states that the number of dwellings or scale of retirement village is uncertain at this stage and that trip generation cannot be calculated. The trip generation assessment needs to consider the potential level of development enabled by the PPC, to enable assessment of the traffic effects. While the “thresholds for mitigation” of traffic effects is a generally valid approach, there is still a need for consideration of a particular (even if theoretical) level of development and its generated external effects. Could the applicant please revise the trip generation, traffic effects assessment and mitigation analysis in Section 5 of the ITA accordingly, for the levels of development and associated generated traffic that can be expected under the overall scale of development that the PPC will facilitate.	The scenarios modelled reflect a possible (likely) development scenario, rather than a maximum yield scenario that can be achieved under the proposed zoning. Development will only be required to mitigate transport effects of the development undertaken, rather than a theoretical maximum scenario. Provided an appropriate mechanism is in place to address cumulative effects (discussed in the ITA), we do not consider assessment of a worst case is necessary or required.	The development thresholds provide the mechanism for improvements to the transport network. Further the precinct provisions require new or updated ITAs if a threshold is likely to be reached. This provides a mechanism for the assessment of the effects of the development in a timely fashion and would assist in identifying additional measures to mitigate the effects of the development or to encourage lower private vehicle use.
6	The traffic distribution assumptions in the ITA (Section 4.3.1) assess that the predominant traffic flows will be to and from the north. This conflicts with the 50/50 split of traffic assessed at each of the two signalised intersections to access the site and gives no consideration to the expected location of various activities within the site. Please consider a revised split of traffic at the signalised intersections that considers the likely location of activities within the site and peak directional flows. If the revised assessment demonstrates that these intersections cannot continue to operate safely and efficiently in their currently proposed form, please consider further mitigation measures required to support the level of development enabled by the PPC.	It is considered that vehicles travelling north but originating from the southern section of the site will use the southern intersection to travel north and vice versa. Based on the site layout, the intersections are considered to accommodate approximately 50% each of the development traffic, with the distributions at those intersections predominantly to the north, as was assessed in the ITA. The ITA assessment is therefore considered appropriate. It is further noted that once one intersection becomes more congested than another it is likely that residents will re-route to the other intersection. We have tested a 45%/55% split scenario with 55% of development traffic added to the critical southern intersection (given the possible queue length	The ITA splits traffic evenly between the two intersections, but the actual turning movements are based on the existing proportion of turning traffic.

		effects to the northern intersection) and those findings are detailed in Section 5.5. The sensitivity testing requires the development trip generation to be reduced to 550vph to achieve suitable intersection operation. As detailed previously, the intersections are considered to accommodate approximately 50% each of the development traffic and, once one intersection become more congested than another, it is likely that residents will re-route to the other intersection. As such, the 600vph threshold detailed in Section 5.4 (subject to mitigation) is considered appropriate.	
7	The effect of growth in background traffic, such as typical annual growth or due to known Plan Changes or committed/consented developments, within the vicinity of the PPC area has not been assessed. Please consider a timeframe of development to full build out allowed by the PPC (and consider interim scenarios if required), and assess the associated growth in background traffic along Albany Highway over that time. Please revise the traffic effects and mitigation analysis in Section 5 of the ITA accordingly.	The background growth on Albany Highway has been sourced from the ART model 11.5. Future movements on Albany Highway are of a similar order than those surveyed (existing). As such, no modelling of background growth is considered necessary. It is however noted that the development is in itself a significant portion of the growth that could occur in the area.	The use of the ART model is considered appropriate to determine background growth along the corridor.
8	The effects (vehicular, cyclist and pedestrian) of the left-in left-out intersection proposed towards the north of the site have not been assessed. Please provide an assessment of the safety and efficiency of the intersection, including consideration of the safety and operation of the adjacent T2 lane (and site generated movements across the lane).	A draft concept design of this intersection is detailed in Commute Attachment S1 (generally based on other recently upgraded priority intersections on Albany Highway). Vehicle tracking is shown in S2. As shown, vehicles can safely and efficiently manoeuvre into and out of the site. Traffic modelling of this intersection is not considered necessary given the low volume of traffic expected to use this intersection, as well as the simple left-in, left-out arrangement. The concept design has been included in the ITA.	The ITA has provided a plan with tracking of the intersection. However, no assessment or justification for the provision of the access is included in the ITA.
9	The SIDRA modelling in Section 5 of the ITA focuses on isolated intersections only, but the results of the modelling show that significant queue lengths may result on the northern Albany Highway approach at the Bass Road intersection, exceeding the intervening spacing between the two intersections. As the traffic effects at the assessed intersections will also potentially affect upstream intersections, please provide an assessment which accounts for the potential safety and operational effect on upstream intersections, including those beyond the site frontage of the PPC area if needed, such as network modelling. Please provide the modelling files for verification purposes.	Section 5 of the ITA has been updated. The intersections have been reassessed incorporating platooning effects given the proximity of the signalised intersections and optimising cycle times at intersections. Queue lengths are greatest for the full development (600vph) traffic in the AM peak, however as shown are still less than the intersection separation of 275m. As such, the proposed intersection arrangements are considered appropriate.	The ITA has assessed the intersection in isolation. It has assumed that if a queue extends from one intersection to the other that this is the limit of the operation. Assessing the intersections as a network would provide better understanding of how the queues between the intersections interact.
10	The Sidra results show LOS F on the Albany Highway / Bass Road intersection western approach during the morning peak hour (with a total PPC area trip generation of 600vph), which is not typically acceptable without an associated mitigation strategy. Please provide further commentary on the acceptability of this LOS and provide an appropriate mitigation strategy (if required) in light of the revised assessment requested in points 5-9 above.	Agree, these assessments were undertaken to ascertain at what level the intersections would be near capacity. The proposed mitigation strategy is set out in section 5.4 of the ITA.	Mitigation in the form of additional lanes on the exits from the development are proposed and have been included as part of the transport infrastructure improvements for the development.
11	Please demonstrate how the development (including future developers and landowners) will encourage the use of public transport, cycling and walking from the time of initial occupation. The ITA (Section 8.4) only refers to future trigger levels, however it is important to understand how the applicant will be implementing pedestrian / cycle / public transport provisions from day one. Please provide an assessment of the appropriateness of any such future triggers in terms of easily quantifiable development scales such as dwelling units, rather than trip generation numbers as currently referenced in the ITA.	<p>We agree that active modes travel needs to be encouraged early as the site develops. This will create behaviour change which enables mode share out of private vehicles and into active modes.</p> <p>As such, the dwelling thresholds relating to a private shuttle from the site to Albany Bus Station (to encourage use of public transport) had been introduced from those detailed in Section 8.4 of the ITA, and reflected in the amended precinct provisions. The details of this service will need to be explored however it is generally considered to be a more direct / frequent route from the site to Albany Bus Station and should be in place until the Auckland Transport Bus service is sufficiently improved.</p>	<p>The assessment has identified Development Equivalent Units for different forms of residential development. This would assist in determining the number of dwellings based on the thresholds depending on the type of development that occurs.</p> <p><b>The proposed transport infrastructure includes the introduction of the shuttle bus at the outset of the development. However, improvements for peds and cycles are not proposed until the highest threshold. This would not encourage use of active modes from the outset. When the proposed infrastructure is provided should be re-considered in order to achieve</b></p>

			<b>the outcomes sought for reduced private vehicle use.</b>
12	Please update Section 11 of the ITA to detail the consultation undertaken with Auckland Council and Auckland Transport prior to lodgement of the PPC application.	Section 11 of the ITA has been updated, detailing the meeting held with Council and Auckland Transport and the feedback provided.	The meeting has been referenced but no meeting minutes or feedback from the meeting has been detailed.
13	The PPC is reliant on potential external upgrades such as the Upper Harbour Greenways Plan September 2019 and improvement of public transport provision (provided by AT) (refer to section 7.3 within the ITA). Please provide information on how the development will cater for these modes if these upgrades are not to be implemented or are delayed in implementation. If there is certainty that these upgrades will be implemented, please provide expected timeframes for the upgrades required to support the development enabled by the PPC and how the timing aligns with the development timeframes expected at the site.	<p>Mitigation measures are required as per the thresholds detailed in Section 8 of the ITA. A new threshold has also been introduced and reflected in the amended precinct provisions (refer I552.6.13.1), as discussed in earlier responses including the bringing-forward of the private shuttle to provide surety of service:</p> <ul style="list-style-type: none"> <li>Initial development: Level where a private shuttle bus between the site and Albany Station is provided for residents to encourage behaviour change away from private vehicle and towards public transport. This can be reviewed as development progresses in regards to public transport improvements (i.e. the need for the shuttle bus will likely reduce as public transport improvements are made).</li> </ul>	The Greenways Plan upgrades are included as part of the infrastructure to be provided. However, as noted above, the timing of these upgrades should be reconsidered so that they occur earlier in the development.
14	Please update the Precinct Provisions and Precinct Plans as needed to reflect the revised assessments requested above.	Refer to amended precinct provisions.	Noted.

	AT Preliminary Comment	Clause Response	Review of Response 26/08/2020
1.	The ITA expresses a desire to reduce private vehicle traffic in favour of active modes and public transport. Auckland Transport supports this in principle but has concerns about the transport connectivity of the development. From a public transport perspective, the bus services currently provided by Auckland Transport would provide a limited service to the future residents of the development. Furthermore, the development site is located some distance from key destinations which would discourage walking and cycling in spite of the proposed cycling infrastructure upgrades.	We agree that active modes travel needs to be encouraged early as the site develops. This will create behaviour change which enables mode share out of private vehicles and into active modes.	It is not clear how the propose precinct provisions would achieve this as the triggers in Table I552.6.13.1 do not require any specific mitigation measures to encourage cycling until at least 930 dwellings (or 770 dwelling without any intersection upgrades).  Cycling measures would be required earlier to provide the network to encourage non-car based modes from the outset, or at least once the number of dwellings exceeds 460 (equivalent to the existing number of vehicle trips from the precinct).
2.	If these issues are not adequately addressed in the ITA and reflected in the precinct provisions, they could result in adverse effects on the transport network and the aspirations reflected in some of the precinct objectives and policies would not be met. For instance, future residents may become reliant on private vehicles for travel.	Mitigation measures are required as per the thresholds detailed in Section 8 of the ITA. A new threshold has also been introduced and reflected in the amended precinct provisions (refer I552.6.13.1), as discussed in earlier responses including the bringing-forward of the private shuttle to provide surety of service: <ul style="list-style-type: none"> <li>Initial development: Level where a private shuttle bus between the site and Albany Station is provided for residents to encourage behaviour change away from private vehicle and towards public transport. This can be reviewed as development progresses in regards to public transport improvements (i.e. the need for the shuttle bus will likely reduce as public transport improvements are made)</li> </ul>	The provision of the shuttle bus at the outset will provide better connection to the transport hub at Albany Centre.
3.	<p><b>Public Transport 2.3.2</b></p> <p>The 917 route isn't an all-day 15-minute service. The 15-minute frequency is during the peaks. The route has an AM peak focus towards Massey University and PM peak focus from Massey University. This service is focused around the needs of Massey University as well as providing connection to Albany and the busway station. The ITA should address this. One of the disadvantages of the current service is the time taken to get to Albany Bus Station given the roading layout around Albany.</p>	<p>Agree, the 917 bus route can be modified to better serve the residential development. Private shuttle buses to serve residents between the development and Albany Bus Station are also proposed.</p> <p>Noted. The local bus network should be reinvestigated if the proposed Rosedale Station goes ahead (which is understood to have been submitted as a 'shovel ready' project).</p>	Addressed in ITA
5.	<p><b>Transport Connectivity 3.2</b></p> <p>At the pre-application meeting, it was suggested the northern entrance to the site may be used as pedestrian and cyclist access only. The ITA (and the precinct plan) identify this as a new left in / left out road connection. However, the ITA does not assess the left-in-left-out entrance to show that it can operated both safely and efficiently. The effect of such a connection on the adjacent T2 lane would also need to be considered. It is noted that Auckland Transport has not supported access in this location for previous proposals on this site.</p>	<p>A draft concept design of this intersection is detailed in Commute Attachment S1. Vehicle tracking is shown in S2. As shown, vehicles can safely and efficiently manoeuvre into and out of the site. Traffic modelling of this intersection is not considered necessary given the low volume of traffic expected to use this intersection, as well as the simple left-in, left-out arrangement.</p> <p>The pedestrian/cycle connection is shown on Precinct Plan 2, as explained in the ITA.</p> <p>Connection is not shown on Precinct Plan 1 because it is shown on Precinct</p>	<p>The ITA has been updated to include a plan of the proposed left-in left-out access at the northern end of the site. However, there is no assessment or justification for the need for this access for vehicles. Indeed, the report indicates that there would be low vehicle numbers using the access and the traffic modelling shows that the existing intersections are able to operate satisfactorily with various increases in vehicular trips.</p> <p>The proposed intersection would create additional conflicts between vehicles and pedestrians/cyclists.</p>
6.	Figure 11 shows an additional pedestrian / cycle connection across the Days Bridge Esplanade Reserve which does not appear in Precinct Plan 1 included in the plan change.		

	AT Preliminary Comment	Clause Response	Review of Response 26/08/2020
		Plan 2 specifically in relation to the proposed 'movement network'.	<b>The need for the northern access for vehicles should be justified. The access for just pedestrians and cyclists would be appropriate.</b>
7.	<p><b>Parking 6.0</b> The ITA should address the vehicle parking proposed to be provided in the Central Park green space.</p>	The proposed parking within the site will be detailed in future resource consent stages. Parking provisions / dimensions are not required to be assessed as part of a Plan Change application and are a detailed design matter.	<p>The updated ITA does not address the parking requirements associated with the Central Park green space.</p> <p>The parking strategy proposed is to limit parking to encourage the use of alternative modes by providing maximum parking limits. The availability of excess alternative parking within the precinct may undermine the strategy.</p> <p><b>For instance, the ITA indicates that visitor parking would likely be provided at the rate of 1 space per 5 dwellings on-street. For a development of the proposed upper limit of 1,800 dwellings, this would equate to 360 visitor car parks within the precinct. Whilst the physical constraints of the road network will likely limit the actual number of on-street visitor spaces, the precinct provisions should address this issue.</b></p>
8	<p><b>Internal facilities 7.3.1</b> This section states that any internal collector roads will feature separated cycle facilities. The ITA needs to identify the collector roads.</p>	Collector roads are those to be vested with Council, as shown on Precinct Plan 2. While noted as collector roads in the ITA , in reality these roads will function as local roads. These roads have been shown with 20m road reserve to provide some flexibility in the future with x-section (e.g. wider footpath). Precinct Plan 2 shows an internal shared path network (both north south and also connecting to Albany Highway which has cycle facilities). As such a separated cycle facility on the internal roads is not considered to be required and the ITA has been updated to reflect this.	<p>It is concurred that the proposed road cross-section will provide flexibility to potentially provide cycle facilities on the roads to be vested.</p> <p>Where pedestrian / cycle routes are shown to cross the vested roads, appropriate facilities for pedestrians and cyclists to cross the road should be provided. Whilst this is a detail for a later stage, It is not clear whether crossing facilities should be provided.</p> <p>The north-south cycle facility along side the Days Bridge Esplanade Reserve will not be easily accessible for large parts of the precinct. Therefore, facilities on the road network are likely to be required.</p>
9	<p><b>Suggested measures 8.4</b> This section lists when transport infrastructure upgrades are required and this has been carried through to the precinct provisions. Given that the development proposal seeks to encourage active modes and public transport over the use of private vehicles, it is suggested that these dwelling thresholds for completing cycleway projects and improving public transport be lowered. This would enable residents to take advantage of these improvements from an earlier date. If these travel patterns are not established early, future residents will likely rely on private vehicles. Further, the ITA needs to be more specific about the what would be required to improve public transport provision for future residents.</p>	<p>We agree that active modes travel needs to be encouraged early as the site develops. This will create behaviour change which enables mode share out of private vehicles and into active modes.</p> <p>The proposed upgrades form part of the precinct and are required to be implemented as part of the precinct provisions. The mitigations are required as per the thresholds detailed in Section 8 of the ITA. A new threshold has also been introduced and reflected in the amended precinct provisions:</p> <ul style="list-style-type: none"> <li>Initial development: Level where a private shuttle bus between the site and Albany Station is provided for residents to encourage behaviour change away from private vehicle and towards public transport. This can</li> </ul>	<p>The addition of the requirement for the private shuttle bus at the outset of the development is acknowledged and is appropriate given the existing bus service to Albany Bus Station is not a direct route.</p> <p>However, the other proposed measures do not result in improvements to encourage cycling (and walking) until a significant number of dwellings are provided; the only other requirement is for an assessment of the mode share as part of a transport assessment. This will not necessarily lead to any specific measures to encourage</p>

	AT Preliminary Comment	Clause Response	Review of Response 26/08/2020
		<p>be reviewed as development progresses in regards to public transport improvements (ie the need for the shuttle bus will likely reduce as public transport improvements are made)</p>	<p>active modes.</p> <p><b>Further consideration is required of measures required for active modes; this may include altering the order of the proposed measures such as the improvements listed for 930 dwellings occur earlier.</b></p>
10	<p><b>Implementation Plan 12</b> Table 17 states that public transport improvements will be required as per the triggers in the precinct. It also notes that this will be funded by AT and the developer. Please note that Auckland Transport cannot accept responsibility for any improvements not funded in the RLTP.</p>	<p>The applicant will fund private shuttle buses to / from Albany Bus Station to serve residents. It is also understood that as development intensifies, the RLTP should be updated to reflect this intensification.</p>	<p>The threshold for 930 dwellings includes the following measure:</p> <ul style="list-style-type: none"> <li>• “Improvement of public transport provision (e.g. increased frequency of public transport, modification of existing routes.)”</li> </ul> <p>Whilst bus routes will be reviewed from time to time, there is no certainty that the bus routes will be modified or updated in a time fashion in accordance with this threshold.</p>
11	<p><b>Transport Modelling</b> The LT volume from Albany north in Table 8 looks incorrect (too high). This should be corrected.</p>	<p>Updated. No noticeable changes to the modelling outcomes result from this change.</p>	<p>The traffic volumes in the modelling have been reviewed and appear correct.</p>
12	<p>There are no queue length surveys provided in the ITA. This should be addressed.</p>	<p>The SIDRA models have been calibrated using surveyed traffic volumes and SCATS data for phasing information. The software is therefore considered to suitably reflect the actual operation of the subject intersections. No queue length surveys are required as the model is suitably calibrated.</p>	<p>Calibration of the models has not been demonstrated within the assessment.</p>

	AT Comment on Precinct Provisions	Clause 23 Response	Comments
	<b>Precinct Provisions</b>		
1	<p><b>Objective 14</b></p> <p>Amend as follows:                      “development is integrated with the capacity of the local transport network to ensure <del>traffic</del> <u>travel</u> demand is supported by suitable transportation infrastructure.”</p> <p>This wording recognises that suitable transport infrastructure may provide for walking and cycling rather than traffic.</p> <p>Also what is meant be the “local transport network” – would it be clear to the user of the plan that this includes access in and out of the precinct from Albany Highway.</p>	<p>Precinct provisions amended accordingly.</p> <p>Local Transport Network is intended to comprise the internal (site) transport network and any connections to Albany Highway.</p>	<p>The objective has been amended to refer to the <i>internal</i> road network. The objective should be expanded to include reference to Albany Highway as this is an arterial road and the objective is not clear that this includes the intersections.</p>
2	<p><b>Policy 16</b></p> <p>“where the number of dwellings constructed within the precinct generates sufficient demand, require upgrades to identified signalised intersections and public cycling facilities.”</p> <p>Reword policy – it should not be “Sufficient demand” that triggers the need for these mitigations – particularly the cycling upgrades.</p>	<p>Precinct provisions amended accordingly: ‘appropriate demand’ wording used.</p>	<p>It is assumed that this policy is referring to the Dwelling Thresholds, although it is not clear.</p>
3	<p><b>Policy 17</b></p> <p>Amend as follows:</p> <p>“Ensure new roads are located in accordance with Precinct Plan 2 – Albany movement network to <del>achieve</del> <u>contribute to</u> a highly connected pedestrian, cycle and road network that provides for all modes of transport.”</p> <p>The roads to vest are only part of achieving the desired transport network.</p>	<p>Precinct provisions amended accordingly.</p>	<p>Amended as requested.</p>
4	<p><b>Policy 18</b></p> <p>“Ensure pedestrian and cycle linkages through the site as generally indicated on Precinct Plan 2 – Albany Movement network, to allow for safe and efficient movements within the precinct.</p> <p>Amend to include a reference to the 4 linkages to be provided across the boundaries of the precinct.</p>	<p>Precinct provisions amended accordingly: ‘...within the precinct and across the boundaries of the precinct’ wording used.</p>	<p>Amendment would address concern.</p>
5	<p><b>Policy 19</b></p> <p>“Ensure that care centres and healthcare services are of a size and intensity that supports the local residents within the precinct, without encouraging excessive trip movements from outside the precinct.”</p> <p>Amend to include reference to commercial activities. It is also not clear why “care centres” are mentioned as they are included in the precinct activity table. Also have concern about the term “excessive” – is there a better way of describing this.</p>	<p>In both cases the precinct provisions are amended accordingly:</p> <ul style="list-style-type: none"> <li>• ‘Ensure that commercial activities and healthcare facilities...’</li> <li>• ‘Significant’ instead of excessive.</li> </ul>	<p>Amended as requested.</p>
6	<p><b>Policy</b></p> <p>Add a policy (or amend an existing one) to reference the use of parking maximums to control traffic generation and manage travel demand.</p>	<p>Policy 20 has been amended to reflect this, and its role in mitigating traffic generation:</p> <p><i>Apply parking maximums to activities enabled within the precinct to mitigate the effects of traffic generation, and to ensure that alternative transport modes are a viable alternative to private vehicle use.</i></p>	<p>It is not clear how limiting car parking will make alternative transport modes a viable alternative.</p>
7	<p><b>Table I552.4.1 Activity table (A2)</b></p> <p>Does the exclusion of drive through restaurants in (A2) mean that they are intended to default to (A14) or (A15) - D or RD?</p>	<p>This exclusion was omitted in error from A3 and therefore has now been included. Please note that A15 relates to ‘development’ (i.e.</p>	<p>Drive through facilities excluded.</p>

		construction/buildings etc). Activities not otherwise provided for, such as drive through restaurants, would default to discretionary under C1.7. Drive through restaurants are also not otherwise provided for in the underlying THAB zone.	
8	Healthcare facilities is the defined term in the AUP - rather than healthcare activities. The description should be 'Commercial activities and healthcare facilities'. Amend throughout.	Precinct provisions amended accordingly.	Term updated.
9	<b>Table I552.4.1 Activity table (A5)</b> Support NC status for large format retail, including supermarkets, not otherwise provided for.	Noted.	No comment
10	<b>Table I552.4.1 Activity table (A15)</b> Support D or NC status for direct vehicle access from sites onto Albany Highway. However, this should be separately listed in the activity table - rather than combined with other activities	We consider discretionary activity status to be appropriate. Vehicle access to Albany Highway would not be in accordance with Precinct Plan 2 – Movement Network, which annotates vehicle entry/exit points in respect of Albany Highway, and would therefore default to discretionary activity status under A14, which explicitly includes separate vehicle access to Albany Highway.	Vehicle access restrictions are covered as A14 as a discretionary activity.
11	<b>Table I552.4.1 Activity table (A19)</b> The wording 'but proposes alternative measures to achieve required transport access, capacity and safety' is too subjective for an activity description. This wording is more appropriate for an assessment criteria.	The activity status would capture any alternative measure proposed – the assessment criteria require assessment of what that alternative is and whether it is appropriate. Similar wording is utilised in I610.4.1(A14) provision of Red Hills Precinct (northwest).	The activity would require an assessment to be provided to determine if the activity met the criteria to be a RD activity. Therefore, it is not easily for a user of the plan to determine if the proposed activity would be RD or not.
12	<b>Table I552.4.1 Activity table</b> Commercial and healthcare activities of up to 150m2 which don't comply with I552.6.7(3) - overall 4.000 GFA - should be D, and not default to RD	Precinct provisions amended to remove the 150m <sup>2</sup> reference to clarify the location and 4000m <sup>2</sup> cap applies to all (regardless of individual GFA).	Updated so that all Commercial activities and healthcare facilities that do not meet the overall GFA standard are Discretionary.
13	<b>Table I552.4.1 Activity table</b> Integrated residential developments (retirement villages) need to be listed in the activity table. It is clear from the ITA that they are still envisaged.	Retirement villages and integrated residential development are provided for in the underlying THAB zone, along with a number of other activities which have not been included specifically in the precinct provisions. There is no need to replicate these within the precinct provisions. The AUP is clear under C1.4(1) that any proposal must comply with any “overlay, zone and precinct rules” that apply, unless they have been specifically excluded. An integrated residential development would still require consent for ‘development’ under (A8) of the Albany 10 Precinct.	The Standards and Special Information requirements would still apply to a retirement village therefore supporting transport infrastructure may be required depending on the number of dwellings and this would need to be supported by an ITA if it triggers a threshold.
14	<b>I552.5 Notification (1)</b> Question whether all RDs in the activity table should automatically be considered without notification. Concern is A19.	Noted and agreed – precinct provisions amended to remove A19 from the public notification exemption under I552.5(1).	The exclusion only refers to subdivision and development that does not comply with the transport infrastructure thresholds. However, as changes to the road network would be required, AT would be an affected party and should be notified as part of a resource consent application.
15	<b>I552.6 Standards</b> The second para states 'non-compliance with any standard to be complied with is a restricted discretionary activity under General Rule C1.9'. It needs to be clear that this does not apply where the activity is otherwise identified in the activity table. Also, there are some standards where non-compliance should not default to RD.	C1.9 applies to ‘the infringement of standards’ – it does not apply to <i>activities</i> listed in an activity table. If non-compliance with (for example) the transport infrastructure upgrades standard was triggered, then we agree this is provided for in the activity table with an accordant activity status. Clarification added to the wording under I552.6.	Provisions amended.
16	<b>I552.6.11 Special frontage and height control and Table I552.6.11 Special height and frontage matrix</b> The table includes vehicle access restrictions for Albany Highway, vested road, and the commercial GFA control (which applies along some of the vested road). The Albany Highway vehicle access	We do not agree and note that land use development (such as establishment of roads and access which is not just a subdivision matter) would trigger these particular standards.	The table should be self explanatory. A reference to the table in the activity may be appropriate.



17	restriction is noted in the activity table. The other restrictions could be overlooked. In order to practically implement these restrictions, rear lane access will need to be provided at subdivision - so these requirements should be reflected in the subdivision rules.  The purpose of the vehicle access restrictions is identified in the table, but this also needs to be included in the purpose statement.	Refer amended precinct provisions. Wording updated but disagree the wording needs to be as specific as the table. The purpose is the intended outcome, not the method/standard itself.	The purpose has been amended to refer to 'pedestrian amenity'. This may not be particularly clear with respect to the vehicle access restriction.
18	<b>I552.6.13 Transport infrastructure development thresholds</b> It is not clear how (2) applies - it states that notwithstanding the table above, the dwelling thresholds shall be confirmed as part of any Traffic Impact Assessment or Integrated Transport Assessment required for subdivision and / or development within the precinct.	Noted. This may introduce a qualitative element to implementation of the standard, and therefore has been deleted.	Clause deleted.
19	<b>Table I552.6.13.1 Transport infrastructure development upgrade thresholds</b> Comments on the identified transport infrastructure upgrades have been included in the comments on the ITA.	Noted. Refer earlier responses.	See specific comments on the transport infrastructure thresholds.
20	<b>I552.6.14.1 Subdivision standards for stormwater management</b> It is not clear how the statement 'these devices must be located in general accordance with Precinct Plan 1 - Albany features plan' applies to stormwater raingardens. The only stormwater devices identified on PP1 is a stormwater management wetland.	Raingardens are best located at detailed design stage. However, the wetland is required to be generally located in the identified area. Precinct wording updated to reflect this.	Provisions amended.
21	<b>I552.6.14.2 Subdivision standards for key roading and access</b> These standards apply to subdivision - is there a risk of transport infrastructure not being provided if development occurs without subdivision e.g. an integrated residential development.	We consider this highly unlikely given the nature and scale of intended development within the precinct. These features are nevertheless identified on the precinct plans themselves and, as such, development that does not provide for them would trigger assessment.	For the avoidance of doubt, the inclusion of development within the standard would be prudent.
22	<b>I552.6.14.2 Subdivision standards for key roading and access</b> (2) Amend to clarify the roads being referred to are the vested roads on precinct plan 2 (these would be better described as 'roads to vest')	Noted and amended accordingly.	Provisions amended.
23	<b>Table I552.6.14.2.1 Construction standards for road types within the Albany 10 precinct</b> Change the description - these are not construction standards - rather they specify the width of the road reserve and some of the components.	Noted and amended to 'road typologies'. Acknowledged that 20m could allow for separate cycle way or shared path if needed. To be determined at detailed design stages.	Title amended.
24	A 20m legal road width implies a collector road rather than a local road - depending on the carriageway width. A separated cycle way may be needed to meet AT's Standards (as per the Transport Design Manual).		
25	<b>I552.6.14.2 Subdivision standards for key roading and access</b> (3) More information is needed about the publicly accessible shared cycle / footpath. a. What standard will this be built to? b. What hours will it be publicly accessible, and how can that be assured? c. Is a shared path appropriate in this location - or are separated walking and cycling facilities more appropriate?	a) The cycle path at this stage is not intended to be a vested asset (although the precinct does not preclude this possibility). Shared cycle paths are generally accepted to have a 3m minimum width. ATCOP would likely inform the design but this would be determined at future resource consent stages. b) 'Publicly accessible' would need to be justified at future resource consent stage. The simplest method being an easement for public access. However, it is anticipated this would necessarily mean 24/7 access. c) Separated facilities will reduce available land for development and reduce possible landscaping opportunities. In addition, it is not anticipated (given the location and presence of Albany Highway which also provides for cycling) that the volume of usage would justify a separated and dedicated cycle path.	TDM is the most recent document and AT no longer supports the use of shared paths. If the asset is to be vested it is likely to need to be a separated path.  If the cycle and footpaths are to be an integrated part of the transport network, then ideally these would require 24/7 access.
26	<b>I552.6.14.2 Subdivision standards for key roading and access</b> (4) The northern access point may not be acceptable to AT. It has not been properly addressed in the	Refer to earlier transportation responses and revised ITA.	The ITA does not provide any justification or rationale for the provision of the northern access point for traffic.

	ITA.		
27	<b>I552.6.14.2 Subdivision standards for key roading and access</b> (5) The reference to the private roads and lanes is confusing as these standards don't seem to apply to them in any case (1) to (3) apply to the roads to vest, the pedestrian / cycle connections, and the shared cycle / footpath next to the esplanade reserve.	This is enabling an alternative private lane layout to avoid situations where any deviation from the precinct plan is seen as a non-compliance. (1) applies to all development and this has been clarified with amended wording "All roads, lanes and pedestrian/cycle connections...".	The amendment clarifies the issue.
28	It is also not clear what is meant by the reference to an approved ITA. How does an ITA become approved?	Approved as part of the first development/subdivision (refer special information requirement (1)).	
29	<b>I552.8.1 Matters of discretion (3) vehicle and bicycle parking</b> This activity is not listed in the activity table.	It does not require a specific activity as it is relevant to restricted discretionary activities under C1.9 (non-compliance with a standard). However, these matters and corresponding criteria have been deleted, in light of the approach taken within the precinct and reliance on C1.9.	Deleted from provisions
30	<b>I552.8.1 Matters of discretion (5) Not complying with commercial GFA and location control</b> This activity is not listed in the activity table	As per item #12 above this would be a discretionary activity and is therefore deleted. I552.8.1(2) deals with commercial over 150m <sup>2</sup> .	Deleted from provisions
31	<b>Assessment Criteria</b> <b>I552.8.2(1)(g)</b> (g)(i) Any roads to be vested will need to meet AT standards - any tree planting and footpath paving considered at resource consent stage will need to be consistent with AT standards. The wording in I552.8.2(4)(d)(i) is better.	Agreed and wording amended. Agreed and deleted.	Updated as suggested.  g(ii) deleted
32	(g)(ii) The location of service lines under roads is a matter that should be left to AT standards and not addressed in assessment criteria for a precinct plan.		
33	<b>I552.8.2(2)(a)(i)</b> Reference to adequate car parking being provided to accommodate the additional GFA should be deleted. This is inconsistent with the application of parking maximums in the precinct.	Agreed and wording amended.	Reference to parking deleted.
34	<b>I552.8.2(4)(b)</b> (b)(i) and (ii) - same comments as previous about AT standards for roads to vest.	Agreed and wording amended.	Reference to parking deleted.
35	<b>I552.8.2(6)(c)</b> (c)(i) and (ii) - same comments as previous about AT standards for roads to vest.	Agreed and wording amended.	Reference to parking deleted.
36	<b>I552.9 Special information requirements</b> There should be a requirement for applications for commercial development to be accompanied by an assessment of the current GFA within the precinct	Agreed – have included an additional special information requirement for a GFA assessment.	Assessment included
37	<b>Precinct Plan 1 Albany features plan</b> Commercial frontage shown here doesn't quite match with precinct plan 4	The precinct plan has been updated.	Plan has been updated.
38	<b>Precinct Plan 2 Albany movement network</b> AT has concerns about the northern left in / left out road - the ITA has not properly assessed this.	Please refer to updated ITA regarding northern access. The precinct plans have been updated to 'road to vest'.	ITA does not justify the provision of the vehicle access at the northern end of the site.
39	'Vested roads' should be renamed 'road to vest'.		Plan updated.

## Liam Burkhardt (AT)

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**From:** Jason McGregor <jason@transvalueconsultants.co.nz>  
**Sent:** Thursday, 27 August 2020 17:27  
**To:** Liam Burkhardt (AT)  
**Cc:** Cathy Bebelman (AT)  
**Subject:** RE: Proposed plan change 473 Albany Highway

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Liam

In general the indicative design with a couple of bigger RGs for roads is okay but the SMP includes lots of references to generic options that are unlikely to apply based on the level of investigation/design completed.

AT SW comments for this development are:

- A SMP has been provided but the options assessment doesn't include lifecycle costing.
- AT acknowledges the reference to bioretention devices being for water quality, but the SMP then goes on to propose raingardens as water storage devices, irrespective of site specific infiltration.

As outlined in section 7.1 of the SMP, bioretention devices are generally used for water quality management however it is noted that raingardens and treepits can be designed to allow for retention and detention. Retention may be achieved by allowing percolation into the surrounding ground if the infiltration rates are adequate in line with GD01 guidelines. Where this is not feasible the retention volume may be subsumed into the detention volume and released accordingly. These devices are suitable for both public and private roads as well as carparks.

A public wetland has been proposed for water quality treatment however it does have a retention function. For this SMP it is given that the retention volume will be included in the detention volume. As previously noted, the wetland will be located at the lowest part of the site adjacent to the stream.

For roof runoff, retention and detention will be provided for via reuse tanks.

By providing detention of the 90<sup>th</sup> percentile event as proposed in this SMP via various devices, stream protection benefits are achieved.

The stormwater management strategy includes multiple communal raingardens and a stormwater management wetland located around the site to treat runoff and provide stormwater retention from the roads and proposed carparks.

- AT supports the suggested use of large communal/centralised raingardens (as indicated on Woods drawing 1360-SK rev2) rather than multiple small devices.
- SMP Table 3 'general comments' against bioretention device notes "*Locations of the devices will be determined by the available space...*". AT expectation is that sufficient space will be made available for fewer bigger devices rather than the device selection/design being determined by space constraints designed into the development.

To satisfy requirements of Schedule 4 as part of the proposed stormwater management strategy, four private raingardens and three public raingardens are proposed as shown on the preliminary layout on drawing P19-236-00-1360-SK Rev 2 in Appendix H. Catchment areas to the devices is maximised to reduce maintenance requirements as per discussions with Healthy Waters. Typical raingarden calculations are provided in Appendix E. **Where rain gardens are not suitable given grades and space availability, tree pits will be considered.** In addition to these bioretention devices, a public wetland is proposed. The wetland will provide for water quality treatment and serve a detention function in accordance with SMAF requirements (discussed in section 7.2). It will be sized accordingly and located at the lowest part of the site adjacent to the stream. Where practicable, provision for pre-treatment devices will be made to form a treatment train that achieves an even higher level of treatment.

- SMP Table 3 lists 'permeable paving or pervious concrete' as an options for public areas. AT will not accept this type of 'device' anywhere within the road.
- SMP Table 3 shows 'proprietary devices' as an option for public areas. This type of device is not typically accepted by AT unless it can be demonstrated that there are no others options available. E.g. 7.1.2...

## 7.1.2. Water Quality Management of Impervious Areas

### 7.1.2.1. Public Roads

- Runoff from public roads will be directed to the wetland or rain garden. Where rain gardens are not suitable given grades and space availability, tree pits will be considered.
- Devices are to be located at strategic points across the site to the respective roading catchments.
  - Allow for pre-treatment devices to be incorporated into the design.
- As noted elsewhere by AT, device options should be based on site infiltration rather than simply adding to detention...

## 7.2.1. Hydrology Mitigation of Impervious Areas

### 7.2.1.1. Public Roads

- Runoff from public roads will be either directed to the wetland or rain garden. Where rain gardens are not suitable given grades and space availability, tree pits will be considered. Infiltration is not adequate then the retention volume will be used.
- SMP reference to water quality requirements for high contaminant generating roads with greater than 5,000 vehicle movements per day. Based on the level of design done, the SMP should be able to say if the development roads will trigger this?
- Why is the AC 'Guidance Note: Stormwater Discharge for Brownfield Redevelopment' included as SMP appendix F?

Let me know if you want to discuss this.

The correspondence above is carried out on a **"without prejudice"** basis, and any agreements and/or decisions are subject to formal approval by Auckland Transport.

Regards

## AT comments on Albany precinct provisions v2 dated 21/08/2020

The table below includes comments on the precinct provisions. These are not considered to be matters that would preclude notification.

Provision	Comment
Objective 14	<p>Amend as follows:</p> <p>'Development is integrated with the capacity of the local transport network <del>internal to the precinct</del> to ensure travel demand is supported by suitable transportation infrastructure.'</p> <p>The words 'internal to the precinct' have been added in response to a previous query from AT about the meaning of 'local' transport network. The amendment is not supported, as it does not consider the transport effects external to the precinct including at the intersections providing access to the precinct.</p> <p>This amendment also improves alignment between the objective, and policies 15 and 16.</p>
Objective 15	<p>Amend as follows:</p> <p>'Land use and development within the precinct promotes the safe and efficient operation of the local transport network.'</p> <p>Similar reasons as for objective 14 above.</p>
Policy 10	<p>Query the use of the wording 'generally requiring that all development is consistent with the planned movement network' when the wording used elsewhere in the precinct plan provisions is 'in general accordance with'.</p>
Policy 11	<p>Check the reference to PP2 - Albany movement network. This precinct plan does not identify open spaces. It appears that the reference should be to PP1 Albany features plan, which does show the open space network.</p>
Policy 16	<p>The wording has been changed from 'sufficient demand' to 'appropriate demand' in response to previous AT comments. Sufficient demand may be applicable to the intersection upgrades, but it will be difficult to determine whether there is 'sufficient demand' for the public cycling facilities.</p>
Policy 18	<p>Amend as follows:</p> <p>'Ensure pedestrian and cycle linkages within the precinct and across the boundaries of the precinct as generally indicated on Precinct Plan 2 – Albany movement network, to allow for safe and efficient movements <del>within the precinct.</del>'</p> <p>'Across the boundaries' added in response to previous AT comment. But suggest 'within the precinct' should be deleted at the end of the sentence, or a reference added to the external connections.'</p>
Policy 20	<p>Amend as follows:</p> <p>'Apply parking maximums to activities enabled within the precinct to mitigate the effects of traffic generation, and to <del>ensure that</del> support alternative transport modes <del>are</del> <u>as</u> a viable alternative to private vehicle use.'</p> <p>This is a new policy added in response to previous AT comment. The amendments recommended recognise that parking maximums alone will not ensure that alternative transport modes are a viable alternative to private vehicle use.</p>
Table I552.4.1 Activity table A14	<p>As commented previously, still think that 'vehicle access to Albany Highway' should have its own listing in the activity table. The current wording in A14 is</p>

Provision	Comment
	very confusing.
Table I552.4.1 Activity table A19	As commented previously, still of the view that the wording 'but proposed alternative measures to achieve required transport access, capacity and safety' is too subjective for an activity (even though this activity description appears in the Redhills Precinct).
I552.6.7. Commercial GFA and location control	References to 'commercial and healthcare activities' should be amended to 'commercial <u>activities</u> and healthcare <del>activities</del> <u>facilities</u> ' to match with definitions in the AUP.  This should be checked throughout the precinct provisions as this anomaly occurs in some other places.
Table I552.6.11.1. Special height and frontage matrix	Heading of column 2 - amend 'vested road' to 'road to vest'. This matches with the term used on PP2, and is also standard terminology in the subdivision process. Check this throughout the precinct plan provisions (e.g. it also appears in the heading of Table I552.6.14.2.1 Standards for road typologies within the Albany 10 Precinct).  As with previous comments, remain of the view that where it is intended that vehicle crossings are avoided, this should be assessed at time of subdivision to ensure appropriate alternative access arrangements such as rear lanes.  The link between this standard and the associated PP4 is not always clear. For instance, PP4 identifies only portions of the 'roads to vest' frontage. However it is not apparent from reading the table that only parts of the road frontage are subject to vehicular access restrictions. The table refers to 'Type A Urban Streets', but this term is not used on PP4.
Table I552.12.1. Maximum parking provision	It would be helpful to include the minimum parking ratios in this table also (even if it is to record that none apply) as it confusing having to refer back to E27 to determine minimum rates for the activities listed (as least until the minimum rates are removed in accordance with the NPSUD).
I552.6.13. Transport infrastructure development thresholds  Private shuttle bus	There needs to be an opportunity, possibly through assessment process and associated resource consent conditions, for Council and AT to review the standard of this service - what will the capacity be, will it be sufficiently frequent and reliable during peak periods, will it be attractive, will it be free or low cost.
I552.6.13. Transport infrastructure development thresholds  Dwelling threshold 450-770	The requirement for a review of transport mode share is confusing as it does not require any infrastructure to be provided. It seems more like a special information requirement than a standard. This does link to an assessment criteria at I552.8.2(1)(e)(ii).
I552.6.13. Transport infrastructure development thresholds  930 (or 770 dwellings without intersection upgrade):	It is not clear what the dwelling threshold is, given that there seems to be the option of requiring the cycleway projects and public transport improvement earlier if the intersection upgrades are not provided.  It is also not clear how much public transport is required to improve by. Presumably there would need to be a substantive improvement in frequency, reliability and travel times.
I552.6.14.2 Subdivision standards for key roading and access (5)	Understand that (5) is intended to provide for an alternative private lane layout. AT accepts that the private streets / lanes are indicative on PP2. However still think that the reference to an 'approved ITA' is unclear. ITAs are not usually approved - they are supporting documentation for an application which may be accepted by Council and AT as containing sufficient information. It may be better to refer to alternative lane layouts being accepted and approved as part of a subdivision or resource consent application.
I552.6.14.3 Subdivision	Amend second bullet point to address minor typo / error:

Provision	Comment
standards for open space areas	<ul style="list-style-type: none"> <li>'subdivision and development provide for public access to the Days Bridge Esplanade Reserve, Fernhill Escarpment and public walking networking throughout Albany; and'</li> </ul>
I552.8.1. Matters of discretion (1) New buildings, additions and alterations to existing buildings and accessory buildings	<p>Note that alterations are not explicitly covered in the activity table (anomaly also occurs in related assessment criteria).</p> <p>(1)(vi) Amend as follows:</p> <p><del>traffic plans</del> <u>transport assessments</u> and integrated transport assessments; and'</p> <p>It is not clear what is meant by 'traffic plans' - this is not a commonly used term. Amend other occurrences of this term in the matters of discretion, and assessment criteria.</p>
I552.8.1. Matters of discretion (3) Any subdivision and/or development not otherwise listed in Table I552.4.1 that is generally in accordance with Precinct Plans 1 – 4:	<p>This type of subdivision (not otherwise listed and generally is accordance with PP1-4) is not listed in the activity table (anomaly also occurs in related assessment criteria). Suggest subdivision be deleted from these provisions as this additional listing is not required.</p>
I552.8.1. Matters of discretion (5) Subdivision and development that does not comply with Standard I1552.6.13 Transport infrastructure development thresholds, and/or proposes alternative measures to achieve required transport access, capacity and safety:	<p>Amend 'and / or' to 'but' to match with description in activity table (anomaly also occurs in related assessment criteria)</p>
I552.8.2. Assessment criteria (1)(f)(i)	<p>Some amendments are needed. Concerns are:</p> <ul style="list-style-type: none"> <li>ITAs don't have 'requirements' - they include assessment / analysis leading to conclusions and recommendations</li> <li>the use of the term 'travel plan' is unclear. This usually means a travel demand management plan, and this is usually prepared for a workplace or other institution such as a school.</li> <li>references to existing and new ITA are confusing</li> </ul> <p>Some wording is suggested below to address these concerns:</p> <p><u>'the extent to which proposed developments meet the requirements are consistent with the analysis and recommendations of any existing integrated transport assessment applying to supporting the proposed development and/or precinct provisions; or the extent to which any new integrated transport assessment or other <del>traffic</del> transport assessment lodged with any resource consent application provides appropriate travel plans for transport effects, and transport infrastructure and services that are consistent with the existing Integrated Transport Assessment.'</u></p> <p>The same wording occurs in two other locations.</p>
I552.8.2. Assessment criteria (2)(i)	<p>Third bullet point is not clear. It refers to adverse effects on the 'sustainability of the primary road network; activity and capacity;'. It is not clear what is meant by the 'primary road network' or what 'capacity' is being referred to. Is the primary road network the same as the arterial road network? Is it intended to assess the capacity of the roads, the capacity of the activity, or the capacity of the development?</p> <p>The same wording occurs in two other locations. .</p>

Provision	Comment
I552.8.2. Assessment criteria (3)(b)(ii)	<p>As per previous AT comments, this criterion should be deleted. It address 'the extent to which the design of streets and lanes integrates service lines beneath footpaths or car parking bays'. This will be addressed at the time of subdivision or engineering plan approval by the requirement to comply with AT standards for roads to be vested. It is appropriately covered by the more generic reference to 'infrastructure services' in (b)(i).</p> <p>This criterion also occurs in one other location.</p>
I552.8.2. Assessment criteria (3)(d)(iii)	<p>It is not clear why this criterion only applies between 440 - 770 dwellings. Provision for public transport and alternative transport modes would be relevant at all scales of development.</p> <p>This criterion also occurs in I552.8.2(4)(e)(iii)</p>
I552.9 Special information requirements (1)	<p>Amend for clarity as follows:</p> <p>'the first subdivision resource consent application, or first land use resource consent application for any development where the total number of dwellings either constructed or consented within the precinct exceeds 400 dwellings, <del>are required to produce</del> shall be accompanied by an integrated transport assessment for the precinct.</p>



11 September 2020

Plans and Places - Planning North, West & Islands  
Auckland Council  
Private Bag 92300  
**AUCKLAND 1142**

Attention: Todd Elder

**by email**

Dear Todd

**FURTHER INFORMATION RESPONSE TO ADDITIONAL POINTS OF CLARIFICATION – ALBANY 10 PRECINCT (PRIVATE PLAN CHANGE REQUEST) - 473 ALBANY HIGHWAY**

I refer to your Schedule 1, Clause 23 further information requests outlined in the letter dated 3 September 2020.

These requests have been summarised in the attached 'response table' for ease of reference, with the necessary amendments made to the documentation supporting the Plan Change Request as-required. The table and corresponding documentation addressed items 2-3 and 4-7 of the request.

The attachments to this response are as follows:

- 'Supplementary Requests' Clause 23 response table – 11 September 2020
- Albany 10 Precinct Provisions – Amended v3
- Attachment A to the Integrated Transport Assessment (modelling update)
- Stormwater Management Plan (Revised) version 4.
- Green Star Communities Rating Assessment Tool.
- Geotechnical reports.

Please note that we have been actively following up with Ngāi Tāi Ki Tāmaki to obtain a Cultural Values Assessment. However, at the time of this response an assessment is yet to be provided.

In relation to item 1: *'As the 'Green Star Sustainable Communities rating tool' is specifically referenced throughout the provisions and used in assessment criteria '1552.8.2.(1)(b)(ii)' we would consider Part 3 of Schedule 1 of the RMA to be applicable. To fulfil requirements of s.34 of Schedule 1 of the RMA, can we please obtain the proposed material to be incorporated by reference'.*

This was supplied via email on 3 September 2020 along with the requested geotechnical reports, and are attached again to this response.

In relation to item 4: *“Clause 23 response cover letter’ indicates that you are actively following up with Ngāi Tai ki Tāmaki to obtain a Cultural Values Assessment. Can you please confirm Ngāi Tai ki Tāmaki intend to prepare a CVA”.*

As outlined in the ‘consultation summary’ in the plan change materials, there has been extensive consultation to-date with iwi throughout the development of the Proposed Albany 10 Precinct, and a Cultural Values Assessment has been supplied by Ngāti Manuhiri Settlement Trust.

Iwi were informed on 12 May 2020 of the Private Plan Change request being filed with Auckland Council. We can confirm that Ngāi Tai Ki Tāmaki’s representative advised of the review of the plan change materials and intention to provide a CVA on 2 July 2020. We have been actively following up since that time on 29/7/2020, 7/8/2020, 19/8/2020 and 3/9/2020 along with multiple phone calls with no responses from iwi to our enquiries.

Upon confirmation that Council has no further matters of clarification, we will supply and complete and updated version of the Plan Change request for notification.

Please do not hesitate to get in touch should you wish to discuss any of the responses to the further information request.

Kind regards



**Mark Thode**

**Principal Planner | MplanPrac (hons), MNZPI**

**Campbell Brown Planning Limited**

## BEI Group | 473 Albany Highway Private Plan Change Request

### Council's further information requests under the Resource Management Act 1991

#### Supplementary requests

Council Request	Response
<b>Auckland Transport Comments - Infrastructure</b>	
1. Options provided in the SMP report does not include lifecycle costing	The SMP report is a live document. We are of the view that this information can be provided at resource consent application for any proposed development under the precinct rules once the designer is certain the type of devices that will be utilised.
2. AT acknowledges the reference to bioretention devices being for water quality, but the SMP then goes on to propose raingardens as water storage devices, irrespective of site-specific infiltration.	As per section 7.2 of the SMP site specific infiltration testing will be carried out to confirm if the underlying soil is able to provide the minimum percolation rate of 2mm/hr specified. Where this is not possible the raingardens will be designed to discharge the retention volume to the network over a 24 hour period. The raingardens will have a dual function of providing water quality treatment and hydrology mitigation and shall be designed in accordance with Auckland Councils Guideline Document 2017/001 (GD01) as specified in Table 3 of the SMP.
3. AT supports the suggested use of large communal/centralised raingardens (as indicated on Woods drawing 1360-SK rev2) rather than multiple small devices.	Noted
4. SMP Table 3 'general comments' against bioretention device notes "Locations of the devices will be determined by the available space...". AT expectation is that sufficient space will be made available for fewer bigger devices rather than the device selection/design being determined by space constraints designed into the development	Raingardens will be sized in accordance with Auckland Council's GD01. The raingardens will be located in areas that have sufficient space to accommodate their size in accordance with these designs. We note indicative raingarden locations shown on drawing 1360-SK are located in publicly accessible reserve land, where there is insufficient space in the road reserve. Table 3 of the SMP has been updated to reflect this.
5. SMP Table 3 lists 'permeable paving or pervious concrete' as an option for public areas. AT will not accept. This type of 'device' anywhere within the road.	Noted. Table 3 has been revised to reflect this.
6. SMP Table 3 shows 'proprietary devices' as an option for public areas. This type of device is not typically accepted by AT unless it can be demonstrated that there are no other options available. E.g. 7.1.2	Noted. Table 3 has been revised to reflect this.
7. As noted elsewhere by AT, device options should be based on site infiltration rather than simply adding to detention...	Please note that drawing 1360-SK provided with the SMP shows indicative locations that the bioretention devices can be located. The concept development design that has been provided with the plan change application is an example of the type of development that could occur should the Plan Change and precinct rules be approved. Based on the infiltration testing provided in the SMP some parts of the site have insufficient infiltration to achieve the minimum 2mm/hr required by GD01. As per section 7.2 of the SMP site specific infiltration testing of the raingarden locations must be carried out at developed design stage. We are of the view that runoff collected from the road is not suitable for any type of re-use therefore, where discharge of the retention volume to ground is not achievable, adding this volume to detention to be discharged to the network over a 24 hour period is the only available alternative.
8. SMP reference to water quality requirements for high contaminant generating roads with greater than 5,000 vehicle movements per day. Based on the level of design done, the SMP should be able to say if the development roads will trigger this?	The level of design completed to date is to provide an example of a development that could be undertaken should the plan change be approved. Our approach has been to write the SMP in such a way that it would be suitable for any development independent of what has been designed to date. We are of the view that to confirm the number of vehicle movements per day at this stage would be premature, as any eventual development may have different traffic volumes to those that can be determined from the current concept design.
9. Why is the AC 'Guidance Note: Stormwater Discharge for Brownfield Redevelopment' included as SMP appendix F?	Noted. This has been removed from the SMP.
<b>Healthy Waters Comments</b>	
1 Section 7.2.1.4 proposed to provide 10-yr detention for roof water. We support the maximise of water re-use via rain tanks, however, 10-year detention is not required as there are no known flooding issues downstream and being close to the estuary/Upper Waitemata Harbour.	Section 7.2.1.4 specifies that detention volume shall be provided for the 90th percentile rainfall event in accordance with SMAF 2 requirements. This section only refers to provision of an overflow from the tank discharging to the network for flows that exceed 90th percentile event. This overflow will be sized to cater for flows up to the 10 year storm event.
2 The Raingarden calculations have assumed 2mm/hour for all, even in locations where infiltration rates are less than 2mm/hour, which is not acceptable. Please clarify. For example, the public RG for catchment 02 is near location HA05 borehole with infiltration rate at 1.14m/hour.	The raingarden calculations have been provided as an example to be utilised as such by a designer carrying out a raingarden design for a development should the plan change be approved. Site specific infiltration testing for the raingarden locations should be undertaken at the time of the development design (we expect this would be prior to lodging resource consent). The raingarden locations shown on Woods drawing 1360-SK are indicative only. Once the developed design is carried out the locations of the raingardens may be sufficiently different that infiltration testing should be carried out in accordance with section 7.2 of the SMP.
2 The method of detention for compensating retention need to be clarified. Note that RGs are not suitable detention devices, so offsetting retention with detention within private devices is a possible solution.	According to GD01 Raingardens are able to provide for stormwater detention and retention as well water quality treatment. Your second point on being able to offset retention within the detention volume of private devices is unclear. We are of the view that as raingardens can be designed to provide detention, it

	would be more efficient to offset the retention volume within the detention of the raingardens themselves, rather than increasing the size of private devices elsewhere on site to achieve this aim. Further details will be provided at future consenting stages.
2 FIG 11 to include a decision box for “Infiltration Rates” > 2mm/hr and branch out accordingly.	Permeable paving will only be used where infiltration rates are > 2mm/hr. Otherwise it will not be used. Figure 11 has been updated to reflect this.
3 Instead of providing general comments for Table 3, please provide specific comments for the proposed devices and the catchments served by them based on the proposed development layout and the treatment train approach	The level of design completed to date is to provide an example of a development that could be undertaken should the plan change and precinct rules be approved. Our approach has been to write the SMP in such a way that it would be suitable for any development independent of what has been designed to date. We are of the view that to specify the type and number of devices in the SMP at this stage would be premature, as any eventual development may have different outcomes requiring a different design.
7 <ul style="list-style-type: none"> <li>Section 7.1.1 states 4 private, 3 public raingardens and 1 public wetland but drawing P19-236-00-1360-Sk shows 2 public rain gardens, 1 public wetland, 5 private rain gardens and another 4 private rain gardens or tree pits. The information is inconsistent, please clarify.</li> <li>Please provide a summary table in the SMP for the devices giving the catchment names, areas, retention/detention volumes and the proposed ownership status to avoid confusion as stated above.</li> <li>Please amend drawing P19-236-00-1362-SK to relate to the summary table requested above.</li> </ul>	<ul style="list-style-type: none"> <li>As previously advised the layout shown on drawing 1360-SK is indicative only. Reference to the number of raingardens proposed has been updated in the SMP.</li> <li>The indicative location of the stormwater management devices and exemplar design calculations have not been added to a table in the SMP. The purpose of providing these in the SMP is to provide an example of a design that could be used in a development should the plan change be approved.</li> </ul>
8 <p>Table 3 states that the wetland will be vested to Auckland Transport. Does the means wetland receive and treat only road run-offs?</p> <p>Please provide further clarification on:</p> <ul style="list-style-type: none"> <li>the ownership of this wetland, its purpose, and the performance.</li> <li>who owns the land within which green pathway and the wetland is to be located?</li> <li>Confirmation from AT being agreeing to own the wetland.</li> </ul>	The wetland will treat runoff from the proposed public road network only. The SMP assumes that as this is the case the wetland should be vested to AT, however as the SMP is currently being submitted in support of an application for plan change, our view is that this issue can be further considered at the resource consent stage for any future development. The development design that has been submitted with the plan change application is an example of a development that can be carried out under proposed the precinct rules. The developers is currently proposing that the land where the wetland and green path are located will be privately owned but publicly accessible, however this is subject to change. It is considered at the developers risk, and for further and future discussions, and resource consents, including subdivision, on the final ownership structure.
9 The response indicates 2 new outlets plus other 4 outlets in which equals to 6 outlets in total to be provided. However, submitted drawing only shows 5 outlets. Please clarify and provide consistent information.	Drawing 1360-SK shows 7 outlets.
10 <p>Suitable plant species to be used for planting of proposed swale. Grass on steep banks (1:1) is not recommended as this will not be mowable.</p> <ul style="list-style-type: none"> <li>It is noted that channel discharges to Road 4 before discharging into existing Watercourse A. AT’s approval will be required.</li> <li>Discharge from channel to road will be concentrated when transitioning from channel flow to road berm. This could be a potential hazard to pedestrian and could result in scour of road berm. How is this mitigated? Please clarify.</li> <li>Please confirm Is the channel private or public?</li> <li>In Section 8, page 28, OLFP 3 and 4 are grass channel, Section 9, page 37 states that OLFP 5 will be lined. Is this correct?</li> </ul>	<ul style="list-style-type: none"> <li>The development design that has been submitted with the plan change application is an example of a development that can be carried out under proposed the precinct rules. The layout and cross section of the swale may be different when a developed design is submitted for resource consent should the plan change be approved. The SMP only aims to highlight the existing overland flow paths that need to be conveyed through the site and provides preliminary design calculations to show how this can be achieved. References to grassed swales have been replaced to now refer to lined swales in the SMP.</li> <li>Road 04 is proposed as a private road under the plans submitted with the plan change application.</li> <li>As above Road 04 shall be a private road. Suitable scour protection can be designed and a risk assessment carried out (refer section 8.3.1.7 in report) when a development design is submitted for resource consent should the plan change be approved.</li> <li>The channels shall be located in private land with an easement in gross in favour of council.</li> <li>Refer to updated section of the SMP. The SMP now refers to lined channels rather than grassed.</li> </ul>
11 This sentence in the conclusion section appears to be incomplete:  <i>“Provide retention as per SMAF 2 requirements with an allowance for the volume to be contained and released</i>	Noted and updated.
<b>Transportation – Stantec 03 September 2020</b>	
5. Item 4: Journey to work mode share has been assessed using Census data. However no information or assessment of heavy vehicles volumes/proportions has been provided. Within the SIDRA analysis, a blanket 5% heavy vehicles was used for both traffic generated by the development and non-development traffic on the road, and no justification provided. This may affect the traffic modelling results.  Further request: Please provide information to justify the heavy vehicle volumes/proportions adopted for the assessment, considering both the volume/proportion expected to be generated by	<p>Heavy vehicle proportions of 5% have been adopted for the residential development trip generation. This is considered a very conservative rate. Heavy vehicle volumes generated by residential developments are likely to be well below 5%. Heavy vehicles within the site are anticipated to be infrequent delivery trucks, refuse collection vehicles and proposed shuttle buses. It is noted that AT counts recorded HCV proportions of between 2% and 3% on Wharf and Bass Road.</p> <p>Heavy vehicle proportions of 5% have also been adopted for the existing traffic on Albany Highway. Auckland Transport traffic counts on Albany Highway (2018) have been referenced for total heavy vehicle proportions. These counts indicated total heavy vehicle proportions of between 4% and 6%, with the</p>

<p>the development and that of non-development traffic on the road. If this results in any changes to the heavy vehicle volumes/proportions currently used in the assessment, please update the traffic modelling and mitigation if required.</p>	<p>nearest count (Albany Highway, near Bass Road) featuring a heavy vehicle proportion of 5%. As such, the heavy vehicle proportions are considered appropriate for assessment.</p>
<p>6. Item 6: Although a sensitivity test was provided, there is minimal difference between this (55%/45%) and the original assumption (50%/50%) and this may not be reflective of potential operating conditions at the intersections. At the meeting, Commute stated they would test a 60%/40% distribution scenario.</p> <p>Further request: Please provide a sensitivity test using a 60% southern intersection / 40% northern intersection split and re-assess the effects and mitigation if required.</p>	<p>Given the site layout, the original assumption of trip distribution (50%/50%) is still considered the most appropriate. The ITA assessment is therefore considered suitable. It is further noted that once one intersection become more congested than another it is likely that residents will re-route to the other intersection. It is also considered that a 60%/40% distribution scenario is even less reflective of potential operating conditions at the intersections.</p> <p>In any case, using a 60% southern intersection / 40% northern intersection split has been undertaken with 60% of development traffic added to the critical southern intersection (given the possible queue length effects to the northern intersection). The modelling results are detailed in Attachment A.</p> <p>The sensitivity testing requires the development trip generation to be reduced to 500vph to achieve suitable intersection operation. As detailed previously, the intersections are considered to accommodate approximately 50% each of the development traffic, and that once one intersection become more congested than another it is likely that residents will re-route to the other intersection. As such, the 600vph threshold detailed in the ITA (subject to mitigation) is considered appropriate.</p>
<p>7. Item 9: During the meeting, Commute advised that a SIDRA network model had been used, using existing cycle times at the intersections. The SIDRA files provided are for individual intersections, and only platooning effects have been adopted to take into effect upstream intersections and SIDRA optimised cycle times have been adopted. Platooning effects in SIDRA only influence the arrival pattern at an upstream intersection and not the departure pattern. The departure pattern influences how vehicles dissipate at the downstream intersection, which may affect queuing.</p> <p>Further request: Please reassess the intersections as a network model within SIDRA and use existing cycle times or provide justification of cycle time optimisation and how it fits into ATOC's coordination strategy for the Albany Highway corridor (if this can be determined through consultation with ATOC). Please provide the updated SIDRA network files for verification purposes. Please revise the response to Item 10 based on the reassessment of the intersections.</p>	<p>The intersection modelling has been updated incorporating Sidra network models which typically would likely improve intersection performance. The modelling results are detailed in Attachment A.</p>
<p><b>Progressive Transport Solutions (PTS) Comments on ITA – 26 August 2020</b></p>	
<p><b>2.1 Public Transport</b></p>	
<p>1. Assessment criteria or standards should be provided to ensure that the proposed shuttle bus service is appropriate for its intended purpose, and to enable it to be reviewed at future development stages.</p> <p>2. The internal road network would need to be designed for an appropriate shuttle bus.</p> <p>3. Consideration should be given to providing additional pedestrian crossing facilities on Albany Highway to enhance access to the bus stops in the vicinity of the site.</p>	<p>1. Please refer to Version 3 of the Albany 10 Precinct Provisions attached. Assessment criteria have been included to account for assessment of the private shuttle service.</p> <p>Agree. The road will be designed to accommodate the anticipated design vehicle, in particular the proposed shuttle bus. This will occur at the resource consent stage.</p> <p>2. The closest pair of bus stops are located on Albany Highway, within 100-150m from Eastbourne Road / Oaklands Road. The AT recommended bus stop spacing is approximately 400m (based on a 5 minute walking distance). Given pedestrians can cross at the Eastbourne Road and Oaklands Road intersections, the bus stop locations and crossing locations are considered suitable. It is noted that implementing another signalised pedestrian crossing on Albany Highway is not desirable for a 4 lane arterial, given the proximity of the existing signalised intersections.</p>
<p><b>2.2 Cycling and Walking</b></p>	
<p><i>Examination of the potential pedestrian routes (based on a review of Streetview as lockdown has prevented a site visit), indicates that there are also deficiencies in the pedestrian network that are likely to be a deterrent for some pedestrians. For instance, at the Albany Highway / Oteha Valley Road intersection, pedestrians are required to cross two slip lanes uncontrolled and with no or substandard pram crossings. The intersection at Albany Expressway / Vineyard Road / Coliseum Drive intersection has similar deficiencies and the route from this intersection to Albany centre requires pedestrians to cross many vehicle accesses into car parks.</i></p> <p>4. Consideration should be given to addressing the deficiencies in the walking network earlier in the development of the precinct to provide a more viable and attractive alternative to private vehicle use.</p>	<p>4. The pedestrian infrastructure at the left turn slip lanes are existing deficiencies in the network and should be addressed by the RCA. Residents will predominantly access Albany Station via the bus services on Albany Highway (addressed in Item 3 response above), via the private shuttle bus provided by the developer, or on bicycle. The pedestrian connections to the local bus services are good, and the cycle infrastructure will be further improved by the developer.</p>

<p><b>2.3 Site Access</b></p> <p>5. The northern left-in, left-out access should either be removed or clear justification for its provision should be provided.</p>	<p>5. The northern intersection is included to improve the transport and pedestrian permeability of the site, and to provide additional access to the local road network. This also eliminates the cul-de-sac which would be created if the northern connection is not implemented; a cul-de-sac is again undesirable from permeability perspective. It is appreciated that creating significant additional delay to the local road network is undesirable, and therefore this intersection has been restricted to left in / left out only and has been designed as such.</p>
<p><b>2.4 Traffic Modelling</b></p> <p>6. It should be confirmed that the T2 lanes on Albany Highway have been included in the models. If these have not been included, the modelling should be revised to include the lanes and the assessment revised accordingly.</p>	<p>6. The Sidra analysis in the ITA does have the left through lane (T2 lane) as a lower utilisation than the central through lane. The previously detailed vehicle turning volumes and the SCATs data was reviewed to understand the lane utilisation rate of the T2 lanes on Albany Highway. The utilisation rate of the lanes for the through volumes at the subject intersections was shown to be between 35% and 40% for the T2 lane. These utilisation rates have been incorporated into the updated modelling. The modelling results are detailed in Attachment A.</p>
<p><b>2.5 Parking</b></p> <p>7. Precinct objectives and/or policies should be included to guide users of the plan in limiting the potential for over provision of on-street parking.</p>	<p>7. Agree, the provision of on-street parking should be linked to the provision of dwelling parking spaces and the trip generation thresholds to be implemented as part of the Plan Change.</p>
<p><b>2.6 Infrastructure Improvement Thresholds</b></p> <p>8. Additional transport mitigation measures and/or reordering of the proposed infrastructure should be considered to encourage active modes earlier in the development to reduce private vehicle use.</p>	<p>8. It has been agreed to bring forward the private shuttle bus implementation from what was previously proposed in the ITA which is considered the most critical factor in achieving the desired modal behavioural change. The existing walking and cycling infrastructure in the local network is considered suitable to serve the development, up to the thresholds detailed in the ITA.</p>

# **APPENDIX 4**

## **TECHNICAL ASSESSMENTS**





**Memo (technical specialist report to contribute towards Council's section 42A hearing report)**

24<sup>th</sup> September 2021

To: Todd Elder, Policy Planner, Regional, North, West, Islands Plans and Places

From: Rebecca Skidmore, RA Skidmore Urban Design Ltd.

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**Subject: Private Plan Change – PPC 59 Albany 10 Precinct – Urban Design, Landscape and Visual Effects Assessment Review**

## **1.0 Introduction**

- 1.1 I have undertaken a review of the private plan change request, on behalf of Auckland Council, in relation to urban design, landscape and visual effects.
- 1.2 I am an Urban Designer and Landscape Architect. I am a director of the consultancy R.A. Skidmore Urban Design Limited and have held this position for approximately seventeen years.
- 1.3 I hold a Bachelor of Science degree from Canterbury University (1987), a Bachelor of Landscape Architecture (Hons) degree from Lincoln University (1990), and a Master of Built Environment (Urban Design) degree from Queensland University of Technology in Brisbane (1995).
- 1.4 I have approximately 25 years professional experience, practising in both local government and the private sector. In these positions I have assisted with district plan preparation and I have assessed and reviewed a wide range of resource consent applications throughout the country. These assessments relate to a range of rural, residential and commercial proposals.
- 1.5 I regularly assist councils with policy and district plan development in relation to growth management, urban design, landscape, character and amenity matters.
- 1.6 I am an accredited independent hearing commissioner. I also regularly provide expert evidence in the Environment Court and I have appeared as the Court's witness in the past.
- 1.7 In writing this memo, I have reviewed the following documents:
  - The lodged plan change request Explanation, Assessment of Environmental Effects and Section 32 Analysis (by Campbell Brown 08/05/2020), and specifically, the proposed precinct and zoning maps contained in Appendix B, proposed precinct provisions contained in Appendix C, the Masterplan and Design report contained in Appendix E, the Urban Design Assessment report by Boffa Miskell contained in Appendix H and the Landscape and Visual Effects Assessment report by Boffa Miskell Ltd. contained in Appendix I;
  - The Clause 23 response to the Council's request for further information (dated 17/08/21), including an updated Explanation, AEE and Section 32 analysis (dated 17/08/21), updated precinct provisions (v.2), updated precinct plans (Appendix 2); updated landscape attachments (Appendix 1);
  - The summary of submissions and complete submissions where relevant.

1.8 My review is carried out in the context of:

- (a) The Resource Management Act;
- (b) The National Policy Statement: Urban Development (the “NPS:UD”);
- (c) The Auckland Unitary Plan: Regional Policy Statement (the “RPS”);
- (d) The Auckland Plan: 2050.

## **2.0 Key Urban Design, Landscape and Visual Effects Issues**

### **Urban Design**

2.1 The following sections address a number of urban design topics, having considered the assessment reports, submissions received and statutory frameworks. These can be summarised as:

- Relationship to wider context – appropriateness of scale and intensity proposed;
- Urban structure – precinct provisions;
- Development scale and form;
- Connectivity;
- Open Space network;
- Residential amenity.

### **Landscape and Visual Effects**

2.2 The following sections also address a number of landscape and visual effects considerations. Having considered the assessment reports, submissions received and statutory framework, these can be summarised as:

- Landscape effects and neighbourhood character;
- Protection of natural features;
- Visual amenity effects.

2.3 There is a relationship and some overlap between topics related to urban design considerations and those that relate to landscape and visual effects.

## 3.0 Applicant's assessment

### Urban Design Assessment (the "UDA")

- 3.1 At the outset, in Section 2, the UDA clearly identifies the purpose of the PPC being to enable greater density and diversity at Albany Estates (the PC area "Site"). Section 3 provides a summary of the relevant planning context for carrying out the urban design assessment. I note that since the report was prepared, the NPS:UD has come into effect.
- 3.2 Section 4 of the report sets out an analysis of the existing urban context and character for the PPC area. This section of the UDA does not make direct reference to the Master Plan and Design report that is contained in Appendix E of the PPC request document. The context analysis set out in Section 2 of that report complements the UDA analysis.
- 3.3 A number of key features of the Site and its surrounding context can be summarised as:
- The underlying topography with the watercourses of Oteha Stream and Lucas Creek enclosed by undulating topography, with Fernhill Escarpment creating a strong edge to the PPC area;
  - The single land ownership of the Site with its former use and association with the University campus;
  - The varied uses established in the surrounding context (both immediate and broader) that have evolved over time;
  - The transport patterns of the area including the scale and character of Albany Highway that forms the western edge to the PPC area; pedestrian routes and access to public transport.
- 3.4 Section 5 of the UDA sets out the strategic context for change as identified in the Auckland Plan 2050. This is the long term spatial plan for Auckland. As noted, the Auckland Plan takes a multi-nodal approach to intensifying growth within Auckland's urban footprint. Albany is identified as a node suitable for future growth.
- 3.5 Section 6 of the report summarises the illustrative masterplan that is provided in the Appendix E of the PPC request document, noting that it represents a possible outcome of development under the plan change provisions. In summarising the masterplan, the report describes how this has informed the PPC and particularly the proposed precinct provisions. In my opinion, the Masterplan and Design report sets out a clear design rationale for the approach taken for the Precinct. In particular, it demonstrates how a thorough site and context analysis has been used to identify opportunities and constraints to development of the land and to derive a series of design principles for its future development. The report demonstrates the design evolution using testing of different scenarios resulting in a series of key design strategies. These relate to:
- Creating a stream/reserve edge;
  - Retaining and enhancing visual connections from Albany Highway to the Fernhill Escarpment;
  - Establishing open space linkages;
  - The street network ;

- Neighbourhoods; and
  - Orientation.
- 3.6 In my opinion, there is a clear link in the way these strategies have informed the proposed precinct provisions and particularly the spatial arrangement indicated in the precinct plans.
- 3.7 Section 7 of the UDA provides an overview of the assessment in relation to desired urban design outcomes. It references the NZ Urban Design Protocol. I note that this is a non-statutory document. While its broad aspirations set out under the '7 C's' can be considered as being consistent with best-practice urban design, the statutory planning documents, including the NPS:UD and the RPS are the most relevant for providing a framework to assess the PPC. Having said this, I consider the themes identified for assessing the PPC in this section are appropriate.
- 3.8 Section 9 of the report sets out the body of the urban design assessment. I note that further analysis and explanation was provided in response to the Clause 23 request for further information. This is provided in the table dated 17/08/21.
- 3.9 I agree with the overall summary and conclusions set out in Section 10 of the UDA. In my opinion, the PPC appropriately enables the establishment of a denser, more diverse and vibrant development pattern within the Albany node as identified in the Auckland Plan 2050. A number of key urban design matters are discussed in more detail in Section 5 below.

### **Landscape and Visual Effects Assessment (the "LVEA")**

- 3.10 The methodology for assessing landscape and visual effects is clearly set out in Section 2 of the LVEA report. In my opinion, the methodology used is in accordance with the New Zealand Institute of Landscape Architects' (the "NZILA") Best Practice Note: Landscape Assessment and Sustainable Management (10.1) and the Auckland Council's Information Requirements for the Assessment of Landscape and Visual Effects (September 2017).
- 3.11 The report notes that the assessment has been informed by a number of visual simulations from a number of key viewpoints. In response to the Clause 23 request for further information, three additional visual simulations and an analysis in relation to the viewpoints was provided. I agree that the visual simulations have been prepared in accordance with the NZILA Best Practice Guide: Visual Simulations (10.2) and these are a useful tool to assist the assessment, but do not depict 'real life views'. In particular, when considering a PPC, it is not appropriate to model actual buildings that may be built in accordance with the relevant provisions, as there are a broad range of building forms that could be achieved. Rather, it is appropriate to depict a building envelope to give an accurate indication of the scale of development that could be accommodated within the provisions. An axonometric image of the model used in the visual simulations prepared was provided in the Clause 23 request for further information response (contained in Figure 7 of the graphic supplement). In my opinion, this scenario is appropriate to understand the overall scale enabled by the proposed provisions. Some caution needs to be adopted in understanding that the 'effects' are somewhat exaggerated by the visual simulation images, as they do not depict actual buildings, with the various features of modulation and articulation that reduce visual effects.
- 3.12 Section 3 sets out a description of the existing Site and its surrounding context. The aerial photograph contained in Figure 4 is helpful in placing the Site in its context. This figure also provides a visibility analysis and identifies the viewpoint locations for the subsequent analysis. The Elevation maps contained in Figures 5 and 6 are also helpful in depicting

the topographical patterns of both the immediate and wider environment. As with the comments in relation to the UDA above, the context analysis set out in Section 2 of the Master Plan and Design report complements the LVEA analysis.

- 3.13 Section 3.3 of the report provides an overview of the relevant statutory context. Since the report was prepared the NPS:UD has come into effect. This section of the report notes the existing zone and precinct that applies to the Site, but does not make reference to the relevant RPS provisions. A summary of the relevant policy framework is set out in the following section.
- 3.14 Section 4 of the LVEA summarises the key provisions of the PPC that relate to landscape and visual effects considerations.
- 3.15 Section 5 of the report identifies the visual catchment and viewing audiences in relation to the Site. A zone of theoretical visibility (ZTV) analysis was used to understand and determine the visual catchment. The model depicted in Figure 7 was used to determine the ZTV. I agree with the groups identified as comprising the primary viewing audience for development within the PPC provisions. These have been divided into public viewing audiences and private viewing audiences.
- 3.16 The report identifies 15 viewpoints to inform the assessment. Photographs from each of these viewpoints are provided, with visual simulations from 5 of these. As noted above, an additional two viewpoints are included in the Clause 23 response and three additional visual simulations provided.
- 3.17 Section 6 of the report sets out the body of the assessment. In relation to landscape effects, the assessment finds that the PPC will lead to a substantial change in the character of this already urbanised landscape, but concludes that adverse landscape effects will be low. The assessment of visual effects is made in relation to views from the wider catchment and views from the immediate vicinity. For the wider catchment, the assessment notes that the height and density enabled by the PPC will introduce a visual 'landmark' community into the suburban topography and finds that visual effects will be very low and essentially benign. In relation to views from the immediate vicinity, including those experienced by residents, visitors to local schools and retirement villages, road users, visitors to the Days Bridge Esplanade Reserve and those in Massey University site, the assessment finds that up to moderate-low adverse visual effects will be experienced. The assessment highlights the role of Precinct Plan 1 – Albany Features Plan in ensuring the amenity and public visual accessibility of the Site and its adjoining landscape features is enhanced.
- 3.18 I agree with the overall conclusions set out in Section 7 of the LVEA that the Site is well positioned to accommodate a built form that supports greater density and diversity of development. I agree that the PPC includes well considered precinct provisions. I concur that the future urban form of the precinct will respond to and maintain a connection with the natural landscape attributes of the site and wider context, and lead to the creation of a quality intensified node of residential development that is sited appropriately within the surrounding area, consistent with the aspirations of the Auckland Plan [and RPS<sup>1</sup>] for a quality compact city.<sup>2</sup>
- 3.19 Further detailed comment relating to key landscape and visual effects considerations is set out in Section 5 below.

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<sup>1</sup> My addition

<sup>2</sup> Section 7, p. 18, Landscape and Visual Effects Assessment, Boffa Miskell, 08/05/2020

## 4.0 Auckland Unitary Plan Framework

- 4.1 The section 42a report sets out a detailed description and analysis of the relevant regional policy statement provisions for considering the PPC. In terms of a consideration of urban design, landscape and visual effects matters following is a summary of the key provisions that have guided my review.
- 4.2 A key overarching objective for urban growth and form (Section B2.2) is to create a 'quality compact urban environment' (Obj. B2.2.1(1)). The objective for creating a quality built environment (B2.3.1(1)) seeks to ensure subdivision, use and development does all of the following:
- Respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;
  - Reinforce the hierarchy of centres and corridors;
  - Contribute to a diverse mix of choice and opportunity for people and communities;
  - Maximise resource and infrastructure efficiency;
  - Are capable of adapting to changing needs; and
  - Respond and adapt to the effects of climate change.
- 4.3 Supporting Policy 2.3.2(1) seeks to achieve this by managing the form and design of subdivision, use and development to do all the following:
- Supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;
  - Contribute to the safety of the site, streets and neighbourhood;
  - Develop street networks and block patterns that provide good access and enable a range of travel options;
  - Achieves a high amenity and safety for pedestrians and cyclists;
  - Meets the functional, and operational needs of the intended use; and
  - Allows for change and enables innovative design and adaptive re-use.
- 4.4 Other relevant policies relate to provision of access for all people using a variety of modes, providing a range of building forms to support choice to meet the needs of Auckland's diverse population, and balancing the main function of streets as places for people and as routes for the movement of vehicles.
- 4.5 A number of objectives for residential growth (B2.4.1) address the way intensification supports a quality compact urban form (B2.4.1(1)), are attractive, healthy and safe (B2.4.1(2)), are located in relation to centres, public transport, social facilities or employment opportunities (B2.4.1(3)) and increase the housing capacity and choice Auckland's diverse and growing population (B2.4.1(4)).

## 5.0 Assessment of Urban Design, Landscape and Visual Effects and Management Methods

### Urban Design

5.1 The PPC will enable a considerable change from the existing environment and the environment enabled by the current zone and precinct provisions. In terms of urban design considerations, I generally agree with the analysis provided in the UDA. Following is a discussion of key urban design issues related to the PPC. These relate to:

- Relationship to wider context – appropriateness of scale and intensity proposed;
- Urban structure – precinct provisions;
- Development scale and form;
- Connectivity;
- Open Space network;
- Residential amenity.

### Relationship to Wider Context

5.2 Section 5 of the UDA report sets out a number of document provisions that provide a strategic context for change but does not provide an opinion about the PPC in relation to these provisions.

5.3 The NPS:UD which has recently come into effect sets out a number of objectives for urban environments to enable more people to live in, and more businesses and community services to be located in areas of an urban environment that are in or near centre zones or other areas with many employment opportunities, are well serviced by existing or planned public transport or there is high demand for housing or business land in the area (Obj. 3). Supporting this Objective, Policy 3(c) directs district plans to enable building heights of at least 6 storeys within at least a walkable catchment of existing and planned rapid transit stops and the edge of metropolitan centre zones.

5.4 There is no definition in the NPS:UD of what constitutes a 'walkable catchment'. It is generally accepted that a 400m radius represents a 5 minute walking distance and an 800m radius represents a 10 minute walking distance. However, it could be said that a reasonable walking catchment for a major transit stop and metropolitan centre may be greater than a 10 minute walk.

5.5 A diagram was included in the Clause 23 response identifying the distance to a number of Albany features, via the existing street network. This includes North Harbour Stadium (1.7km), Albany Mega Centre 1.9km), Westfield Albany 2.4km and the Albany Bus Station 2.8km). This places the Site at the marginal limit of a walkable catchment. However, as set out in the UDA, Albany is identified in the Auckland Plan as a priority node to accommodate growth, with the Site located within, albeit at the periphery of, the area identified as the node.

5.6 As set out above, consistent with the NPS:UD, a key RPS overarching objective for urban growth and form (Section B2.2) is to create a 'quality compact urban environment' (Obj. B2.2.1(1)).

5.7 While not adjacent to the Business: Metropolitan Centre ("BMC") zone of Albany, the Site could be said to be marginally within a walkable catchment of the Centre. This is supported by the identification of the growth node identified in the Auckland Plan. The provision for a 'community hub' embedded within the Precinct, will complement the amenity provided in

the Metropolitan Centre and provides an additional rationale for the scale and intensity of residential activity enabled in the Precinct.

- 5.8 The large scale of the Site (13.7 ha) in a single ownership within an established currently suburban environment is quite unusual. This represents a valuable resource and provides the opportunity for a comprehensive approach to development.
- 5.9 In my opinion, the THAB zone is appropriate to apply to this Site with the precinct enabling a range of supporting activities. Further comment about the scale and intensity enabled by the precinct provisions is set out below. Enabling a range of small-scale commercial activities to establish within the precinct, together with the identification of a community hub with a commercial frontage control around the main street axis into the Site and adjacent to the Central Park, will support the creation of a vibrant urban residential hub. Collectively the provisions provide a framework to enable the housing choice supported by neighbourhood amenities to create a strong community focus.
- 5.10 Overall, I consider the Site is well located with a number of features that make it suitable to accommodate an intensive form of development, giving effect to the NPS:UD and RPS.

### **Urban Structure**

- 5.11 The proposed precinct provisions include a number of detailed precinct plans that provide a spatial framework for development of the Site. The rationale for these plans is clearly provided in the detailed site and context analysis and design testing set out in the Masterplan and Design report.
- 5.12 Key features identified on Precinct Plan 1: Albany Features Plan, include:
- The primary street network;
  - The location of open spaces creating a network of different open space types;
  - The location of existing streams and other watercourses;
  - Visual connections from Albany Highway to the Fernhill Escarpment;
  - Significant trees to be retained;
  - The location of a community hub and associated commercial frontages.
- 5.13 Setting out these features spatially provides a strong framework to ensure an integrated approach that responds to the distinctive features of the Site and its contextual relationship will be achieved. The subsequent Precinct Plans (2 – 4) are clearly interrelated and have been derived from the detailed design testing that has been carried out. The specificity of the plans may present some problems if the land ownership of the Site becomes fragmented and different typologies or development scenario than those anticipated in determining the precinct plans is proposed for areas of the Site.
- 5.14 In my opinion, the detailed spatial framework set out in the precinct plans will better ensure a suitable urban structure is created for this Site than may be achieved by applying a zone structure without a precinct overlay. The specificity provided is helpful to ensure an urban structure is established that can support the scale and intensity of development proposed and protect and relate well to a number of key site and context features.



## Development Scale and Form

- 5.15 The THAB zone, together with the precinct provisions, will enable intensification within the Site to create a node of development that contrasts significantly with the established pattern of development across Albany Highway and to the south of the Site. Policy 6 of the NPS:UD notes:
- the planned urban built form may involve significant changes to an area and these may detract from amenity values appreciated by some people, but improve those appreciated by other people, communities, and future generations;
  - the changes are not, of themselves, an adverse effect;
  - the benefits of urban development that are consistent with well-functioning urban environments.
- 5.16 The Precinct enables the establishment of large buildings (up to 10 storeys high) in areas of the Site. But, a nuanced approach to distribution of building height and form has been taken with the height limit dropped below the THAB height standard in more sensitive locations, being adjacent to a portion of Albany Highway, adjacent to existing residential properties to the south and at the interface with the open space corridor adjacent to the Days Bridge Esplanade Reserve.
- 5.17 The UDA report sets out a rationale for the increased height of buildings within Area 3 in relation to the wider urban context and describes the way this height area is configured in relation to the other height limits within the Precinct. The Clause 23 request for further information sought clarification of why 35m was sought as the height standard for Area 3 and why 19m was determined as a suitable height for additional set-back. I have considered the response provided and agree that this height is suitable in relation to the height limits in the wider environment and within the Precinct and will enable a generous floor to floor height to accommodate up to 10 storeys. I also agree with the explanation of 19m being a suitable height to require an additional setback (being 5 storeys).
- 5.18 The precinct provisions include a control (I552.6.4) enabling a higher maximum building coverage than the underlying THAB zoning, with apartments having a maximum site coverage of 100% and detached or attached housing 65%. A total precinct coverage of 65% is also specified. While the apartment coverage is extremely high there are a number of other controls and design considerations that would make full site coverage above ground unlikely. Given the extensive areas of open space that are spatially defined in the Precinct Plans, I consider the high coverage enabled for apartments to be appropriate. However, I have some concerns that the control for detached and attached housing could result in a poor relationships between dwellings, particularly for detached dwellings. Without further design testing that demonstrates that suitable amenity outcomes can be achieved, I recommend that this is lowered to 50% (consistent with the THAB control).
- 5.19 The proposed precinct provisions also include a number of controls that relate to the form of buildings and the way they relate to adjacent streets and other open spaces. These relate to:
- Maximum building dimensions and separation (above 19m);
  - Building setback at upper levels (above 19m);
  - Wind effects;

- Boundary walls; and
  - Special frontage and height controls.
- 5.20 The special frontage and height controls (1552.6.11) acknowledges the different boundary interfaces within the precinct and sets a number of different relational parameters in relation to these.
- 5.21 At a finer grain, all buildings will require consent as a restricted discretionary activity with matters for discretion and assessment criteria set out in the THAB zone and additional matters for discretion and criteria provided for the precinct. Additional criteria are set out for buildings within Height Management Area 3 (accommodating taller buildings).
- 5.22 While resulting in considerable change, I consider the suite of provisions proposed will enable a scale and form of development that relates well to the urban structure that has been determined for the Site through detailed design analysis and testing. Together, the detailed development standards and assessment matters and criteria, will enable a robust assessment of development to ensure it contributes positively to the quality and amenity of the public realm and the collective character of the built environment.

### **Connectivity**

- 5.23 Precinct Plan 2 clearly identifies key access points from Albany Highway and the network of public and private streets and lanes through the Site. It also indicates the location of shared pedestrian and cycle pathways through the open space network. The indicated movement network has a clear relationship to the Features Plan contained in Precinct Plan 1 and has been derived from the design analysis and testing set out in the Masterplan and Design report. Precinct Plans 3 and 4 also directly relate to the movement network structure depicted. This integration between the various aspects of development sets out a clear framework for the outcomes sought.
- 5.24 From an urban design perspective, the location of the public streets will provide legible and direct routes through the Site connecting with the exiting street network. The alignment of east-west streets also facilitates view corridors for Albany Highway to the Fernhill Escarpment (discussed further below).
- 5.25 While the location of a public street adjacent to the Days Bridge Esplanade Reserve would create a clear public interface with the open space corridor, there are topographical constraints to establishing a street in this location. Testing of a design option that provided a street along this edge is shown in the Masterplan and Design report (p. 26). However, this located larger apartment buildings that accessed this street in close proximity to the stream corridor. The proposed precinct provisions create an increased setback from the Reserve boundary with a lower height limit facilitating three storey terrace/low apartments along most of the edge in a stepped configuration. Precinct Plan 2 indicates a shared path (pedestrian and cycle) along this edge. In my opinion, the key should include an annotation that this path is publicly accessible. Other controls and assessment criteria are included to ensure a positive interface is created in relation to the open space corridor. In my opinion, the precinct provisions strike an appropriate balance between providing access along the stream corridor edge and ensuring a suitable built interface.

### **Open Space Network**

- 5.26 Precinct Plan 1 identifies three key open space components: open space corridor adjacent to the Days Bridge Esplanade Reserve; the Central Park and the southern linear park that

links from Albany Highway through to the Days Bridge Esplanade Reserve. A smaller open space also provides a visual and physical connection extending from the northern road opposite Wharf road, also connecting through to the Days Bridge Esplanade Reserve.

- 5.27 In my opinion, the open spaces will perform different functions and together will provide a network than complements the built elements of the neighbourhood and contributes to the amenity and character of the area.
- 5.28 I consider that the location and configuration of the identified open spaces responds well to existing natural features, including stream alignments and the location of significant trees (which are identified on Precinct Plan 1).
- 5.29 Identification of public streets on three sides of the 'Central Park' is also important to ensure good visibility to this key open space. The identification of the 'Community Hub' around the street at the northern end of this space will also assist to reinforce the function of the Park as an open space focal point for the community.
- 5.30 The subdivision standards for the precinct include the requirement for an 'open space development plan' to be submitted with the first subdivision application within the precinct (I552.6.14.3) demonstrating consistency with and protection of the features identified in Precinct Plan 1.
- 5.31 In my opinion, the specificity of detail around the location and function of the various open spaces and the way streets and development will interface with this will provide a robust framework to ensure the open space network makes an important contribution to the functionality, amenity and special character of the neighbourhood.

### **Residential Amenity**

- 5.32 The UDA addresses a range of features that will contribute to the amenity for future residents of the Precinct, noting that the provision of mid-rise buildings on the Site, requires different on-site amenity than would be expected for lower rise terrace or stand-alone housing<sup>3</sup>.
- 5.33 The THAB zone includes provisions to ensure suitable on-site amenity is achieved. I agree with the UDA that these are appropriate for the range of building typologies and scales anticipated in the precinct. In addition to these provisions, I note that the standard relating to building setback at upper levels for buildings over 19m is also included in the precinct. One of the purposes of this control is to manage residential amenity and privacy effects on residential uses within and surrounding the precinct.
- 5.34 As noted in the UDA, internal shading within the precinct is a matter of discretion for all new buildings and additions. The relevant assessment criteria (I552.8.2(1)(c)(i) refers to a reasonable level of sunlight access being achieved for residential units and open space areas. It would be helpful to provide additional guidance as to what a reasonable level of sunlight access is considered to be. The UDA refers to the guidance provided in the Council's Urban Design Manual which identifies 70% of living rooms and private outdoor spaces should receive a minimum of 3 hours of direct sunlight between 9am and 3pm in mid-winter. In my opinion, this is suitable and more explicit reference should be made to it.

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<sup>3</sup> P.20, Urban Design Assessment, Boffa Miskell, 08/05/2020

- 5.35 The UDA also addresses the way the precinct provisions address the relationship to established surrounding residential properties<sup>4</sup>. I agree that Albany Highway creates a clear separation from properties on the western side of the street. Established residential properties immediately adjoin the southern boundary of the Site. In my opinion, the location of Height Area 1 (11m +2m roof – maximum 3 storeys), which is lower than the THAB height standard, creates a suitable transition that will maintain the amenity of adjacent dwellings. Further comment regarding visual effects is set out below.

### **Landscape and Visual Effects**

- 5.36 In terms of landscape and visual effects, I generally agree with the LVEA report analysis and the conclusions drawn. Following is further comment in relation to the analysis provided.

#### **Landscape Effects and Neighbourhood Character**

- 5.37 The Masterplan and Design report demonstrates how a clear analysis of the Site's characteristics and its relationship to its surrounding context have determined the detailed suite of precinct provisions. In particular, I consider that the spatial definition of the urban structure and the way it responds to key landscape features, including watercourses, significant trees, topography and the pattern of surrounding development demonstrates an appropriate and fine-grained response that will ensure these features contribute positively to the neighbourhood character.
- 5.38 The report notes that the Site itself has few landscape features of significance. However, I note that the adjacent Fernhill Escarpment is an important topographical feature that forms part of a wider series of hills that create enclosure to the urbanised valley floor between Lucas Creek and Oteha Stream. I consider an important consideration is the way the development envelopes enabled relate to this landform. The Clause 23 request for further information sought further analysis of the proposed height strategy and its relationship to the surrounding escarpments. I agree with the opinion that the rising topography in the context of the Site contributes to providing a suitable opportunity to accommodate increased heights on the Site. The relationship of buildings enabled in the height areas to the adjacent escarpment can be seen in the visual simulations from Viewpoint 2a (proximate view) and 15b (more distant view). As shown in the cross sections included in the Clause 23 response, the Area 3 height standard (35m) will enable buildings that are considerably higher than the escarpment. However, this height area has a generous set-back from the escarpment, with the height limits stepping down to provide a transition towards the landform. In my opinion, the development pattern will not be contained by the surrounding higher landforms, but their visual integrity as important landscape features within the urban landscape will be maintained.
- 5.39 As noted in the LVEA, the PPC will enable substantial landscape change. I agree that, in the wider landscape context, the Site is appropriately located to accommodate the intensification proposed. The precinct provisions will enable a node of intensive development within an established, more suburban environment. However, the Site has some separation from and containment created by Albany Highway and the Fernhill Escarpment. The set-back of development from the Oteha Creek and Fernhill Escarpment and the detailed controls that step buildings down at the periphery of much of the precinct, together with detailed controls about the way development interfaces with these edges will ensure a suitable transition to the surrounding environment.

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<sup>4</sup> P.23, *ibid.*

- 5.40 In my opinion, the detailed provisions proposed for the precinct, and in particular, the spatial definition of key structuring elements, including the features shown on Precinct Plan 1, the movement network shown on Precinct Plan 2, the distribution of different height areas as shown on Precinct Plan 3 and the varied frontage controls applying to different street and public realm interfaces are important to ensure co-ordination of development over time that is responsive to its context and results in the creation of a quality, compact urban environment as sought by the RPS. Overall, I consider the package of provisions will ensure an urban environment evolves that is responsive to the intrinsic qualities and physical characteristics of the Site and its setting.

### **Visual Amenity Effects**

- 5.41 The LVEA notes the visual sensitivity of the Site in relation to its surrounding context and identifies key design measures secured through the PPC provisions to reduce adverse visual effects, particularly those relating to visual dominance. As noted, the final nature of visual effects will depend on a more detailed assessment of specific development proposals, with all buildings requiring a resource consent with discretion relating to design and appearance.<sup>5</sup> It is important to note that while the visual simulations contained in the LVEA report are helpful to understand the scale of development enabled, they do not depict the detail of specific proposals.
- 5.42 The Clause 23 request for further information noted that the development of the precinct will be realised over a considerable timeframe and sought additional analysis relating to the way the gradual transition/evolution will be perceived by those in the surrounding context and from within the precinct. I agree with the response that the long-term transition will assist in managing the scale and impact of the change and its related visual effects. The response notes that it is likely that the precinct will be developed over a 10-20 year timeframe.
- 5.43 I agree that the PPC will enable a development pattern that creates a visual 'landmark'. In my opinion, people that comprise the various viewing audience groups will have different responses to the visual change. In my opinion, the most sensitive to change will be residents of the immediately surrounding lower density residential neighbourhood. While new buildings will be highly visible from surrounding areas (as depicted in the visual simulations), the PPC includes a number of provisions to reduce adverse visual effects, while accommodating a compact residential node. In particular, the stepping of height down to the southern and western edges of the precinct, the identification of street locations, the frontage and height controls, and the assessment criteria for new buildings (both in the THAB zone and additional criteria for the precinct) will ensure an appropriate interface and visual quality.
- 5.44 The Masterplan and Design report sets out how the proposed urban structure shown in the precinct plans has been determined to maintain visual connections from Albany Highway through to the Fernhill Escarpment. The LVEA notes that these visual corridors will "strengthen the visual connection to the Fernhill Escarpment creating an enhanced focus on the amenity of this valuable natural feature and visual amenity in the landscape".<sup>6</sup> In response to the Clause 23 request for further information, a further explanation was provided of the way the PPC provisions will result in an enhanced visual connection through the Site to the escarpment compared with the current zoning, even though buildings of considerably greater scale will be enabled. The response included a series of diagrams depicting how the escarpment will be viewed from the Albany Highway and within

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<sup>5</sup> Section 6.2, p. 16, Landscape and Visual Effects Assessment, Boffa Miskell, 8/05/20

<sup>6</sup> Section 6.2.2, p.17, *ibid.*

the precinct, along these view corridors, framed by buildings. In my opinion, the use of the view corridors as structuring elements within the precinct will provide an important visual connection to the landscape feature and will contribute to the amenity of the precinct and maintain a suitable visual connection from Albany Highway.

- 5.45 In the context of the policy guidance provided by Policy 6 of the NPS:UD, I consider that the PPC will enable a development pattern that will incrementally result in considerable change. With the range of detailed zone and precinct provision, having considered the characteristics of the Site and its surrounding context, I consider the adverse visual effects resulting from that change will be acceptable.

## 6.0 Submissions

- 6.1 I have reviewed the summary of submissions and full submissions where these raise matters relevant to urban design, landscape and visual effects considerations. The submissions raise a number of relevant matters that can be grouped into the following topics:

- Scale and intensity of development enabled;
- Effect on neighbourhood character;
- Effect on amenity of surrounding residential properties;
- Protection of natural features.

- 6.2 Following is a discussion of each of these topics.

### Scale and Intensity of Development

- 6.3 A number of submissions raise concerns about the scale and intensity of development enabled by the PPC. As set out in Section 5 above, while acknowledging that the PPC will enable a pattern of development that differs considerably with the surrounding suburban residential environment, I consider this to be appropriate in this location. In particular, the location of the Site within the Albany development node (identified in the Auckland Plan), its large scale in a single land holding, and the proposed application of a precinct with a detailed suite of provisions, make it suitable to accommodate the scale and intensity proposed.

### Neighbourhood Character

- 6.4 As set out in my review above, I consider the PPC provisions have resulted from a detailed and thorough analysis of the characteristics of the Site and its relationship to the surrounding context, both immediate and wider. The provisions will result in a pattern of development that differs considerably from the established surrounding residential environment. Having considered the policy guidance provided by the NPS:UD, I consider that difference in character, that will develop over a considerable timeframe to be appropriate.

- 6.5 The scale of development, and the mix of activities enabled in the precinct, will enable a vibrant community to develop. The precinct includes a number of provisions that will ensure a co-ordinated delivery of a well-structured and strong public realm, supported by a community hub. A number of natural features have informed the urban structure

proposed and will make a positive contribution to the neighbourhood character. There are also a number of provisions that relate to the pattern of built development that will be delivered and the way it interfaces with streets, accessways and other elements of the public realm. In my opinion, these provisions, are important to deliver a quality urban environment.

### **Amenity of Surrounding residential properties**

- 6.6 A number of submissions have been received from residents in the established residential neighbourhoods to the west and south of the Site. These raise concerns about the effects on their residential amenity, primarily visual dominance effects. Many of the submissions focus on the maximum height of development enabled within Height Area 3 (up to 35m) but do not comment on the range of provisions contained in the PPC.
- 6.7 While these submissions indicate the perception of effects held by some in the local community, as set out in Policy 6 of the NPS:UD, these need to be considered in the context of the amenity values appreciated by others, including future generations.
- 6.8 The submission by Auckland Council (#73) notes that the PPC has the potential to promote a compact urban form consistent with objectives in the RPS. However, it is also concerned to ensure any development of the site to a greater intensity occurs with minimal effects on the owners and occupiers of neighbouring properties. The submission raises particular concern about the scale of buildings enabled at the northern end of the precinct adjacent to Albany Highway and considers a better transition to the maximum height within this precinct would be achieved by extending Height Area 1 for the full length of the Albany Highway frontage. The submission also questions why a 3m setback above 19m is considered appropriate, where a 6m setback is required in other zones in the AUP.
- 6.9 In relation to the submission points raised by Auckland Council, I note that Precinct Plan 3 depicts a different height strategy adjacent to Albany Highway to the north and south of the main access point into the Site opposite Wharf Road. It is unclear from the PPC assessment documents how the boundary between Height Area 2 and 3 has been determined in this part of the Site. Further explanation regarding this relationship would be helpful. In terms of the relationship to the surrounding context, and particularly the residential neighbourhood to the west, I note that properties to the north of Wharf Road have a different relationship to Albany Highway than properties to the south. In the northern area, dwellings do not have an orientation towards the adjacent street. Towards Wharf Road the boundary is heavily planted and further north, dwellings are oriented away from the street, with the land sloping down from the street level and high solid fencing screening views to the west.
- 6.10 In my opinion, the need to create a lower transition along this edge of the precinct is less critical. There is also some benefit in clearly marking the arrival point into the precinct from the north with increased scale and intensity of activity enabled on the northern side of the northern access point from Albany Highway. Whether a better transition between Height Area 2 and Height Area 1 adjacent to the Days Bridge Esplanade Reserve would be achieved by extending Height Area 2 along the Albany Highway frontage would benefit from further design analysis from the Applicant.
- 6.11 In relation to the setback of buildings above 19m within Height Area 3, the Clause 23 request for further information queried whether 3m would be adequate to create a clear differentiation between the building components. The response noted that a clear visual setback would be achieved as viewed from the street/public realm. The response noted that the setback equated to the depth of a 'balcony zone' and has construction benefits as

it can maintain the vertical structure of the building in the same alignment. While other zones within the AUP (e.g. the Business: Town Centre zone) require a 6m setback for the upper portion of buildings, I am satisfied that the 3m setback will enable buildings of a suitable form that will clearly differentiate the upper portion of taller buildings.

- 6.12 In my opinion, the PPC includes suitable provisions to avoid significant adverse amenity effects on surrounding residential properties and I have set out my opinion in relation to these effects in Section 5 above.

#### **Protection of Natural Features**

- 6.13 A number of submitters set out their appreciation of the value of natural features in the neighbourhood. In particular, Fernhill Escarpment is identified as contributing to the quality of the environment. The submission by Auckland Council (#73) acknowledges that the masterplan that has informed the PPC has been developed with due regard to the natural landscape attributes of the Site.
- 6.14 As set out in Section 5 above, I consider that natural features, both within the Site and in the surrounding context have been well analysed and informed the suite of precinct provisions proposed. In particular, I consider careful consideration has been given to defining an open space network that relates positively to natural features. The location and distribution of building mass respects the location of the Fernhill Escarpment and visual connections through the Site are identified to ensure it contributes to the character and amenity of the neighbourhood.

## **7.0 Conclusions and recommendations**

- 7.1 The PPC will enable the establishment of an intensive residential node supported by a range of small scale commercial activities and a strong public realm framework.
- 7.2 The PPC has been informed by a detailed analysis of the features and characteristics of the Site and its surrounding context. Design testing and masterplanning, as set out in the Masterplan and Design report accompanying the PPC request, underpins the suite of provisions proposed. The request is also supported by an UDA and LVEA. In my opinion, these assessments are suitably detailed and provide a robust assessment of the PPC.
- 7.3 In my opinion, while marginally within a walkable catchment of the Albany metropolitan centre, the Site exhibits a number of characteristics that make it suitable to accommodate the compact residential neighbourhood proposed.
- 7.4 The suite of precinct provisions have a clear rationale derived from the masterplan design testing. In my opinion, the detailed spatial framework set out in the precinct plans will better ensure a suitable urban structure is created for this Site than may be achieved by applying a zone structure without a precinct overlay. The specificity provided is helpful to ensure an urban structure is established that can support the scale and intensity of development proposed and protect and relate well to a number of key site and context features.
- 7.5 Key urban design issues relating to development scale and form, connectivity, creation of an open space network, and residential amenity are addressed in this review.
- 7.6 In terms of landscape and visual effects, I generally agree with the assessment set out in the LVEA report. A number of submitters raise concerns about the scale of development



enabled by the PPC and the visual dominance effects this will have, particularly when viewed from surrounding residential properties. The detailed submission by Auckland Council raises particular concern about the distribution of height areas adjacent to Albany Highway in the northern area of the Site. It is recommended that further analysis is provided by the Applicant to demonstrate that an appropriate interface and transition will be achieved.

7.7 From a review of the PPC, including the UDA and LVEA reports and the submissions, I recommend a number of detailed matters require further consideration/amendments. These include:

- Amend maximum building coverage for detached or attached housing to 50%;
- Include annotation in Precinct Plan 2 key to indicate that the shared path (pedestrian/cycle) is publicly accessible;
- Amend the shading assessment criteria for new buildings and additions to include specific reference to the guidance provided in the Auckland Design Manual for achieving reasonable sunlight access in mid-winter.

7.8 Overall, I consider the THAB zone is appropriate for the Site with a precinct containing detailed provisions to enable the establishment of a compact residential neighbourhood. In my opinion, with the recommended further analysis and amendments, the PPC will give effect to the RPS in relation to delivering a quality, compact urban environment.

**Memo:** Review of submissions on Bei Group Albany Estates private plan change request (PCR59)

**To:** Todd Elder, Plans & Places

**From:** Shyamal Maharaj – Economist, Shane Martin – Senior Economist, Chief Economist Unit

**Date:** 21 May 2021

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The Chief Economist Unit has reviewed the submissions relevant to the economic impacts of the Albany Plan Change (PCR59).

### **Summary of our feedback**

Submissions on the plan change (PCR59) generally express support or opposition based on the following key themes that have economic implications.

- **Transport/congestion:** concerns are raised about existing traffic issues, network capacity constraints, trip generation from the development and safety implications.
- **Density/height/zoning:** concerns are raised about potential impacts on surrounding properties such as on prices, visual amenity, or “character” of the neighbourhood.
- **Schooling capacity:** concerns are raised about the ability of schools to accommodate occupants of development.
- **Infrastructure:** concerns are raised about ensuring that infrastructure has the capacity and is fit for purpose to accommodate the development.

Most of the claims made in the submissions were opinions. Economic effects exist across all the *key themes* (above), given that they impact the value and use of resources such as land and how resources are allocated.

The applicant’s economic assessment would have benefitted from providing a better sense of scale of the relative benefits and costs. But opposing submissions provided little or no evidence that the potential costs in terms of congestion, “character” and so on outweighed the benefits of more housing in that location, or whether their submissions were more fundamentally linked to a desire to avoid change.

Auckland has a worsening housing affordability problem, and housing shortage of at least 25,000 dwellings. The proposed development helps overcome these problems, in a way that uses the land and existing infrastructure far more efficiently than it currently does for housing. Any arguments against the levels of density being proposed should demonstrate they have considered the specific trade-offs being made by relegating the land to less efficient use for the next 30 to 50 years, in the middle of a housing affordability and supply crisis.

### **More detailed analysis**

Some specific feedback is provided on the key themes.

#### **Economic impacts of transport/congestion**

The submitters mentioning transport unanimously argue that more homes mean more traffic. This is true in the sense that there will be more people needing to move around in this specific Albany location. But traffic may also be displaced from other parts of Auckland and perhaps even the broader Albany area through the provision of housing at this site.

Any development of housing anywhere will mean more travel to and from that location. The questions must be whether that trade-off is justified given:

- the benefits of the proposed location relative to many others in terms of accessibility, nearby jobs, goods and services, level of disruption on existing neighbouring properties etc.
- the desperate need to overcome the social challenges associated with a housing affordability and supply crisis.

Congestion, emissions, travel time delays, construction noise and network capacity constraints are all real issues that impact the economics of the proposed development, but these will need to be traded-off with the benefits the development offer as well. One of the challenges Auckland faces is finding appealing ways to get people to live closer to jobs, amenities, and existing infrastructure. Submissions from Auckland Transport and the Ministry of Education raise concerns about the existing network constraints being able to accommodate increased trip generation for peak-time travel. While these concerns are real, they must be evaluated against the benefits of the development (short-term and long-term).

Alternative scenarios such as halving the number of dwellings (930) are proposed, but little evidence is given as to why this is the correct figure and how the suggested number of dwellings is traded-off against the benefits of more housing development at this location. Generally, dense development leads to better use of land and infrastructure. This includes transport, which submissions in opposition have not shown make people on balance worse-off.

### Economic impacts of density/height/zoning

Submissions on density, height and zoning were mostly in opposition to the proposed development and plan change. However, these submissions made by the public were based on assertions of displeasure/disagreement with PCR59 rather than evidence-based claims on the negative impacts on property values, visual amenity, or neighbourhood character.

While it is possible these perceived costs may exist, evidence is clear that when an area is upzoned, land values increase, to reflect the fact that more can be done with a piece of land. Additionally, the better use of land also enhances property values over time, given the desirability of density close to amenities and how greater density makes a wider range of goods and services viable near the development.

Further, density and height enable cheaper housing to be built. As land prices rise, the cost per person being accommodated tends to fall. This is especially pertinent given that housing affordability has worsened over the past 12 months.

### Economic impacts of school capacity

Schools are important infrastructure and must be planned and provided for according to an accepted profile of growth of an area over time. In the submissions, concerns have been raised on the capacity constraints and safety issues facing the nearby schools namely Albany Primary School. According to the submissions schools are concerned with the ability to accommodate growth, however, the Ministry of Education have indicated in their neutral submission that while they expect the development to enable future schooling needs, the trigger point has not yet been met.

It is the role of the Ministry to provide for the educational needs of New Zealanders. If any proposed density in every part of New Zealand was opposed because at maximum build-out, there would not be enough existing capacity in local schools, few homes would ever be built. The fact of limited capacity today is no reason to prevent the development at all or condemn it to a lower density, inefficient use of land in a time of a housing shortfall.

## Economic impacts of infrastructure

The funding, financing and provision of infrastructure (whether transport, three waters, or social/community infrastructure) is a contentious issue given funding shortfalls and arguments about whether existing taxpayers or ratepayers should fund development, or developers themselves. But denser development enables the better use of existing urban (brownfield) infrastructure and can also provide infrastructure at a lower cost per additional resident relative to low density urban settings.

While there will be significant infrastructure costs associated with the development, that in itself is not a reason to reduce the density of the development and leave an inefficiently used piece of land close to amenities and transport links for the next several decades.

Given the nature of the location of the proposed development, it is quite likely on balance that the development offers a better use of existing and future infrastructure in the Albany catchment relative what would be the case in other possible locations for large scale housing development, particularly greenfield areas. This should be a major part of consideration of the trade-offs being made.

Ref: 310204148

23 September 2021

Auckland Council  
Private Bag 92300  
Wellesley Street  
Auckland 1142

**Attention: Todd Elder**

Dear Todd,

**Private Plan Change, 473 Albany Highway  
Technical Specialist Reporting – Transport Engineering**

**1. Introduction**

- 1.1. I have been commissioned by Auckland Council to undertake a specialist technical review of the transportation matters related to Private Plan Change 59 (“**the Plan Change/PC59**”) Albany Precinct 10 on behalf of Auckland Council.
- 1.2. I am a practising specialist transportation engineer. Since 2020 I have been employed by Stantec New Zealand as Private Sector (Transportation) Leader and between 2018 and 2020 was the Group Manager (Northern Region) – Transportation. Prior to that time, I was a shareholder of and employed by Traffic Design Group Limited (“**TDG**”) for 25 years, most recently as a Director and the Auckland Branch Manager of that firm. In April 2018, TDG was acquired by Stantec New Zealand.
- 1.3. I gained a Bachelors degree in Civil Engineering with Honours from the University of Canterbury in 1991.
- 1.4. I am a Chartered Professional Engineer in New Zealand, an International Professional Engineer, Fellow and Chartered Member of Engineering New Zealand, and a Fellow and Professional Member of the Institute of Transportation Engineers, USA.
- 1.5. Throughout my 30 years of professional experience, I have practised as a traffic engineering and transportation planning specialist where I have provided transportation consulting and expert witness services to a wide variety of clients across the country within the private sector, local government and central government agencies.
- 1.6. In writing this memo, I have reviewed the following documents:
  - Notification Documents:
    - Application for Private Plan Change, Albany (Albany 10 Precinct), prepared by Campbell Brown Planning Ltd, Rev B, dated 17 August 2020, including:
      - Appendix B – Proposed Plan Change Precinct and Zone Maps
      - Appendix C – Proposed Albany 10 Precinct Provisions

- Appendix F – Integrated Transport Assessment (ITA)(Revised)
- Clause 23 – Request for Further Information Documents:
  - Clause 23 – Response Table
  - Appendix 2 – Updated Precinct Plans
  - Clause 23 – Request for Further Information Response Letter
  - Clause 23 – Supplementary Response Table
  - Attachment 1 – Albany 10 Precinct Provisions (Version 3)
  - Attachment 2 – Traffic Modelling Update
- Submissions and Further Submissions relating to transport.

## 2. Key Transportation Issues

- 2.1. The 'Residential – Terrace Housing and Apartment Building Zone' ("THAB Zone") enabled by the proposed change to the Unitary Plan is not unusual or unique with respect to the anticipated transportation effects arising from the zone or the nature and scale of development that the zoning facilitates. Rather, the THAB zoning represents a general intensification of residential use within the subject land (formerly part of the Massey University Albany Campus and providing largely for student accommodation) maximising the number of residential lots to be developed on the site and contributing to the wider more general residential opportunities serving the Auckland metropolitan area. The land-use change is considered to be a high-intensity traffic generating activity compared to the existing activity.
- 2.2. The proposed Plan Change PC59 seeks to introduce a range of precinct-specific measures (some of which relate to transport) which seek to address some of the site-specific effects associated with the subject land and its inter-relationship with the surrounding parts of the transportation network.
- 2.3. Based on my assessment of the Plan Change and its supporting ITA including the August 2020 ITA revision, I have identified that the key transport issues associated with the Plan Change, are generally as follows:
- The site's accessibility to a variety of transport alternatives and modes, and its future accessibility once further improvements to the transport network are implemented as the PC59 (and surrounding) development grows
  - The ability of the existing road network to accommodate additional traffic movements generated by both the Plan Change rezoning as well as the proposed future development scenario put forward by the Applicant
  - The appropriateness of the Plan Change's structure and format in terms of the future stages and phases of development and supporting transportation assessment to ensure a timely delivery of future transport improvements to accommodate the additional traffic movements and associated traffic effects generated by the proposed rezoning

- Whether sufficient parking can be provided on-site and whether it is appropriate for this to be detailed at future Resource Consent stages or whether this should be assessed and required within the current Plan Change process
- The ability of the Plan Change and future development facilitated by the rezoning to be consistent with and to encourage, key regional and district transport policies.

2.4. The Applicant proposes a series of infrastructure improvement thresholds in relation to addressing the potential adverse effects of transportation arising from the proposed residential development, as follows:

- Initial development (up to 460 dwellings):
  - PC59 refers at I552.8.2(1)(e)(ii) Assessment Criteria for restricted discretionary activities calls for assessment of development exceeding 440<sup>1</sup> dwelling in terms of the extent to which provision is made for public transport and alternatives transport modes to support and promote reduced dependency on private vehicles. The Revised ITA recommends that a private shuttle bus be established and operated by the Applicant between the subject site and Albany Station.
- Any development of up to 770 dwellings:
  - Rule I522.6.13, Table I522.6.13.1 requires that additional transport assessment and mode share review is undertaken through the Traffic Assessments submitted at the time of Resource Consent.
- Greater than 770 but less than 930 dwellings
  - Rule I522.6.13, Table I522.6.13.1 the Plan Change requires any development exceeding 770 but less than 930 dwellings be supported by upgrading of the Wharf Road and Bass Road intersections with the addition of left and right turn lanes of a 60m in length
- Greater than 930 dwellings:
  - In order to support the creation of more than 930 dwellings, Rule I522.6.13, Table I522.6.13.1 requires completion of the two cycleway projects identified in the Upper Harbour Greenways Plan (September 2019) being Oteha Valley Road Express Network between Albany Expressway and Mills Lane; and Vineyard Road, Coliseum Drive, Don McKinnon Drive local network street; and improvement of public transport provision (e.g. increased frequency of public transport, modification of existing routes).

### 3. Applicant's assessment

#### The existing transport environment

3.1. The applicant's transport assessment is primarily contained in the Integrated Transportation Assessment report published 6 August 2020 ("**Revised ITA**") by Commute Transportation Consultants. Attachment A issued by Commute on 9 September 2020 contains the updated traffic modelling information supplied following the Council's Request for Further Information under Clause 23 of the RMA.

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<sup>1</sup> I552.9 Special Information Requirements suggests 400hh; I552.8.2(1)(e)(ii) Assessment Criteria refers to 460. This should be consistent

- 3.2. The Revised ITA appropriately describes the existing transport environment, informed by two traffic counts undertaken during peak periods during May 2018, and in my opinion appropriately assesses the reported road safety history of the area.
- 3.3. The ITA notes that the status of Albany Highway will remain as classified by the Auckland Unitary Plan as an “arterial road” and that its status will not be affected by the development.
- 3.4. The Commute Revised ITA concludes the following in relation to the existing transportation infrastructure in support of the PC59 development:
- a. The site is well connected with regards to road connectivity to the wider Auckland region
  - b. The site is considered to be well connected to public transport; and
  - c. The site is excellently connected to local transport hubs, schools and commercial / retail facilities.
- 3.5. I agree with points (a) and (c) above; however, I do not agree that the site is well connected to public transport. The bus route 917 service has a morning and afternoon peak hour focus to / from Massey University only and travels through the somewhat congested road network through the Albany Town Centre. This means that route 917 (and its ability to serve the future residents of the subject land) is disadvantaged by having to negotiate the Albany area and would not provide the direct connection between the Plan Change area and the Albany Bus Station for onward connection to the Auckland CBD and wider parts of the Auckland metropolitan area. It is understood that improvements to this service are proposed as part of this application.
- 3.6. The ITA notes that Albany Highway currently carries high daily and peak hour volumes. The traffic surveys confirm that the two-direction flows on this road is around 2,000 vehicles per hour.
- 3.7. I agree that the development is not expected to significantly affect the operation and safety of the nearby intersections within the context of the threshold rules included in the Plan Change but conditional upon the outcome of the future Integrated Transportation Assessments and accompanying traffic modelling that will be required to be undertaken in support of all future development.
- 3.8. As will be discussed in a subsequent section of my report, I am concerned that maximum residential development of up to 1800 dwellings is signalled within Rule I552.6.1 Dwelling Density however this has not been supported by any (even preliminary) transportation modelling. I am concerned that the extent of intersection upgrading signalled in support of just 770 dwellings would by implication require significant network improvement beyond that anticipated within the Revised ITA and supporting modelling.

#### **Proposed development**

- 3.9. The Revised ITA states that the exact number of lots / dwellings to be developed within the Plan Change area will depend on subsequent resource consents; however, it is understood that it could be between 1,500 and 1,800 lots or dwellings. Proposed development of the PC59 site is planned to obtain access through two existing intersections (Wharf Road and Bass Road intersections with Albany Highway) as well as a new left in / left out road connection situated to the north of the wharf Road intersection.
- 3.10. The Revised ITA considers that these road connections to be able to safely and efficiently accommodate the anticipated traffic volumes generated by the development (albeit onto to expected trip generation up to an additional 100vph), subject to the mitigation details. I will comment on this under the assessment of effects section.
- 3.11. Additional pedestrian and cyclist connections as described in the ITA is proposed as part of the application.



### **Trip generation**

- 3.12. Existing mode share of travel movements used within the Revised ITA has been based on household travel statistics provided by the 2018 Census. In general terms the Census 2018 statistics show that public bus travel to work is well utilised within the surrounding areas, while bicycle travel is relatively low.
- 3.13. The ITA notes that public bus facilities will need improvement to accommodate increased demand. I agree with this. It also notes that the underutilised bicycle mode from the Census 2018 travel to work information is likely due to cycling deficiencies as identified in Attachment A2 of the Revised ITA. Cycling improvements are recommended and referenced within the threshold improvements included in the Plan Change. I will comment on this under the Access section of my report.
- 3.14. The ITA states that the number of dwellings or scale of retirement village is uncertain at this stage and that accordingly, the anticipated trip generation cannot be calculated. I do not agree with the above approach as the trip generation assessment needs to consider the potential level of development enabled by PC59, to enable appropriate assessment of the traffic effects and where necessary appropriate scaling/development of mitigation measures.
- 3.15. While the thresholds approach adopted within the structure of the PC59 is generally valid and a common approach to scaling and timing of infrastructure (or other) mitigation in line with development, there is still a need for consideration of a particular (even if theoretical) level of development and its generated external effects. Under the current precinct provision, no consideration beyond 930 dwellings (medium density with a trip rate of 0.65 vehicles per dwelling, 600vph peak period generation) has been considered within the Revised ITA and supporting modelling.
- 3.16. In my opinion the Applicant should illustrate that this is a “maximum” dwelling yield based on medium density residential dwellings enable by PC59 should not exceed 930 dwellings – not the 1800 dwelling referred to within the I552.6.1 Dwelling Density rule. There has been no supporting transportation assessment made (even at a theoretical level) to support any development density beyond 930 dwellings. The Applicant should be requested to illustrate the practical maxima in terms of dwellings and their transportation effects are, based on available developable area of the PC59 area, which may indicate a lower dwelling number than 1800. Alternatively, there could be an equivalent maximum carparking provision control that seeks to restrict the total number of carparking spaces (and hence the overall basis for traffic movement generation) beyond the thresholds previously discussed.
- 3.17. In broad terms and based on the preliminary reviews undertaken through the Clause 23 period under my direction, I agree with the existing trip generation and northbound/southbound splits adopted within the ITA for those levels of development threshold referenced.
- 3.18. The traffic distribution assumptions in the Revised ITA assess that the predominant traffic flows will be to and from the north. Although this conflicts with the 50/50 split of traffic assessed at each of the two signalised intersections to access the site and the Revised ITA gives no consideration to the expected location of various activities within the site, the Applicant considers that vehicles travelling north but originating from the southern section of the site will use the southern intersection to travel north and vice versa. Based on the site layout, the intersections are considered to accommodate approximately 50% each of the development traffic, with the distributions at those intersections predominantly to the north. I agree with this assumption and that the

sensitivity test reported in the Revised ITA/Modelling support the fact that the PC59 generated traffic will re-route to effectively balance out delays at the two intersections.

- 3.19. The ITA adopted heavy vehicle proportions of 5% for the residential development trip generation. I agree that this is a conservative rate inline of what is expected of a residential development.

#### **Assessment of effects**

- 3.20. The Revised ITA assessed the Albany Highway / Wharf Road and Albany Highway / Bass Road signalised intersections during the morning and afternoon peak hour periods. Three scenarios were included, namely:

- a) Existing Intersection Performance (as per original ITA);
- b) Development Intersection Performance (Existing Arrangements) (as per Attachment 2); and
- c) Development Intersection Performance (Including Mitigation Measures) (as per Attachment 2).

- 3.21. Commute's updated traffic modelling results included networking of the subject intersections, minor changes to the utilisation rates of the through lanes to accurately represent the T2 lanes, and a sensitivity test of 40% / 60% volume split between the northern and southern intersections, respectively. Attachment 2 to Commute's Revised ITA/Modelling notes that phase times were inputted to optimise the intersection operation, with all cycle times for the networked sites set at 120 seconds. I agree that this is appropriate for an arterial road environment.

#### **A. Existing Intersection Performance**

- 3.22. The ITA notes that existing intersection phasing based on SCATS data were used in the intersection analysis (including operational cycle lengths) and concludes that the Albany Highway / Wharf Road and Albany Highway / Bass Road intersections currently operates satisfactory with acceptable level of services ("LOS") and delays.

#### **B. Development Intersection Performance (Existing Arrangements)**

- 3.23. The results reported in the Revised ITA/Modelling suggest that an additional 500vph generated by the development (equivalent to approximately 770 medium density dwellings) could be accommodated at both these intersections with acceptable LOS and delays without any mitigation. The network analysis suggests that the queue lengths will not affect adjacent intersections

#### **C. Development Intersection Performance (Including Mitigation Measures)**

- 3.24. The results suggest that an additional 600vph (equivalent to approximately 930 medium density dwelling units) generated by the development can be accommodated at both these intersections incorporating the proposed mitigation upgrading with acceptable LOS and delays. The network analysis suggests that the queue lengths will not affect adjacent intersections.

- 3.25. The mitigation at both intersections includes the provision of a separate left and right turn lane of 60m length on the eastern (development) legs for both intersections.

**D. Modelling Summary**

3.26. The ITA and Attachment 2 concludes that:

- a) The existing signalised intersections operate satisfactorily in both the AM and PM peak hours;
- b) The development can generate a maximum of 500vph in both the AM and PM peak hours before the intersections begin to operate unsatisfactorily. Given this 500vph trip generation threshold and approximately 1,800 dwellings, trip generation rates below 0.28 trips / dwelling are required for this not to be triggered;
- c) Subject to the mitigation works, the development can generate a maximum of 600vph in both the AM and PM peak hours before the intersections begin to operate unsatisfactorily (even with mitigation). As such it is recommended that any development trip generation above 600vph should require further mitigation works. Given this 600vph trip generation threshold and approximately 1,800 dwellings, trip generation rates below 0.33 trips / dwelling would be needed (noting that the medium density dwelling unit rates referred to previously amount to 0.65 trips/dwelling);
- d) Sensitivity testing (40% / 60% distribution) requires the development trip generation to be reduced to 500vph to achieve suitable intersection operation. However, this distribution is in my opinion unlikely to occur in practicality and the 600vph threshold (subject to mitigation) is still considered most appropriate.

3.27. I agree with the analysis in part; however, in reviewing the SIDRA models it was found that the “pedestrian protection” phase (a delay to the turning traffic signal phase to allow pedestrians to start their crossing movement and hence improve safety) has not been applied for left-turning vehicles at these intersections as would be standard practise in designing and operation traffic signals across Auckland. This may result in additional deterioration of LOS and delays with longer queue lengths and may reduce the trip generation threshold of these intersections.

3.28. As I have previously noted, the propose Plan Change development may exceed the projected trip generation of 600vph and the maximum trip generation enabled by the Plan Change area should be considered or alternatively reference should be made that the development is not expected to generate more than 600vph given the land use enabled by the PPC.

3.29. The Commute assessment of effects does not consider growth in background traffic. However, the Applicant has confirmed that the background growth on Albany Highway has been sourced from the ART regional transport model (Scenario 11.5) which suggests that future movements on Albany Highway are of a similar order than those surveyed (existing). It was also noted that the development is in itself a significant portion of the growth that could occur in the area. I agree with this statement.”

**Parking**

3.30. The ITA suggest that parking provisions will be developed at future resource consent stages; however, it is considered that this requirement can be readily satisfied.

3.31. On-street parking on the internal road can be determined at future resource consent stages and should provide for a minimum of one space per five dwellings. The parking bays should be designed and constructed to AT standards.

3.32. The total cycle parking provisions can be determined at subsequent resource consent stages as the site can accommodate the required number of cycle parking spaces. The Precinct provisions remove the Unitary Plan minimum requirement that only developments with greater than 20 dwellings should provide cycle parking, I agree with this approach as the PPC will be reliant on active transportation modes.

- 3.33. Loading space requirements can be assessed at future consent stages; however, the internal road network should be designed to accommodate a 10.3m Auckland Council Rubbish Truck and is expected that trucks will be able to access each dwelling.
- 3.34. I agree with the parking assessment as provided above; however, on-street parking should provide for an upper bound limit.

### Access

3.35. The ITA provides an acceptable internal road design criterion as listed below:

- a. Minimum centreline radius of 15m
- b. Minimum internal intersection kerb radii of 6m
- c. Minimum external intersection kerb radii of 9m
- d. Maximum gradient of 1:8 centreline radius of 15m

3.36. The Revised ITA considers that vehicle accesses would be readily able to meet Unitary Plan requirements.

3.37. All public roads within the Plan Change area will feature footpaths of 1.8m wide on both sides of the road, while all Jointly Owned Access Lots (“**JOAL’s**”) or laneways will feature clearly demarcated pedestrian paths. Separated cycle facilities on the internal roads are not considered to be required.

3.38. The Revised ITA recommends to improve the existing connections to Albany Station; however, considers that the existing pedestrian connections are sufficient. The volume of pedestrians generated by the development is not expected to require a redesign of the signalised intersections. Commute notes that deficiencies exist between the site and Albany Station with regard to the cycling infrastructure and proposes to improve this connection as part of PC59 which includes a continues separated cycle connection between the site and Albany Station.

3.39. A section of Oteha Valley Road with no cycling provision is identified in the Revised ITA and comment provided that the Upper Harbour Greenways Plan (September 2019) has a number of potential upgrades in the area for pedestrians and cyclists which should be further explored with inputs from AT and Council, namely:

- a. New “Express network path” along Oteha Valley Road; and
- b. New “Local Network (street) path” on Vineyard Road, Coliseum Drive and Don McKinnon Drive.

3.40. The ITA considers these connections to improve the local pedestrian and cycle network and provide excellent connectivity for the subject site. Accordingly, the Plan Change includes these projects within Table I552.6.13.1 as the threshold mitigation measures necessary to support a development in excess of 930 dwellings. The Revised ITA proposes to provide a (residents) shuttle bus between the site and Albany Station early in the development to encourage behaviour change away from private vehicle and towards public transport. It note however that this matter is not include within the specific requirements or rule of the Plan Change itself, rather there is an assessment criterion relating to the extent to which public transport improvements are implemented to reduce the dominance of private car travel.

3.41. A new left in / left out intersection at the northern extent of the site to Albany Highway is proposed as part of the Plan Change which will take a similar form of those connections to Albany Highway in close proximity. Vehicle tracking suggest that vehicles can safely and efficiently manoeuvre at this intersection.

### Precinct Plan Response

3.42. The ITA summarises the key findings in relation to capacity as follow:

- a. The AM peak is the critical;
- b. The existing intersection forms can cater for an additional 500 vph generated by the development;
- c. Both intersections can potentially be upgraded which will increase the capacity to accommodate a total of 600 additional vph.

3.43. It notes that traffic volumes / capacity to number of dwellings can be variable as it greatly depends on the success of:

- a. Public transport;
- b. Cycling / walking to other areas;
- c. Sizes of dwellings;
- d. Levels of retirement units;
- e. Local amenities.

3.44. The ITA states that traffic generation associated with residential dwellings can vary from 0.3-0.9 external site movements per dwelling in the peak hour depending on the above factors, and that 500 vph translate to between 550 and 1700 dwellings. As previously stated, I do not consider this as being the potential (worst case scenario) enabled by PC59.

3.45. It is expected that the site would generate on average an external trip rate of 0.65 trips per dwelling (equivalent to medium density residential units) and correspond to typical dwelling numbers of:

- a. 460 dwellings (300 vph) where the traffic generated by the proposed development is approximately equal to the existing (Massey University activity) traffic generated by the site;
- b. 770 dwellings (500 vph) where the existing network can cater for the Plan Change; and
- c. 930 dwellings (600 vph) where the upgraded intersections can cater for the Plan Change.

3.46. The Revised ITA considers the use of dwelling mechanism to be much simpler than trip generation triggers (and this has been adopted by the Table I552.6.13.1 dwelling thresholds). The trip generation assessment of any development at resource consent stage level will require a traffic report to confirm that it falls below the traffic generation limits. These mechanisms were previously described. Rule I552.6.13(2) also provides the mechanism that dwelling thresholds (and by implication the make-up of the nature of those dwelling units) should be reviewed and confirmed as part of any Traffic Impact Assessment or Integrated Transport Assessment required for subdivision and/or development within the precinct.

3.47. The Revised ITA provides dwelling unit equivalent rates for a variety of dwelling types, and these have been translated into the Plan Change at Table I552.6.1.1. I generally agree with this approach.

3.48. Other uses such as commercial and healthcare activities (maximum of 4,000sqm GFA), one supermarket (maximum 500sqm GFA), and restaurants and cafes (no greater than 100sqm within a single building) are also anticipated in PC59. I consider that these uses are small and will primarily serve the Precinct, rather than being an overall attractor of people and vehicle movements to the Precinct.

3.49. I agree that this will support the Precinct and reduce travel (somewhat).

### Transport Policies

3.50. The ITA states that PC59 aligns with the following:

- a. Auckland Plan 2050
- b. Auckland Regional Land Transport Plan
- c. Auckland Regional Public Transport Plan 2013
- d. Auckland Unitary Plan Operative in Part
- e. Auckland Transport Code of Practice; and
- f. Auckland Design Manual 2014.

3.51. I generally agree that the PPC aligns with these policies; however, only to the extent to which the effects were assessed (to provide for 930 dwellings with a trip rate of 0.65).

### Construction

3.52. The construction effects would be subject to subsequent resource consent processes.

## 4. Assessment of transportation effects and management methods

- 4.1. Overall, the receiving environment is adequate to support PC59 up to the threshold limits identified in the Plan Change provisions and per the Revised ITA's assessments of external traffic effects; however, the site is not currently well connected to public transport network and service routes. This effect is somewhat adequately addressed by the provision of a private shuttle bus between the site and Albany Station. This will assist to a modest degree in encouraging behaviour change away from private vehicle and towards public transport.
- 4.2. The existing road network currently operates with spare capacity; however, it will need some additional further mitigation to enable future development in the Plan Change area.
- 4.3. It is likely that PC59 can enable trip generation greater than 600 vph, at which point the effects of such trip generation would require more significant intersection upgrades (and potentially wider than local intersections) and will require more consideration to mode shifts.
- 4.4. Parking and internal access can be provided within the PC59 area without creating adverse effects in the Plan Change area itself.
- 4.5. It is considered that adequate measures are proposed to address the effects on the road network up to a trip generation of 600 vph; however, the effect of pedestrian protection in signal phasing should be addressed, and proposed precinct provisions should be adjusted if required. Any potential of the development to generate additional trips have not been assessed or considered and should be subject to more stringent controls than the Restricted Discretionary assessment criteria given at Rule I552.8.2 (7) (a-d). As noted previously, it would be appropriate to establish an on-site maximum carparking provision that would seek to establish an upper bound on the maximum trip generation of the site, in addition to the requirements for the provision of Integrated Transport Assessments for development exceeding the I552.6.13, Table I552.6.13.1 thresholds.
- 4.6. It is considered that the optimal potential of the PC59 area should be considered. As such, an additional plan provision should be incorporated either to limit the density of the PPC area or maximum parking provision or identification of additional mitigation measures to address likely effects above the 'permitted 600 vph trip generation threshold.

## 5. Submissions

- 5.1. A total of 101 submissions have been received in respect of PC59 that raise concerns in regard to the potential transportation effects.
- 5.2. The submissions identify seven broad potential transportation-related issues, namely:
- a. Increased traffic generation effect;
  - b. Insufficient transportation infrastructure, which include:
    - i. Incorrect transport infrastructure development thresholds;
    - ii. Lack of public transport to Albany Highway;
    - iii. Increased foot traffic.
    - iv. Funding
  - c. Parking provisions;
  - d. Construction effects;
  - e. Safety concerns;
  - f. Traffic modelling, which include:
    - i. Incorrect traffic modelling calculations;
    - ii. Lack of school period modelling; and
    - iii. Insufficient extent of intersections modelled.

### Traffic generation

- 5.3. The majority of the submissions received in relation to transportation effects raised concerns about the increased trip generation and the congestion caused by this. In particular, submitters are concerned about the increased trip generation during school drop-off and pick-up peak periods as it is generally experienced that Albany Highway is congested around these periods. Submitters suggest that the same modelling is performed at the Albany Highway / Albany Expressway and Albany Highway / Bush Road intersections to determine the effect of trip generation at these intersections. The submitters suggest that queues at these intersections are significant and the addition of high-density dwellings will only add to this.
- 5.4. I note that the PC59 traffic modelling undertaken and reported by Commute on behalf of the Applicant is based on the "critical" peak hour period which suggests the worst-case scenarios have been considered. As such, school drop-off and pick-up peaks are not considered critical, unless they have however occurred during the critical peak periods. The Albany Highway / Albany Expressway and Albany Highway / Bush Road intersections are not considered critical at trip generation levels up to 930 dwellings as the PC59 site-generated trips would have distributed throughout the network in a manner that results in lower trip generation and would not result in any significant adverse effects. While the intersection of Albany Highway and Albany Expressway may not be critical I do consider that it would be appropriate to test the effect of the Plan Change's development-generated traffic at this intersection as part of the assessment of effects sought through the transport assessment provisions in support of the Plan Change.
- 5.5. I consider that any trip generation beyond that of 930 dwellings (600vph) will potentially have a material impact at these intersections and should be considered at the maximum trip generation threshold enabled by the Plan Change.
- 5.6. Submitters have concerns that the trip generation rate of 0.65 per dwelling is an underestimate of the area, as it is surrounded by a predominantly suburban environment with limited public transport services. It is therefore possible the vehicle trip generation rate could be higher than 0.65 trips per dwelling.

- 5.7. I consider a trip rate of 0.65 vph per dwelling for a medium density residential area, to be a reasonable estimate of trip generation in this area, given the provision of a private bus shuttle service which will promote public transport usage from the initial stage of the development.
- 5.8. Submitters suggest that given the assumed trip generation rate of 0.65 vph per dwelling and the capacity constraints of the two intersections, it is unclear how the precinct could realistically accommodate vehicle movements associated with more than 930 dwellings, which is the maximum number of dwellings the ITA states the site can accommodate before the intersections begin to operate unsatisfactorily.
- 5.9. I agree that it is unclear how the precinct will accommodate for the provision of dwellings which will exceed 930. I have provided my opinion under the section Trip Generation (line 3.16).

**Insufficient transportation infrastructure**

- 5.10. Submitters suggest that there is insufficient transportation infrastructure to support PC59. In particular, there are concerns about the public transport facility's capability of accommodating the increased demand of users. The Plan Change should ensure that the mechanisms for providing the necessary upgrades to the transport network are clear, effective and enforceable.
- 5.11. I disagree that there is insufficient infrastructure to support PC59 up to a trip generation of 600 vph. However, the effect associated with any trip generation over 600 vph is unknown and a maximum trip generation enabled by PC59 should be considered in determining the sufficiency of the future transportation infrastructure.
- 5.12. Some submitters request that vehicles per peak hour and dwelling density be considered in preference to dwelling counts for the Transport infrastructure development thresholds and for the relevant assessment criteria. They are concerned that an increase in active mode crossing demand (east / west) at the Bass Road / Albany Highway intersection if residents do attend Albany School have not been considered and should be taken into consideration during the upgrade of the intersection.
- 5.13. I agree that the "vehicles per peak hour" metric is a better measure for transport infrastructure development thresholds to dwelling counts. This has been the used up to the provision of 930 dwellings (or 600 vph) which I consider to be correct. However, no consideration has been given for trip generation greater than 600 vph. I do not consider that an increase in crossing demand at the Bass Road / Albany Highway intersection is of concern as appropriate signalised pedestrian crossing facilities are provided at the intersection.
- 5.14. Submitters request additional Plan Change provisions to ensure that the costs of the upgrade requirements are fully funded by the developer to the appropriate extent at the appropriate time, and at either subdivision or development as appropriate. Also, the submitters seek that the development threshold 'upgrades' not include facilities or services that the developer has no direct control over, such as public passenger transport services, and that such matters be the subject of assessment criteria to help determine consent;
- 5.15. In my opinion, the Applicant should demonstrate that any private shuttle bus service is feasible, practicable and effective, including in terms of its funding and management over time. I recommend that such information should be presented at the time of the Plan Change hearing.
- 5.16. Submitters suggest that it is unclear how the upgrade projects in combination with the proposed private shuttle and parking limits can realistically reduce the vehicle trip generation rate, so that the intersections can provide for vehicle movements associated with between 930 and 1,800 dwellings. For instance, the off-site cycling measures are relatively remote from the site and the improvements to public transport services along Albany Highway will be dependent on factors not exclusively limited to the precinct. Furthermore, funding for such



projects has not been confirmed in the Regional Land Transport Programme and/or the Applicant has not agreed to fund these projects through an Infrastructure Funding Agreement or similar agreement.

- 5.17. I agree that vehicle movements associated with development within the Plan Change land delivering between 930 and 1,800 dwellings (or over 600 vph) have not been quantified or assessed. I confirm that it is my opinion that the Plan Change cannot simply rely on ITA development and public transport measures to reduce trip generation without assessing these effects in an empirical manner.

#### **Construction effects**

- 5.18. Some submissions raise concerns regarding the construction effects of development that will be facilitated by PC59. In particular, submitters raise concerns around an increase in construction traffic in the area and its effect on the neighbouring schools. The submitters recommended that no construction vehicles are permitted to access or egress the site during school peak hours and that an assessment criterion be included which requires a consideration of construction traffic effects.
- 5.19. I note that the construction effects would be subject to subsequent resource consent processes. I would agree that any construction traffic management associated with resource consents issued under PC59 should carefully consider controls and restrictions to protect the safety of school related activity especially during drop-off and pick-up times. I recommend that such an assessment criterion should be included within the precinct provisions to ensure that these submitters concerns are appropriately addressed.

#### **Parking provisions**

- 5.20. Submitters have concerns about the number of parking spaces supplied which may not meet the parking demand anticipated by the Plan Change development – they are concerned that parking demand will generally exceed the supply of parking that would be required through the combination of PC59 precinct provisions and the E27 Transport requirements of the Unitary Plan in general.
- 5.21. One submitter seeks the application of a parking maximums as a measure to minimise vehicle trip generation.
- 5.22. I do not agree that a surplus number of parking spaces should be provided within the PC59 area. I agree that parking maximums can be provided within the precinct provisions; however, such maximums as proposed by the precinct provisions are reasonable and consistent with the city-wide approach to parking provision. I note that the Government's National Policy Statement – Urban Development (2020) ("NPS-UD") requires all major urban areas around the country to remove parking minimum requirements from their District, City and Unitary Plans. In this regard it is expected that within the next year the Auckland Unitary Plan will have no minimum parking requirements applying to land-use developments. Such concerns about the Unitary Plan parking requirements not being able to match practical needs for parking will be a matter to be addressed at the time of both Auckland Council's change to the Unitary Plan to reflect the Government's direction under the NPS-UD and at the time of resource consents for future development within PC59.

#### **Safety Concerns**

- 5.23. Submitters raised safety concerns in relation to the proposed new left in / left out road connection. The submissions suggest that pedestrian safety will be compromised on Albany Highway.
- 5.24. I do not agree that the new left in / left out road connection will result in any significant adverse safety issues. I note that the intersection is generally similar to others on Albany Highway. I do not support the Auckland Transport submission recommending the deletion of this intersection from the Plan Change, but recommend

that further detailed assessment be undertaken of both the operational effectiveness and safety prior to any decision as to whether this intersection is retained.

### **Traffic modelling**

5.25. Some submissions raised concerns about the traffic modelling being insufficient on the following grounds:

- a) does not represent the school peak periods and that congestion is generally more in these periods compared to commuter peak hours;
- b) the traffic models are incorrectly calibrated in terms of queue lengths and that queue length data is collected to validate the base model; and
- c) that the same modelling is performed at the Albany Highway / Albany Expressway and Albany Highway / Bush Road.

5.26. I have addressed a) and c) under previous submitter's concerns. I agree that the traffic models were incorrectly calibrated as the "pedestrian protection" phase (a delay to the turning traffic signal phase to allow pedestrians to start their crossing movement and hence improve safety) has not been applied for left-turning vehicles at these intersections. This may result in additional deterioration of LOS and delays with longer queue lengths and may reduce the trip generation threshold of these intersections. I recommend that the Applicant respond in specific terms to these matters at the Plan Change hearing.

5.27. In terms of the submitter concern that the assessment of the Plan Change should extend to consider the effects on the operation of the intersection of Albany Expressway/Mercari Way/Bush Road, I consider that the primary effects of the Plan Change and its future development will extend through to the first main intersection beyond the site frontage. The distribution of the Plan Change is expected to disperse beyond the intersection of Albany Highway and Albany Expressway, such that there would be a reduced effect by the time consideration is extended to the Expressway/Mercari/Bush intersection.

5.28. I therefore do not support the submitters concern in this regard.

## **6. Conclusions and recommendations**

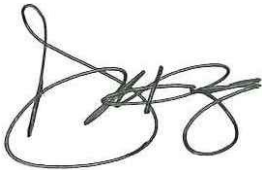
- 6.1. The assessment of effects on the receiving environment is in my opinion generally adequate to support PC59; however, the site is not well connected to current or planned public transport networks and service routes. This effect is somewhat adequately addressed by the provision of a private shuttle bus between the site and Albany Station proposed in support of the Plan Change. This will encourage behaviour change away from private vehicle and towards public transport. The existing road network currently operates with spare capacity; however, will need some mitigation to enable future development in the PC59 area.
- 6.2. It is likely that PC59 can enable trip generation greater than 600 vph, at which point the effects of such trip generation would require detailed Integrated Transportation Assessments, more significant intersection upgrades (potentially across a wider than local network area) and will require more consideration to mode shifts. The assessment of the future transport environment fails to address effects beyond 600 vph.
- 6.3. Parking and internal access can be provided within the PC59 area without creating adverse effects in the Plan Change area itself.
- 6.4. It is concluded that adequate measures are proposed to address the effects on the road network up to a trip generation of 600 vph; however, the changes in signal phasing for the Albany Highway signalised intersections

(to allow for pedestrian protection) should be addressed and presented by way of evidence at the Plan Change hearing.

6.5. It is concluded that the optimal potential of the PC59 area has not been fully assessed. As such, an additional plan provision should be incorporated either to limit the density of the PC59 area such as a non-complying threshold of a maximum on-site parking provision or identification of mitigation measure to address likely effects above the 'allowed' 600 vph trip generation. Any potential of the development to generate additional trips that have not been assessed or considered should be subject to more stringent controls than the Restricted Discretionary assessment criteria given within the precinct provisions (Rule 1552.8.2 (7) (a-d))

6.6. Overall, I support the PC59, given that the above recommendations are considered and incorporated into the precinct provisions. The Applicant should be asked to address these matters in evidence at the Plan Change hearing.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Don McKenzie', with a large, stylized flourish at the end.

**Don McKenzie**

Private Sector Leader (Transportation) - Auckland  
Stantec New Zealand

6 August 2021

To: Todd Elder – Policy Planner, Auckland Council  
From: Gemma Chuah, Senior Healthy Waters Specialist, Healthy Waters  
Iresh Jayawardena, Senior Healthy Waters Specialist, Healthy Waters  
KC Lee, Senior Healthy Waters Specialist, Catchment Planning, Healthy Waters

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**Subject: Private Plan Change – PC59 – ‘Albany Precinct 10’ – Stormwater Management Assessment**

## 1.0 Introduction

- 1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to effects on stormwater management and flooding.
- 1.2 My name is Gemma Chuah. I am employed by Auckland Council (Council) in the capacity of a Senior Healthy Waters Specialist, in the Healthy Waters Department (HWD).
- 1.3 I am a Senior Healthy Waters Specialist in the Healthy Waters Department of Auckland Council. I hold a Bachelor of Science (hons) degree from the University of Canterbury and I am a member of Water New Zealand. I have been employed by Auckland Council for eleven years. In my current role I am responsible for providing technical and planning input from Healthy Waters stormwater perspective into plan changes and resource consent applications and for coordinating the implementation of Healthy Waters' regionwide network discharge consent (NDC).
- 1.5 This private plan change request from BEI Group Limited (the applicant) seeks to rezone the land located at 473 Albany Highway, from Residential – Mixed Housing Suburban to Residential – Terrace Housing and Apartment Buildings Zone. In addition, the request included a new precinct – ‘Albany 10 Precinct’ with the following amendments to the Auckland Unitary Plan (Operative in Part) (“AUP”):
- Removal of the ‘precinct’ overall within the Auckland Unitary Planning maps, identified as ‘Albany 9 Precinct – sub-precinct C’.
  - Amendment of the I501 Albany 9 Precinct provisions to remove references to ‘sub-precinct C’.

The request seeks to enable and facilitate a substantial new residential growth area with supporting commercial activities that cannot be achieved within the current AUP zoning and provisions that exist on the site.

More specifically, the proposed private plan change would enable:

- up to approximately 1,800 dwellings.
  - up to 4000m<sup>2</sup> of business land suitable to support a ‘small community hub’ which would enable a centre of shops and services; and
  - a privately managed central park.
- 1.6 In writing this memo, I have reviewed the following documents:
- Application for private plan change for Albany 10 Precinct including the s32 analysis report, prepared by Campbell Brown Planning Ltd, dated 8 May 2020
  - Appendix B – Precinct Plan and Zoning Map
  - Appendix C – Albany 10 Precinct provisions
  - Appendix K – Infrastructure Report (Version 0) Rev A, prepared by Wood & Partners Consultants Ltd, dated 28/04/2020

- Albany Estate Stormwater Management Plan (Version 5), Rev A, 473 Albany Highway, prepared by Wood & Partners Consultants Ltd, dated 14/09/2020

1.7 Submissions received in relation to stormwater matters have also been reviewed and assessed.

## 2.0 Key Stormwater Management Issues

2.1 The key stormwater management issues are summarised below, and these are discussed in greater detail in Section 4.

### *Receiving environment*

2.2 The PC59 stormwater discharges to Oteha Stream (SEA\_T\_8340) and Lucas Creek (SEA Marine 2–57b), Significant Ecological Areas under AUP and ultimately discharges to Waitemata harbour. The PC59 development requires protecting these terrestrial and freshwater ecological areas from any adverse effects of subdivision, use and development, particularly from changes in hydrology.<sup>1</sup> The PC59 has been prepared an SMP outlining methods to demonstrates hydrology mitigation and how this will be implemented through future development.

### *Hydrology mitigation*

2.3 The PC50 site is not located within a Stormwater Management Area Flow (SMAF) under the AUP. However, PC59 proposes to provide both hydrology retention and detention for future development similar to the SMAF2 overlay. In addition to that, development also provides permeable paving/permeable concrete for residential hardstand areas where retention is possible. Rainwater tanks and harvesting are proposed for roof areas which also contributes to reuse on-site.

2.4 Hydrology mitigation via detention is proposed using a wetland structure. This wetland will attenuate runoff from public roads and provide extended detention for areas where retention is not possible due to geotechnical constraints.

### *Water quality treatment*

2.5 The PC59 development proposes treating all public and private impervious areas using devices designed according to GD01. The proposed wetland structure and bioretention devices will provide treatment for all public road runoff. Furthermore, future buildings will be utilised non-contaminated roof and building materials which help prevents discharges of contaminants to the public stormwater network. There are privately maintained raingardens will provide for private roads and JOALs including residential hardstand area.

### *Flood management*

2.6 The extent of the flood plain is only contained within the Oteha Stream. Maximum Probable Development (MPD) assumes an impervious area of 74.3% in the catchment. The PC59 proposed total impervious area is 70%. There are no known flooding issues downstream. The development is not required to provide flood management on-site.

### *National Environmental Standard: Freshwater Management (NES–FM) 2020*

2.7 Appendix J Ecological Assessment report identifies that PC59 contains an existing wetland area with native species.<sup>2</sup> The PC59 proposes to utilise this wetland with restoration potential to provide stormwater management function. According to recent amendments to National Environmental Standard: Freshwater Management (NES–FM) 2020, the proposed modification to natural wetlands is a prohibited activity.<sup>3</sup>

2.8 There is some uncertainty as to the status of this wetland, the applicant has identified the wetland as a natural wetland in which case the regulations within the NES will apply and the wetland may not be appropriate to be used for stormwater management. However, the

<sup>1</sup> Chapter D9 Significant Ecological Areas Overlay, Auckland Unitary Plan

<sup>2</sup> Ecological values, Appendix 2 Existing Vegetation, prepared by Boffa Miskell, dated 7 May 2020

<sup>3</sup> Rule 53 of NES-FM

assessment provided by Council's ecologist, Carl Tutt<sup>4</sup> identifies this wetland as artificially constructed sometime between 2017 and 2019. This would mean that the NES does not apply to the wetland.

2.9 I welcome the applicant's further to comment on this aspect and the implications for stormwater management.

### 3.0 Applicant's assessment

3.1 The applicants' s32 Planning Report<sup>5</sup> and the Stormwater Management Plan<sup>6</sup> (SMP) discuss the assessment of stormwater management effects.

3.2 Section 5 of the s32 Planning report describes the stormwater management for the land to be rezoned. The Stormwater Management Plan discuss details of the existing site characteristics, topography, catchment/sub-catchments and the nature of the receiving environment.

3.3 Section 7 of the SMP describes that:

- The stormwater management plan is prepared and submitted to meet the requirements of Schedule 4 of the Regionwide Network Discharge Consent (NDC) and the AUP. Healthy Waters have reviewed the SMP and are satisfied that the proposed stormwater management approach meets regionwide NDC requirements. Accordingly, Health Waters provided provisional approval, which was granted on 08 December 2020.
- The SMP proposes a stormwater management toolbox approach (Table 3) summarising the best practicable options for the proposed land to be rezoned. The SMP has acknowledged that the SMP has given regards to the existing drainage and site's characteristics and the receiving environment. This helped determine the best practicable options for the proposal.
- The plan change site is not located within a Stormwater Management Area Flow (SMAF) under the AUP. However, the applicants identify to provide stormwater management to the site following a 'SMAF like' approach to the proposed development. The plan change area discharges to Oteha Stream, a Significant Ecological Area (SEA) and a sensitive marine environment. The applicants have recognised the importance of minimising the potential effects of stormwater discharges that could affect the SEA.
- In terms of water quality treatment, the applicant proposed treatment of all impervious areas and adopted a treatment train approach, including inert building materials for cladding and roofing areas. The management of at-source treatment for impervious areas located within 'High contaminant generating Areas'<sup>7</sup> by the AUP. It is also proposed runoff from public roads be discharged to a wetland.
- In term of hydrology mitigation requirements, the applicant proposes to provide retention as per SMAF 2 with an allowance for the volume to be contained and released over 24 hours if retention/reuse is not feasible. In addition, it provided that detention as per SMAF 2 requirements, including hydraulically neutral surfaces, such as permeable pavements for areas where soil infiltration is possible. It is also proposed to use rain tanks for retention and detention within individual lots to meet the SMAF 2 requirements.
- The applicant has identified that stormwater management devices for both providing water quality treatment and hydrology mitigation will be designed in accordance with Auckland Council Guidance Document (GD01) 2017.

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<sup>4</sup> Memo (technical specialist report to contribute towards Council's section 42A hearing report) Private Plan Change – PC59 – Albany Precinct 10 – Ecological Assessment, prepared by Carl Tutt, Auckland Council, dated 3 August 2021.

<sup>5</sup> Application for private plan change for Albany 10 Precinct including the s32 analysis report, prepared by Campbell Brown Planning Ltd, dated 8 May 2020

<sup>6</sup> Albany Estate Stormwater Management Plan (Version 5), Rev A, 473 Albany Highway, prepared by Wood & Partners Consultants Ltd, dated 14/09/2020

<sup>7</sup> Chapter E9 Stormwater Quality – High contaminant generating car parks and high use roads, Auckland Unitary Plan

- The primary stormwater reticulation network will be designed to convey 10-years storm events in accordance with the Auckland Council Stormwater Code of Practice. As the area of the site identified for development is located outside areas subject to flood risk, flood attenuation is not required.

#### **4.0 Discussion of stormwater effects and management methods**

- 4.1 There are small sections of PC59 that are located within the lower parts of Lucas Creek (SEA Marine 2) and Oteha Valley (SEA Terrestrial 8340). This catchment is ultimately draining into Waitemata harbour, which is a SEA. The AUP has objectives and policies that seek to maintain and enhance the values associated with each SEA.
- 4.2 The assessments provided by the applicant have considered whether the appropriate measures have been taken to avoid, remedy/or mitigate any adverse stormwater management effects. This assessment includes stormwater flows, stormwater quality, effects on streams, water features and flooding perspectives on the receiving environment.
- 4.3 It is considered that the proposed master plan for PC 59 has been developed with particular regard to the existing natural landscape.

##### ***Stormwater quality treatment***

- 4.4 As discussed in Section 3 of this memo, the applicant's stormwater management proposes to provide water quality treatment of all impervious areas, including public/private roads via devices designed according to GD01. DWG#P19-236-00-1362-sk (rev2) in the SMP<sup>8</sup> indicates public stormwater devices and communal wetland. These devices are to be designed as per the Auckland Council Guidance Document 2017/01 (GD01). Final details to be confirmed at the future resource consent and development stages. I consider this information is adequate for the plan change stage to understand the effects on the receiving environment.
- 4.5 Runoff from public roads will be directed to the wetland and or bioretention devices. Private roads and parking bays and Jointly Owned Access Roads (JOALs) direct to swales. It is also proposed to use permeable paving or pervious concrete for all other paved areas within individual lots, car parks, driveways, residential and commercial hardstands.
- 4.6 The SMP proposes to use inert building materials for roofing and cladding areas.
- 4.7 Gross pollution traps will be provided for stormwater quality treatment to prevent any large contaminants from entering the public stormwater network.
- 4.8 The SMP proposes to use inert building materials for roofing and cladding areas. Whilst this is supported to achieve water quality treatment, the proposed Albany 10 precinct plan does not contain relevant planning standards to implement this outcome at the future land use, subdivisions and development stages. This will be further discussed in sections 4.27 - 4.28.

##### ***Hydrology mitigation***

- 4.9 As discussed in previous sections, the PC59 area is not located within the SMAF2 area. However, the proposed stormwater management approach adopts a SMAF 2 'like' retention and detention approach for future development. This is a requirement for stream hydrology under Auckland Council's region-wide network discharge consent's schedule 4. Given the adjacent site of the PC59 is also contained within the SMAF 2 area overlay under AUP, the proposed approach is considered appropriate for the nature of this development.
- 4.10 The proposed public wetland is to attenuate runoff from the public roads. The wetland also provides extended detention for areas where retention is not possible through infiltration due to geotechnical constraints.

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<sup>8</sup> Appendix G, Preliminary Engineering Plans, Albany Estate Stormwater Management Plan (Version 5), Rev A, 473 Albany Highway, prepared by Wood & Partners Consultants Ltd, dated 14/09/2020

4.11 Retention management through infiltration may not be possible in some area due to ground conditions. Site-specific investigations will be required at the subdivision consent stage to confirm this further. Where retention through infiltration is not possible full detention will be provided<sup>9</sup>.

4.12 PC59 development also proposed underground tanks for areas where infiltration is not viable. Overflows from these tanks will be discharges to the public network.

### ***Flood risks***

4.13 The existing flood plan within PC59 is contained within the Oteha Stream corridor, and there are no known flooding issues downstream. The flood plain mapping has been completed for the Maximum Probable Development (MPD) scenario assuming an imperviousness coverage of approximately 74% in the catchment. The PC59 proposes a maximum of 70% of imperviousness within the entire plan change area<sup>10</sup>.

4.14 It is considered that the PC59 development will be not required to provide flood management.

4.15 Key statutory considerations relating to matters of this technical assessment are summarised below.

### ***Statutory consideration***

4.16 National Policy Statement for Freshwater Management (2020) and Chapter B7 Toitū te whenua, toitū te taiao - Natural resources in the Regional Policy Statement in AUP are relevant to consider. Chapter B7 contains provisions that are relevant to the avoidance and management of adverse effects on the freshwater environment and the maintenance and enhancement of these freshwater systems, including through the development stage. The relevant policies state: (but not limited to):

*B7.3.1 (1) Degraded freshwater systems are enhanced.*

*B7.3.1 (2) Loss of freshwater systems is minimised.*

*B7.3.1 (3) The adverse effects of changes in land use on freshwater are avoided, remedied or mitigated*

*And*

*B7.3.2 (1) – (6)*

4.17 The RPS policy provides a strong direction for avoiding adverse effects and enhancing degraded freshwater systems. The RPS also provides an integrated and balanced approach whereby sustainable use of land and resources to provide for growth and development is allowed when there is no practicable alternative, and adverse effects are managed.

4.18 Management of stormwater is located in AUP Chapters E1, E8, E9 and E10. The policy framework set out in Chapter E1 Integrated Water Management addresses the identification and development of stormwater solutions for the development area (particularly policies E1.3 (9) and (10)). These policies direct a higher standard of stormwater management for the redevelopment of existing urban areas and improvement to water quality that is currently degraded.

4.19 It is considered that the proposed PC59 precinct plan provisions and the SMP, subject to proposed amendments, are designed to give effect to the anticipated outcomes of the higher-order policy cascade.

### ***Comments on the PC59 precinct plan provisions as proposed***

<sup>9</sup> Page 21, Albany Estate Stormwater Management Plan (Version 5), Rev A, 473 Albany Highway, prepared by Wood & Partners Consultants Ltd, dated 14/09/2020

<sup>10</sup> Table I552.6.4.(1) Maximum building coverage, impervious area and landscaping, I552 Albany 10 Precinct



- 4.20 The author of this memo has amended the proposed stormwater management provisions based on the comments within the majority of submissions received on the PC59 Albany 10 Precinct Plan. Submissions are discussed further in Section 5.0.
- 4.21 Relevant amendments on the comments within submissions to Albany 10 Precinct are attached in Appendix 1 to this memo.
- 4.22 The recommended amendments to the proposed provisions included strengthening the objectives policies, rules, standards, and assessment criteria relative to stormwater management. The recommended amendments are also consistent with the outcomes anticipated by the higher-order policy documents. They do not duplicate what is currently managed by other Chapters in the Auckland-wide provisions in the AUP.
- 4.23 Given the receiving environment of the PC 59 is a SEA, the recommended amendments to precinct provisions aim to consider mitigating, maintaining and enhancing the water quality, watercourses and streams within the integrated future development of the plan change area.
- 4.24 The proposed amendments to the PC59 are shown below. The relief sought is to be read as ~~deletion~~; underlining is to be read as an addition.

### **Albany 10 Precinct**

- 4.25 I generally support the proposed precincts Objectives and policies relates to freshwater and stormwater management. However, I have suggested the following alterative wordings:
- i. Objectives I552.2 (12) and (17); and
  - ii. Policies I552.3 (13) (21) and (22) of the Albany Precinct 10.
- 4.26 It is considered that the current wording is not consistent with the direction of the AUP, in particular Chapter B7.3 Freshwater Systems (Objective B7.3 (1) and (3)). AUP Objectives B7.3 (1) directs that degraded freshwater systems are enhanced (3) directs that the adverse effects of changes in land use on freshwater are avoided, remediated or mitigated.
- 4.27 In the SMP, it is proposed that development provides treatment of all impervious areas and has identified appropriate devices to be assessed the suitability at the detailed development stage. However, the wordings of policy I552.3 (22), which states '*where appropriate, treated*', doesn't reflect the agreed directions, so I have recommended amendments to avoid confusions at the time of resource consent stages.

#### I552.2 Objectives [dp]

- (12) The ecological values of existing streams and habitats are recognised and ~~protected~~ enhanced.
- (17) The adverse effects of stormwater runoff within the precinct are avoided or mitigated to maintain water quality and preserve the mauri of the Oteha Stream.

#### I552.3 Policies [dp]

- (13) Incorporate existing urban streams and watercourses within the precinct into the open space green network to ensure their ongoing contribution to the natural amenity and environmental values of the surrounding environment.
- (21) Restrict the maximum impervious area within the overall precinct in order to manage the amount of stormwater runoff generated by the development while enabling ~~specific areas of greater impervious coverage to support~~ the planned urban built character of the precinct.
- (22) Ensure that stormwater in the precinct is managed ~~and, where appropriate, treated, to ensure~~ maintain the health and ecological value of streams are maintained.

#### Table 1552.4.1 Activity Table

- 4.28 The SMP proposes to use inert building materials to prevent the use of high contaminant generating roofing and cladding materials within the precinct. This is targeted at avoiding heavy metals, particularly zinc, copper and lead, entering the stormwater system and further the receiving environment. However, there is no standard included in the precinct plan to implement this outcome.
- 4.29 I suggest inserting a new standard in the precinct for inert building materials and amend the Activity Table rule **(A8) (A9)** for new buildings and external additions to existing buildings to comply with this new standard. Accordingly, the relief sought to include the following standard:

**IXXX.6.X New Buildings and additions - High Contaminant Yielding Materials**

Purpose:

To protect water quality in streams, and the Waitemata catchment, by limiting the release of contaminants from building materials.

(1) New buildings, and additions to buildings must be constructed using inert cladding, roofing and spouting buildings materials.

## **5.0 Submissions**

- 5.1 I reviewed submissions on the proposed plan change. It should be noted that most submissions relate to broader traffic, density, building height, and other matters of the proposed PC59. Submissions that are relevant to stormwater are summarised as follows. The proposed precinct provisions have been updated following receipt of these submissions based upon my recommendations (Attachment 1).
- 5.2 Submissions **21, 26, 84, 59, 117, 127** and **142** seek that the proposed development should not cause any adverse effects on the receiving environment, particularly within the wider catchment and Oteha Stream, which includes the proposed precinct plan. In addition, these submitters seek that future development does not generate any effects on the adjacent properties, including the downstream receiving environment.
- 5.3 While it is acknowledged the concerns raised in these submissions, I consider that the future development, particularly stormwater management from the proposed PC59, has been assessed by Healthy Waters Department to the degree that is acceptable. As discussed in section 4.0 of this memo, the PC59 and associated development adequately demonstrate that stormwater runoff within the plan change area will be managed onsite. As a result, any adverse effects on the receiving environment will be mitigated.
- 5.4 Furthermore, the applicants have provided an SMP with the application documents that demonstrate any adverse effects from the development within the precinct area will be adequately avoided, remedied or mitigated. The applicant has prepared this SMP to be adopted under the Council Network Discharge Consent. Having reviewed the SMP by Council's Healthy Waters department, it is considered that the SMP deemed acceptable for adoption under the NDC. Hence, provisional approval was issued, dated 08 December 2020.
- 5.5 I support the submission points seeking amendments and recommend that submission points are accepted (insofar as my recommendations outlined in section 4 of this memo)

*Submission 73 - Auckland Council*

- 5.6 The submission on behalf of Auckland Council includes points relevant to the management of stormwater runoff, streams and watercourses from the proposed precinct provisions and associated future development.
- 5.7 In resolution to the points raised within the submission, Auckland Council has sought amendments to Objectives (17), Policies (13) and (22), amendments standards I552.6.9, I552.6.14.1, I552.6.14.4. These provisions relate to stormwater management and riparian planting within the precinct plan.

- 5.8 The submission identifies that the precinct's stormwater management standards I552.6.9 and I552.6.14.1 have not clearly demonstrated the implementation of 70% maximum impervious area within the 'total precinct' as set out in *Standard I552.6.4 Maximum Building Coverage, impervious area and landscaping*. Furthermore, the submission seeks to insert a new rule in the Activity Table I552.4.1 under '*Development that does not comply with standard I552.6.9*' to be a discretionary activity. I support the amendments to these standards sought in the submission.
- 5.9 The Council's submission also seeks amendments to standard I552.6.14.4 Riparian margins to address all 'watercourse as well as 'streams'. It is noted that precinct Plan 1 shows all streams and watercourses in the plan change site. Therefore, I support the amendments to precinct provisions to provide clarity of context between precinct plans and the precinct provisions.

**Table 1: Summary of relevant submissions to stormwater management**

<b>Submission point</b>	<b>Submission</b>	<b>Relief sought</b>	<b>Council Comments</b>
21.1	Concerns of insufficient stormwater runoff infrastructure, concerns of insufficient sewage infrastructure	Decline	Not supported.  Submitter at the Property 10 Notre Dame Way concerns related to under capacity pipes. The overflows and flooding were due to blockage of the stormwater pipe by tree roots and has been attended to and resolved by Heathy Waters. The proposed plan change has no stormwater impact on this property.
26.1	Decline the zoning proposed, protect existing natural features	Decline	Not supported.  Submitter raised concerns about full capacity development on the surrounding environment and effects on Oteha Stream.
84.1	Declines increased traffic, Schools at capacity, protect the surrounding environment, School's overcapacity, Natural environment, Urban Design,	Oppose	Not supported.  The effects on stormwater management will be adequately assessed and managed at the future resource consent stages.
59.2	Seeks the following amendments:  (a) Amend Objective 3 as follows:  (3) <i>Subdivision and development are</i>	Neutral	Support the amendments

	<i>undertaken in a comprehensive matter and in general accordance with Precinct Plans 1-4 and are designed to align with the provision of open space and, where required, the upgrading and installation of infrastructure including transport (roading and pedestrian linkages and accessways), water, wastewater and stormwater.</i>		
73.26	Seeks for stormwater management standards 1552.6.9 (land use) and 1552.6.14.1 (subdivision) to both addresses the requirement (set out in 1552.6.4) of a maximum impervious area of 70% for the 'total precinct.'		Supported with modifications
73.27	Seeks standard 1552.6.9 stormwater to be included under 'Development' in the Activity Table 1552.4.1 as a discretionary activity. This outcome is consistent with A20.		Supported with modifications
73.33	Seeks Standard 1552.6.14.4 (Riparian margins) is to address all 'watercourses' as well as 'streams.'		Supported
73.33	Seeks for standard 1552.6.14.4(1) the sentence "This rule shall not apply to road crossings over streams" is to be deleted		Not supported
73.35	Seeks amendments Objective (17) as follows <i>"The adverse effects of stormwater runoff within the precinct are <u>avoided</u> or mitigated to maintain water quality and preserve the mauri of the Oteha Stream."</i>  <i>Amend Objective (12) to reflect Objective (13) and address enhancement of ecological values instead of 'recognise and protect.'</i>		Supported

73.37	Seeks to amend Policy (13) to read: <i>"Incorporate existing urban streams <u>and watercourses</u> within the precinct into the open space green network to ensure their ongoing contribution to the natural amenity and environmental values of the surrounding environment"</i> .		Supported
73.41	Seeks to amend Policy (22) to read: <i>"Ensure that stormwater in the precinct is managed and, where appropriate, treated, to ensure the health and ecological values of streams are maintained <u>and where practicable, enhanced"</u></i> .		Supported with modifications to align with Policy E1.3.(2)
73.47/ 73.48	Seeks amendments to Standard I552.6.4		Supported. This standard is not relevant to the subject standard
73.54	Seeks amendments to I552.6.10 Riparian planting		supported
73.58	Seek amendments to I552.8.2 Assessment Criteria (1)(g)(ii) – correct 'stormwater.'		Supported
73.61	I552.9 Special information requirements to include plans and table of figures showing the existing and proposed areas across the precinct for any stage of development, including impervious surface to confirm compliance with the relevant standard		Supported
117.1	Declines the scale of the development, declines the height, lack of parking, Location too far from main services, declines increased traffic, environmental degradation, stormwater, overcapacity of schools	Decline	Not supported.  Stormwater management has been managed to address any issues on the streams.
127.28	Seeks insurance that any Stormwater Management Plan certified for Standard I552.6.9 addresses the following concerns:	Support in part	Supported.  The SMP will be updated to captures the concerns raised by the submission as

	<ul style="list-style-type: none"> <li>• Where bioretention devices are located in roads to vest (to treat stormwater run-off from those roads), sufficient space must be made available to accommodate a small number of large devices rather than many small devices</li> <li>• Where it is appropriate for stormwater devices to be maintained and managed by Auckland Transport, no provision is to be made for treatment of private stormwater run-off in those devices</li> <li>• No permeable paving or pervious concrete is to be located within roads to vest.</li> </ul>		that is the more appropriate place to assess development at the subdivision and development stage
142.1	Declines increased traffic, visual outlook, preserve open spaces, stormwater, lack of infrastructure		<p>Not supported.</p> <p>The effects on stormwater management will be adequately assessed and managed at the future resource consent stages.</p>

## 6.0 Conclusions and recommendations

- 6.1 The stormwater management plan describes the proposed stormwater management approaches within the proposed plan change area, including address the effects on the catchment and receiving environment. These descriptions are considered accurate and adequate to complete the stormwater management assessment of the plan change area.
- 6.2 Management of effects on the receiving environment resulting in changes to land use on catchment hydrology is broadly proposed. With regards to the management of existing overland flow paths, water quality treatment and hydrology mitigation, the anticipated effects from the proposed plan change can be adequately mitigated. Overall, the approach to managing stormwater effects in respect of the proposed land-use change is considered appropriate in the site.
- 6.3 The relief sought to address several key areas of concerns to precinct provisions in this technical memo, and those provisions are summarised within Appendix 1. In summary,
- To amend wordings of objectives and policies of Albany 10 precinct to be consistent with the AUP
  - Insufficient provisions to achieve water quality treatment from the use of building materials concerning water quality
  - Amend stormwater standards to enhance clarity and avoid ambiguity for plan users when using development and subdivision stages.
- 6.4 Several submissions and further submissions relevant to the matters discussed in this technical assessment have been received. My technical assessment in these submissions and further submissions are provided in Table 1 (summary of relevant submission) of this memo.
- 6.3 I am satisfied that the PC59 adequately assessed the effects of stormwater management on the receiving environment. In addition, the proposed Albany 10 Precinct Plan to the PC59 area, including Activity Rules and Standards, addresses stormwater management. Therefore, I support the private plan change 59 from the perspective of stormwater management.
- 6.5 Overall, this technical assessment supports the plan change with the modifications outlined.

## Appendix 1

### I552 Albany 10 Precinct

#### I552.1 Precinct Description

The Albany 10 Precinct applies to part of the former Massey University Albany Campus which extends across 13.7 hectares of land between the Albany Highway, gradually falling away towards the Days Bridge Esplanade Reserve, beyond which lies the Oteha Stream and Fernhill Escarpment.

The precinct benefits from the existing amenity, landscape and ecological values that the Fernhill Escarpment and Oteha Stream provide to the surrounding urban environment; and is strategically located adjacent to Albany Highway which provides direct multi-modal transport connections to Albany Village and the Albany Metropolitan Centre. The precinct also benefits from proximity to, and connections with, the walking tracks throughout the Fernhill Escarpment, which extend along the Oteha Stream to the northeast, and towards Lucas Creek to the west. These features are identified within the precinct as integral to support urban growth and residential liveability.

The purpose of the precinct is to provide for a comprehensive and integrated redevelopment of part of the former Massey University Albany Campus. The precinct enables a new residential community comprising a mixture of housing types including terrace housing, low and mid-rise apartment buildings and integrated residential development such as retirement villages within a unique urban setting. The variety of housing typologies enabled by the precinct will help cater for Auckland's projected growth and will integrate comfortably within the existing urban environment.

The precinct seeks to maintain the ecological functions and water quality of existing streams, while also enhancing the landscape and open space amenity values of the area through the provision of publicly-accessible open space that incorporates established trees, planting (including riparian planting), visual corridors, shared pedestrian cycle paths, walkways and informal recreation and play areas.

The zoning of the land within the precinct is Residential - Terrace Housing and Apartment Buildings Zone. A location-specific range of residential densities and building forms are provided for that includes commercial and healthcare activities in identified locations around a Community Hub identified on Precinct Plan 1, intended to support the local community while not undermining the role, function and viability of existing centres nearby.

Height control areas have been applied to recognise the favourable size, location and topography of the precinct to accommodate a range of buildings heights. The enabled heights recognise the relative sensitivities of adjoining and adjacent neighbours, with greater height located where potential adverse effects can be managed within the precinct and/or there is capacity to accommodate greater building height. Buildings of up to ten storeys are enabled in identified locations through the centre of the precinct, transitioning to six storeys along the Days Bridge Esplanade Reserve and the northern



frontage of the precinct to Albany Highway. In areas where there is an interface to lower intensity zones or the Days Bridge Esplanade Reserve, the precinct enables a built character of development of predominantly three storeys.

The precinct seeks to control the number of dwellings that are enabled in order to manage effects on the transportation network and on intersections providing access to the precinct. Triggers are provided for within the precinct to assess the capacity of the local transport network to accommodate the planned growth, and to provide for upgrades to the two primary signalised intersections servicing the precinct, along with upgrades to cycle paths.

Development of this precinct will be guided by the following precinct plans:

- Precinct Plan 1 – Albany features plan
- Precinct Plan 2 – Albany movement network.
- Precinct Plan 3 – Albany height and building coverage control areas.
- Precinct Plan 4 – Albany frontage controls.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

## **I552.2 Objectives [dp]**

### *Development*

- (1) Creation of a vibrant and diverse community that enables a range of household sizes and dwelling typologies, including integrated residential development.
- (2) Subdivision and development are undertaken in a comprehensive manner in general accordance with Precinct Plans 1 – 4, and are designed to align with the provision of open space and, where required, the upgrading of infrastructure including transport (roading and pedestrian linkages and accessways), water, wastewater and stormwater.
- (3) Development provides for an efficient use of land to deliver housing supply in proximity to existing centres.
- (4) Non-residential activities are provided for in identified locations, proximate to the central Community Hub identified on Precinct Plan 1, to support residential occupation within the precinct.
- (5) Development within the precinct contributes to, and models the principles of, a sustainable urban neighbourhood as identified in the Green Star Sustainable Communities rating tool, or other equivalent rating system.

### *Built form*

- (6) New buildings and structures respond and positively contribute to the amenity values of streets, open spaces and the surrounding environment.
- (7) Development is in keeping with the planned urban built character of the precinct, enabling buildings between three and ten storeys in height in identified locations.

- (8) Subdivision and development in the precinct respond positively to the natural and physical features of the area, while at the same time providing for the planned built-outcomes within the precinct.

*Open space and public realm*

- (9) Pedestrian and cycle linkages within the precinct are provided, including connections within the wider roading and pedestrian network and adjacent land, taking into account topography, visual corridors, watercourses and vegetation, to enhance recreation and connectivity and create a network that links open spaces within the precinct and the wider environment.
- (10) Recreational needs of the community are met through:
  - (a) the provision of open space areas in accordance with Precinct Plan 1 – Albany features plan, that are publicly accessible and integrated with the movement network and Community Hub; and
  - (b) promoting common informal recreational spaces in areas of intensity identified within Precinct Plan 3 – Albany height and building coverage control areas.
- (11) Accessible open spaces recognise and take advantage of the natural features of the site, including the incorporation of existing waterways, existing riparian margins and identified existing mature trees within the open space network.
- (12) The ecological values of existing streams and habitats are recognised and ~~protected~~ [and enhanced](#).
- (13) The natural and environmental values of the precinct are maintained and, where practicable, enhanced.

*Infrastructure*

- (14) Development is integrated with the capacity of the local transport network internal to the precinct to ensure travel demand is supported by suitable transportation infrastructure.
- (15) Land use and development within the precinct promotes the safe and efficient operation of the local transport network.
- (16) Subdivision and development within the precinct facilitates a transport network that:
  - (a) supports pedestrian, cycle and public transport use; and
  - (b) facilitates and promotes alternative transport choices.
- (17) The adverse effects of stormwater runoff within the precinct are [avoided or](#) mitigated to maintain water quality and preserve the mauri of the Oteha Stream.

In addition to the objectives specified above, all relevant overlay, Auckland-wide and zone objectives apply in this precinct.

### **I552.3 Policies [dp]**

#### *Development*

- (1) Promote comprehensive and integrated development of the precinct in general accordance with Precinct Plans 1 – 4.
- (2) Ensure that development within the precinct contributes to a 'sustainable community rating', particularly through the principles of energy efficiency, accessibility including cycling and public transport, sustainable water management, biodiversity and compact walkable neighbourhoods.
- (3) Enable development in a variety of forms and heights to ensure an efficient use of land, while responding to the planned urban built character of adjoining residential sites, preserving the character and amenity of the Days Bridge Esplanade Reserve and Fernhill Escarpment, and providing high-quality on-site amenity.
- (4) Promote an integrated urban form, with pedestrian and cycleway movement networks to provide an alternative to, and reduce dependency on, private motor vehicles as a means of transportation.
- (5) Enable commercial and healthcare activities in identified areas through a commercial frontage control located in proximity to the community hub identified on Precinct Plan 1, to service the needs of the community while ensuring that:
  - (a) the commercial uses will not detract from the residential amenity of the precinct; and
  - (b) the scale and intensity of commercial activities will not have an adverse effect on the role, function and viability of Albany Village and the Albany Metropolitan Centre.

#### *Built form*

- (6) Ensure development is of a scale and form that maintains adequate sunlight access to residential units and open space, and mitigates the effects of bulk, dominance and overlooking.
- (7) Require that new buildings:
  - (a) achieve a high-density urban built character of three to ten storey buildings in identified locations in a variety of forms.
  - (b) are appropriate in scale to the internal street network and public frontage to the precinct along Albany Highway;
  - (c) provide a transition in height between Albany Highway and the Days Bridge Esplanade Reserve;

- (d) are located to support both the identified Visual Corridors through to the Fernhill Escarpment and key open space and pedestrian connections within the site; and
  - (e) do not result in significant shading, bulk and dominance effects on residential land within and/or adjacent to the precinct, having regard to the planned outcomes for the zone.
- (8) Ensure residential development achieves a high standard of amenity by:
- (a) providing functional and accessible outdoor living spaces that are suitable for different dwelling typologies;
  - (b) discouraging fencing in identified locations to ensure a permeable and legible pedestrian environment;
  - (c) controlling fence heights in identified locations, to provide a reasonable level of on-site privacy while enabling passive surveillance of streets and open spaces;
  - (d) controlling building coverage, impervious areas and minimum landscaped areas;
  - (e) requiring the setback of buildings above 5 storeys to promote alternative building forms and facades;
  - (f) applying design assessment criteria to manage privacy effects both within and external to the site;
  - (g) specifying minimum setbacks from boundaries for primary and secondary outlooks to minimise overlooking, maximise daylight access and mitigate noise effects; and
  - (h) requiring minimum side yards in identified locations to enable separation between buildings and development outside of the precinct.
- (9) Require new buildings and other development in the precinct to be located and designed to maintain identified Visual Corridors between the Albany Highway and the Fernhill Escarpment.

*Open space and public realm*

- (10) Enable development that addresses and responds to the internal open space network, while generally requiring that all development is consistent with the planned movement network identified on Precinct Plan 2 – Albany movement network.
- (11) Ensure that development does not compromise the use of pedestrian linkages and the streetscape as natural extensions of the open space/s identified on Precinct Plan 2 – Albany movement network.
- (12) Enable passive recreation opportunities within open space areas throughout the precinct to encourage the use and enjoyment of the pedestrian network and natural environment within the precinct.

- (13) Incorporate existing urban streams [and watercourses](#) within the precinct into the open space green network to ensure their ongoing contribution to the natural amenity and environmental values of the surrounding environment.
- (14) Promote the activation, use and enjoyment of the Central Park green space for residents within the precinct by:
  - (a) enabling recreation and play equipment;
  - (b) providing for a vehicle parking area that can be adapted to contain community gatherings, markets and other such events that support the local community; and
  - (c) enabling a small building to contain restaurant and café activities that will support the Central Park as a Community Hub, while not compromising the overall amenity, use and enjoyment of the space.

### *Infrastructure*

- (15) Ensure the safety and capacity of the transport network is maintained, taking into account the anticipated maximum number of dwellings enabled by the precinct.
- (16) Where the number of dwellings constructed within the precinct generates appropriate demand, require upgrades to identified signalised intersections and public cycling facilities.
- (17) Ensure new roads are located in accordance with Precinct Plan 2 – Albany movement network to contribute to a highly connected pedestrian, cycle and road network that provides for all modes of transport.
- (18) Ensure pedestrian and cycle linkages within the precinct and across the boundaries of the precinct as generally indicated on Precinct Plan 2 – Albany movement network, to allow for safe and efficient movements within the precinct.
- (19) Ensure that commercial activities and healthcare facilities are of a size and intensity that supports the local residents within the precinct, without encouraging significant trip movements from outside the precinct.
- (20) Apply parking maximums to activities enabled within the precinct to mitigate the effects of traffic generation, and to ensure that alternative transport modes are a viable alternative to private vehicle use.
- (21) Restrict the maximum impervious area within the overall precinct in order to manage the amount of stormwater runoff generated by development, while enabling ~~specific areas of greater impervious coverage to support the planned urban built character of the precinct.~~
- (22) Ensure that stormwater in the precinct is managed ~~and, where appropriate, treated,~~ to [maintain](#) ~~ensure~~ the health and ecological value of streams ~~are maintained.~~

In addition to the policies specified above, all relevant overlay, Auckland-wide and zone policies apply in this precinct.

## I552.4 Activity table

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is specifically listed in Activity Table I552.4.1 below.

Activity Table I552.4.1 specifies the activity status of district land use and subdivision activities in the Albany 10 Precinct pursuant to sections 9(3) and 11 of the Resource Management Act 1991.

**Table I552.4.1 Activity table**

Activity		Activity Status
<b>Use</b>		
Residential		
A1	Dwellings	P
Commercial activities		
A2	Commercial activities and Healthcare facilities (excluding drive-through restaurants) up to 150m <sup>2</sup> gross floor area per tenancy that comply with Standard I552.6.7 – Commercial GFA and location control	P
A3	Commercial activities and Healthcare facilities (excluding drive-through restaurants) of more than 150m <sup>2</sup> gross floor area per tenancy that comply with Standard I552.6.7 – Commercial GFA and location control	RD
A4	Commercial activities and Healthcare facilities that do not comply with Standard I552.6.7 – Commercial GFA and location control	D
A5	One supermarket up to 500m <sup>2</sup> gross floor area	P
A6	Large format retail, including supermarkets not otherwise provided for	NC
A7	Restaurants and cafes within a single building no greater than 100m <sup>2</sup> GFA located within the Central Park identified on Precinct Plan 1 – Albany features plan	P
Development		
A8	New buildings	RD
A9	External additions to existing buildings	RD
A10	Accessory buildings	RD
A11	Development that does not comply with Standard I552.6.1 – Dwelling density <a href="#">and I552.6.9 stormwater</a>	D
A12	Development that does not comply with Standard I552.6.2 – Building height	NC
A13	Buildings within an identified Visual Corridor on Precinct Plan 1 – Albany features plan (not including street furniture and lighting)	NC

<b>Activity</b>		<b>Activity Status</b>
A14	Any development, including vehicle access to Albany Highway, not otherwise listed in Table I552.4.1 that is not generally in accordance with Precinct Plans 1 – 4	D
A15	Any development not otherwise listed in Table I552.4.1 that is generally in accordance with Precinct Plans 1 – 4	RD
<b>Community</b>		
A16	Informal recreation and leisure activities (including play / gym equipment and seating) within Open Space areas and riparian yards, identified on Precinct Plan 1 – Albany features plan	P
A17	Recreation and leisure activities (including play / courts / gym equipment and seating) within the Central Park identified on Precinct Plan 2 – Albany features plan	P
<b>Subdivision and development</b>		
A18	Subdivision	RD
A19	Subdivision and development which does not comply with Standard I552.6.13 – Transport infrastructure development thresholds, but proposes alternative measures to achieve required transport access, capacity and safety	RD
A20	Subdivision that is not in accordance with Standards I552.6.14.1, I552.6.14.3, I552.6.14.4, I552.6.14.5.	D
A21	Subdivision, including subdivision in accordance with an approved land use consent, that is not in accordance with Standard I552.6.14.2 – Subdivision standards for key roading and access	NC

### **I552.5 Notification**

- (1) Any application for resource consent for a restricted discretionary activity listed in activity table I552.4.1 will be considered without public notification. This does not include:
  - (a) I552.4.1 (A19) Subdivision and development which does not comply with Standard I552.6.13 – Transport infrastructure development thresholds, but proposes alternative measures to achieve required transport access, capacity and safety
- (2) Any application for resource consent for an activity listed in activity table I552.4.1 which is not identified in I552.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13.

## **I552.6. Standards**

- (1) Unless specified in Standard I552.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in Activity Table I552.4.1 above. Where there is any conflict or difference between standards in this precinct and the Auckland-wide and zone standards, the standards in this precinct will apply.
- (2) The following standards in the Residential – Terrace Housing and Apartment Buildings Zone do not apply to land in the Albany 10 Precinct:
  - (a) H6.6.6. Height in relation to boundary;
  - (b) H6.6.7. Alternative height in relation to boundary within the Residential – Terrace Housing and Apartment Buildings Zone;
  - (c) H6.6.10. Maximum impervious area;
  - (d) H6.6.11. Building coverage;
  - (e) H6.6.12. Landscaped area.
- (3) Non-compliance with any standard not otherwise identified as a discretionary or non-complying under Table I552.4 is a restricted discretionary activity under General Rule C1.9.

### **I552.6.1. Dwelling Density**

Purpose: To ensure that the precinct responds to the anticipated growth of the Albany area, while also ensuring that the planned outcomes for the precinct are not undermined through over development.

- (1) There must be no more than a total of 1,800 dwellings or Dwelling Unit Equivalents in the Albany 10 Precinct in total.
- (2) For the purposes of calculating a Dwelling Unit Equivalent, the following rates apply:

**Table I552.6.1.1 Dwelling unit equivalents**

Type	Equivalent dwellings unit value
Retirement village unit	0.61
Rest home bed	0.46
Visitor accommodation room	1.3

### **I552.6.2. Building Height**

Purpose: To ensure development is consistent with the planned outcomes identified on Precinct Plan 3 – Albany height and building coverage control areas, by:



- focussing greater building height within the precinct in identified locations that are removed from lower intensity residential zones, the Oteha Stream and Days Bridge Esplanade Reserve;
- focussing the greatest height and density through the centre of the precinct around the Central Park, Community Hub and Visual Corridors identified on Precinct Plan 1 – Albany features plan; and
- recognising the lower intensity residential development of the surrounding area by applying lower height limits at identified precinct boundaries.

All development within the precinct must comply with the following standards:

- (1) Buildings must not exceed the maximum heights specified in Table I552.6.2.1 and on Precinct Plan 3 – Albany height and building coverage control areas.

**Table I552.6.2.1. Building height**

Area	Height for roof form	Total building height shown on Precinct Plan 3
Area 1 (Low Rise)	2m	11m
Area 2 (Low-Rise)	2m	19m
Area 3 (Mid-Rise)	NA	35m
Area 4 (Open Space and Reserves)	1m	4.5m

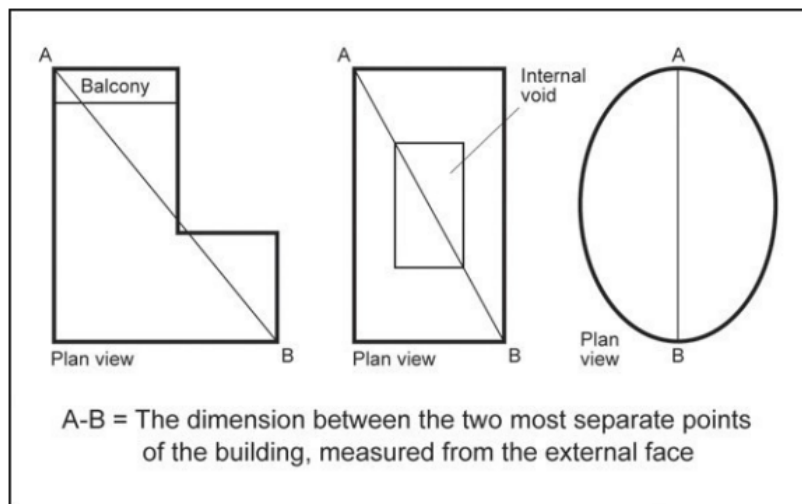
### **I552.6.3. Maximum building dimension and separation**

Purpose: To ensure that buildings over 19m in height:

- are not overly bulky in appearance and manage significant visual dominance effects;
  - allow adequate sunlight and daylight access to streets, public open space and nearby sites;
  - provide adequate sunlight and outlook around and between buildings; and
  - mitigate adverse wind effects.
- (1) The maximum plan dimension of that part of any individual building above 19m must not exceed 55m.
  - (2) The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.

- (3) Above a height of 19m, a minimum distance of 20m must be provided between buildings.

**Figure I522.6.3.1 Maximum building dimension plan view**



**I552.6.4. Maximum building coverage, impervious area and landscaping**

Purpose:

- to manage the amount of stormwater runoff generated by development;
- to enable an intensive built character for apartment buildings;
- to provide a good standard of onsite amenity for residents; and
- to ensure apartment buildings in Height Management Area 3 specified in Table I552.6.2.1 and on Precinct Plan 1 – Albany height and building coverage control areas provide for internal amenity and sunlight access to lower level apartments and common outdoor areas at 19m above ground level.

- (1) The maximum and minimum areas in Table I552.6.4.1 apply. Compliance is to be determined both for individual lots and for the total precinct

**Table I552.6.4.1 Maximum building coverage, impervious area and Landscaping**

Maximum Impervious area	Maximum building coverage	Minimum landscaped area
<b>Individual lots</b>		
Apartments 100%	Apartments 100%	Apartments 0%
Detached or attached housing 85%	Detached or attached housing 65%	Detached or attached housing 15%
Any site not connected to stormwater 10%		
Riparian Yard 10%		

Total precinct		
70%	65%	35%

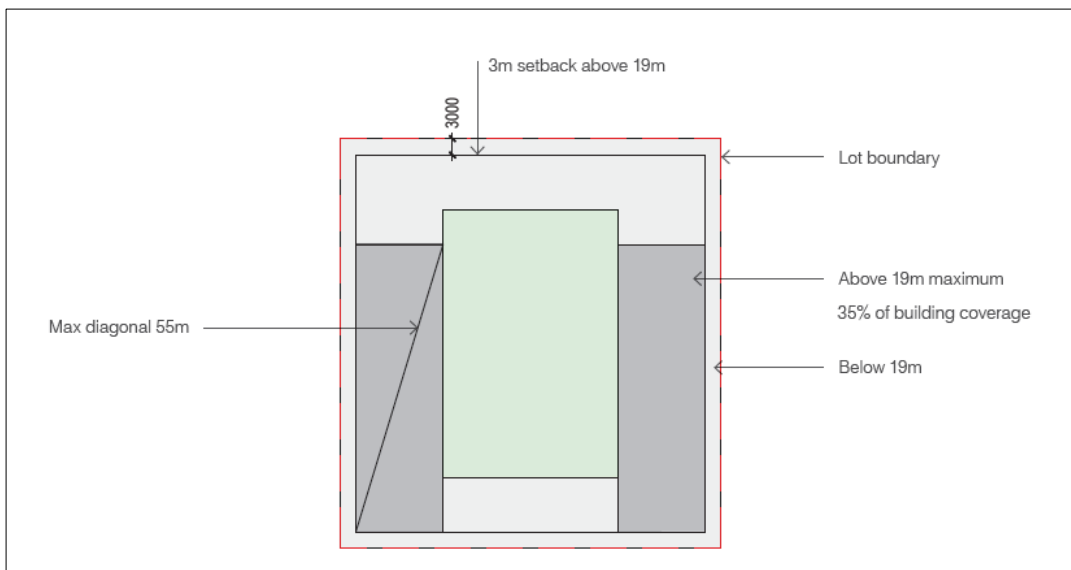
- (2) ~~The cumulative building coverage for each building in Height Management Area 3 above a height of 19m above ground level must not exceed 35% of the building below. For clarity, compliance with this standard can be expressed with multiple towers at differing heights within a block, subject to the limitations in I552.6.3—Maximum building dimension and building separation, I552.6.2 Building height and H6.6.14. Daylight.~~

### I552.6.5. Building setback at upper levels

Purpose:

- to provide adequate daylight access to streets;
  - to manage visual dominance effects on streets; and
  - to manage visual dominance, residential amenity and privacy effects on residential uses within and surrounding the precinct.
- (1) Above a height of 19m a new building must be set back 3m from the outer façade of the building below as shown in Figure I552.6.5.1.

**Figure I552.6.5.1 Building setback at upper levels**



### I552.6.6. Wind

Purpose: mitigate the adverse wind effects generated by tall buildings.

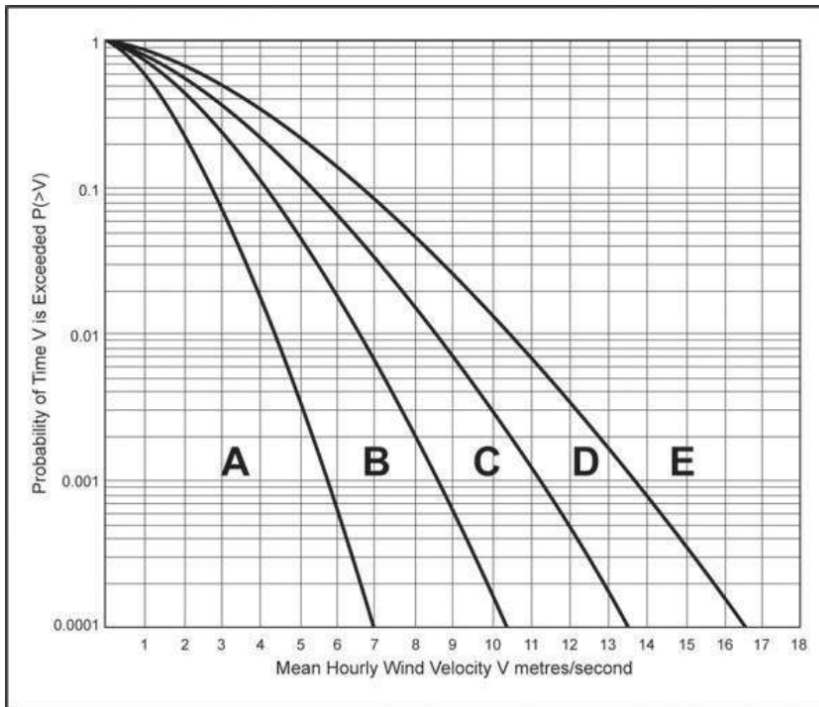
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
- a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table I552.6.6.1 and Figure I552.6.6.1 below;

- b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m/second; and
  - c) an existing wind speed which exceeds the controls of Standard I552.6.6(1)(a) or Standard I552.6.6(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard I552.6.6(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard I552.6.6(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

**Table I552.6.6.1 Categories**

<b>Category</b>	<b>Description</b>
Category A	Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space
Category B	Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties
Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in categories A or B above
Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or from which would include the spaces in categories A – C above
Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city

**Figure I552.6.6.1 Wind environment control**



Derivation of the wind environment control graph:

The curves on the graph delineating the boundaries between the acceptable categories (A-D) and unacceptable (E) categories of wind performance are described by the Weibull expression:

$$P(>V) = e^{-(v/c)^k}$$

where V is a selected value on the horizontal axis, and P is the corresponding value of the vertical axis:

and where:

(P>V) = Probability of a wind speed V being exceeded;

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

### **I552.6.7. Commercial GFA and location control**

Purpose: To enable commercial and healthcare activities in identified locations in proximity to the Community Hub without compromising the role, function and viability of existing centres.

- (1) Commercial and healthcare activities (excluding restaurants or cafes located within the Central Park) must be located in areas subject to the commercial frontage control, shown on Precinct Plan 1 – Albany features plan.
- (2) The area to be used for commercial and/or healthcare purposes must front the main street/open space.
- (3) The gross floor area of commercial and healthcare activities shall not exceed 4,000m<sup>2</sup> within the precinct.

*Note: Commercial activities are defined within the 'Commerce' nesting table in Chapter J.*

### **I552.6.8. Front, side and rear fences and walls**

Purpose: To ensure that where fences and walls are provided, they:

- do not obstruct visual, landscape and ecological integration with open space in the precinct;
  - enable privacy for dwellings and outdoor living spaces, whilst maximising opportunities for passive surveillance of the street, rear lane or adjoining public place;
  - minimise visual dominance effects to immediate neighbours and the street or adjoining public places; and
- (1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below when measured from the ground level at the boundary:
    - (a) Within front yards:
      - (i) Fences in a front yard must not exceed 1.0m in height.
      - (ii) Where a dwelling is erected within 1.5m of the road frontage, a fence must not be erected in the front yard.
      - (iii) Where there is no front fence and a side boundary fence is to run between adjoining properties, the boundary fence must be set at least 1m back from the front corner of the building.
    - (b) Within side and rear yards:
      - (i) Fences in side and rear yards must not exceed 1.8m in height on land/boundaries that do not adjoin Fernhill Escarpment or the Albany Highway, provided that any fence on a rear boundary that faces onto a rear lane shall be at least 50 percent visually open, as viewed perpendicular to the boundary.

- (ii) On land /boundaries that adjoin Fernhill Escarpment fences must be visually permeable, must be constructed of a pool type fencing, and must not exceed 1.4 metres in height.

#### **1552.6.9. Stormwater**

Purpose: To ensure that stormwater in the precinct is managed and, where appropriate, treated, to ensure [maintain](#) the health and ecological value of streams. ~~are maintained.~~

- (1) All land use development and subdivision shall be managed in accordance with an approved Network Discharge Consent and/or Stormwater Management Plan certified by the Stormwater network utility operator.
- (2) [The maximum impervious area of the total precinct must comply with Table 1552.6.4.1](#)

#### **IXXX.6.X New Buildings and additions - High Contaminant Yielding Materials**

[Purpose: to protect water quality in streams, and the Waitemata catchment, by limiting the release of contaminants from building materials.](#)

- (1) [New buildings, and additions to buildings must be constructed using inert cladding, roofing and spouting buildings materials.](#)

#### **1522.6.10. Riparian planting**

Purpose: To ensure that the amenity, water quality and ecology of the stream network within the precinct is maintained through riparian planting.

- (1) Riparian margins to existing watercourses [and streams](#) identified on Precinct Plan 1 – Albany features plan that apply to permanent or intermittent streams, must be planted to a minimum width of 10m measured from the channel edge of the stream, or from the centreline of the [watercourse or](#) stream where the channel edge cannot be physically identified by ground survey. This rule shall not apply to road crossings over streams.
- (2) Riparian margins to existing watercourses [and streams](#) identified on Precinct Plan 1 – Albany features plan, must be planted in accordance with a council approved planting plan, use eco-sourced native vegetation, and be consistent with local biodiversity and habitat in accordance with the Appendix 16 Guideline for native revegetation plants.
- (3) Planting within riparian areas does not preclude the provision of pedestrian and shared walkways and passive recreational spaces in accordance with Precinct Plan 1 – Albany features plan.

#### **1552.6.11. Special frontage and height control**

Purpose: To ensure a quality interface between buildings and key street edges to ensure streetscape and pedestrian amenity and maintain passive surveillance and outlook to the street.

- (1) Buildings fronting roads and open space as shown on Precinct Plan 4 – Albany frontage controls, must comply with the requirements of Table I552.6.11.1. Special height and frontage matrix.
- (2) On frontages where Standard I552.6.11(1) applies, where there is a conflict between this standard and any other standard, this standard applies

**Table I552.6.11.1. Special height and frontage matrix**

Street or open space frontage typology	Albany Highway	Vested Road	Private Roads and Lanes	Open Space	Commercial GFA control (I552.6.7)					
<b>Description:</b>	Buildings fronting Albany Highway provide a well-defined urban frontage of a scale that responds to the existing urban form located opposite. Safety for all street users is ensured by avoiding vehicle crossings. Modest private open space can be accommodated in the front yard. However, the setback is limited so as to establish an urban character with good overlooking of the street. Passive surveillance of the street with living spaces oriented to the west is encouraged.	Buildings fronting Type A Urban Streets provide a more formal urban frontage. Scale and density are urban in character with setbacks limited, building to the street is encouraged. Increased building height, continuous frontage and reduced setback reinforces the urban character of the street. No vehicular access or garaging is permitted to ensure pedestrian safety and amenity.	Buildings fronting private streets and lanes provide a less formal urban frontage. Safety for all users is ensured by allowing for but reducing the impact of car parking and manoeuvring areas. Services areas are provided for. Shared streets and home zones are expected.	Buildings shall front Open Spaces and Walkways in order to provide passive surveillance, ensuring safety for park / open space users. Buildings shall take full advantage of the amenity on offer by actively fronting open spaces and walkways. Building length is controlled to allow buildings further back to participate in the amenity on offer, and to maximise accessibility to open spaces and walkways. Privacy effects at the interface are managed through appropriate threshold heights and vertical separation.	Commercial Buildings fronting Type A Urban Streets provide a more formal urban frontage. Scale and density are urban in character with setbacks limited, building to the street is encouraged. Increased building height, continuous frontage and reduced setback reinforces the urban character of the street. No vehicular access or garaging is permitted to ensure pedestrian safety and amenity.					
<b>No. of floors shall be:</b> [refer also to note i below]	2 min	2 min	N/A	2 min	2 min					
<b>Frontage setback</b>	min	max	min	max	min	max				
	3m	5m	0m	3m	2m	n/a	1m	3m	0m	3m
<b>Threshold condition (ii)</b>	min	max	min	max	N/A		min	max	min	max
	0m	0.9m	0.5m	1.25m			0m	0.9m	0m	0.5m
<b>Vehicular access from street frontage permitted</b>	No	No	Yes	No	No					
<b>Minimum ground floor, floor to ceiling heights for buildings</b>	N/A	N/A	N/A	N/A	4m					



<b>At grade parking or multi Level Parking<sup>iv</sup></b>	N/A	Yes	Yes	No	No
<b>Continuous building frontage (iv)</b>	No	yes for 80% of development block	No	No	N/A
<b>Maximum building length</b>	60m	N/A	N/A	60m	N/A
Notes: i The relevant minimum height is deemed to have been met where the building frontage meets the storey height limit and is at least one dwelling unit depth. ii The definition of Threshold is the height difference between street level and the ground floor level of the unit. ii Ground floor parking within a building must not be located adjacent to the street frontage or any space in public ownership. Buildings must be designed to accommodate a business or residential activity, depending on the zone, between any ground floor parking and the building frontage. iv The definition of continuous building frontage is a row of buildings with no more than 2m separating adjoining residential units with no driveways servicing the front.					

### I552.6.12. Parking

Purpose: To ensure the safety and capacity of the internal and wider road network and to reduce single occupancy vehicle commuter trips to and from the precinct.

(1) Parking ratios:

- (a) the number of parking spaces within the precinct must not exceed the maximum and minimum rates specified in Table E27.6.2.3 Parking rates – area 1, Chapter E27 Transport, unless otherwise stated in Table I552.6.12.1 – Maximum parking provision, below:

**Table I552.12.1. Maximum parking provision**

<b>Activity</b>	<b>Maximum Parking ratio</b>	
Offices	1 space per 60m <sup>2</sup> of gross floor area	
Commercial services	1 space per 60m <sup>2</sup> of gross floor area	
Retail	1 space per 50m <sup>2</sup> of gross floor area	
Dwellings	1-3 bedrooms: 1 space	4+ bedrooms: 2 spaces

- (2) At least one dedicated cycle parking space shall be provided for each dwelling unit.
- (3) Visitor cycle parking shall be provided at a rate of one for every 20 dwellings within a single building.

### I552.6.13. Transport infrastructure development thresholds

Purpose: To ensure that the precinct responds to the anticipated growth of the Albany area, while also ensuring the safe and efficient operation of the local transport network.

- (1) The number of dwellings within the precinct may not exceed the following dwelling thresholds in Table I552.6.13.1 until such time that the identified transportation infrastructure upgrades are constructed:

**Table I552.6.13.1 Transport infrastructure development upgrade thresholds**

Dwelling threshold	Transport infrastructure required in order to exceed the dwelling threshold
Initial development	Level where a private shuttle bus between the site and Albany Station is provided for residents to encourage behaviour change away from private vehicle and towards public transport.
460-770	Review of transportation mode share is required through a transport assessment as part of any resource consent application (for all such applications involving dwellings between 460 and 770 dwellings).
770	<p>Upgrades to the two primary intersections servicing the precinct at Wharf Road and Bass Road:</p> <ul style="list-style-type: none"> <li>• Addition of separate left and right turn lanes (60m queuing length) on the site approach (currently known as Eastbourne Road) to the Albany Highway / Wharf Road signalised intersection.</li> <li>• Addition of separate left and right turn lanes (60m queuing length) on the site approach (currently known as Oakland Road) to the Albany Highway / Bass Road signalised intersection.</li> </ul>
930 (or 770 dwellings without intersection upgrade):	<ul style="list-style-type: none"> <li>• Completion of the two cycleway projects identified in the Upper Harbour Greenways Plan (September 2019) being: <ul style="list-style-type: none"> <li>– Oteha Valley Road Express Network between Albany Expressway and Mills Lane; and</li> <li>– Vineyard Road, Coliseum Drive, Don McKinnon Drive local network – street.</li> </ul> </li> <li>• Improvement of public transport provision (e.g. increased frequency of public transport, modification of existing routes.).</li> </ul>

- (2) Dwellings shall be calculated in accordance with Table I552.6.1.1 Dwelling unit equivalents.

### **I552.6.14 Subdivision standards**

The subdivision controls in E38 Subdivision Urban apply in this precinct, with the following additional standards specified below.

#### **I552.6.14.1 Subdivision standards for stormwater management**

Purpose: To ensure that stormwater is managed and treated in the precinct and watercourses recharged appropriately.

- (1) All ~~land use development~~ and subdivision [and development](#) shall be managed in accordance with an approved Network Discharge Consent and/or

Stormwater Management Plan certified by the Stormwater network utility operator.

- (2) All stormwater runoff from a new impermeable road or accessway surface must be directed via a piped underground network to communal or public stormwater raingardens and/or wetland. The wetland must be located in general accordance with Precinct Plan 1 – Albany features plan and, unless otherwise authorised, must be designed to provide stormwater treatment and stream protections via stormwater detention for the 90<sup>th</sup> percentile 24-hour rainfall event as outlined in Guideline Document 2017/001, Version 1, “Stormwater Management Devices in the Auckland Region”, by Auckland Council and dated December 2017.

(3) [All subdivision and development must comply with the requirement of maximum impervious area of the total precinct in Table I552.6.4.1](#)

#### **I552.6.14.2 Subdivision standards for key roading and access**

Purpose: To ensure the precinct is supported by a safe, efficient and legible movement and transport network.

- (1) All roads, lanes and pedestrian/cycle connections within the precinct must be located in general accordance and alignment with Precinct Plan 2 – Albany movement network.
- (2) All public ‘roads to vest’ must be constructed in accordance with the standards contained within Table I552.6.14.2.1 and vested in Council.

**Table I552.6.14.2.1. Standards for road typologies within the Albany 10 Precinct**

Types of Road	Legal Road Width	Cycle	Footpath
Vested Road	20m minimum	Not required (shared within reserve)	1.8m minimum (both sides)

- (3) A publicly accessible shared cycle/footpath must be provided along the extent of the Days Bridge Esplanade Reserve, in general accordance with Precinct Plan 2 – Movement network.
- (4) Vehicle access from Albany Highway must be from the identified access points on Precinct Plan 2 – Movement network (northern access, Wharf Road and Bass Road).
- (5) Compliance with this standard is achieved where an alternative alignment of private roads and lanes identified as ‘no control’ on Precinct Plan 4 – Albany frontage controls, is provided for within an approved Integrated Transport Assessment.

#### **1552.6.14.3. Subdivision standards for open space areas**

Purpose: To ensure:

- that sufficient and well-designed open space for residents is provided, developed, managed and maintained appropriately;
  - subdivision and development provide for public access to the Days Bridge Esplanade Reserve, Fernhill Escarpment and public walking networking throughout Albany; and
  - open space areas providing connection through the Precinct to the Days Bridge Esplanade Reserve, provide for the integration of flora and the movement of native fauna between the Precinct and the Esplanade Reserve.
- (1) All land shown on Precinct Plan 1 – Albany features plan as open space must be accessible to the public at all times and, if not vested in Council, held as private open space that is owned by a legal structure that shall be formed for the eventual owners to hold responsibility in perpetuity for the on-going maintenance and management of private infrastructure and planted areas. All land owners must be members of this legal entity, or otherwise obliged to contribute to its outgoings on a perpetual basis and this shall be registered by way of consent notice on each title as part of any future subdivision consent.
  - (2) The first subdivision application must include an open space development plan for all areas of open space in the precinct which details the existing and proposed development, the existing trees to be retained in accordance with Albany Precinct Plan 1 – Features plan, new planting and landscaping and infrastructure for the open space, and includes an on-going management and maintenance plan as well as mechanisms for making changes to the plan when required.
  - (3) All open space within a subdivision application area shall be developed in accordance with the relevant open space development plan prior to the issue of a certificate for the relevant subdivision or stage under Section 224(c) of the Resource Management Act 1991.

#### **1552.6.14.4. Subdivision standards for riparian margins**

Purpose: To ensure that:

- the amenity, water quality and ecology of the stream network within the precinct is enhanced through riparian planting; and
- (1) Riparian margins identified on Precinct Plan 1 – Albany features plan that apply to permanent or intermittent streams, must be planted to a minimum average width of 10m measured from the channel edge of the stream, or from the centreline of the stream where the channel edge cannot be physically identified by ground survey. This rule shall not apply to road crossings over streams.
  - (2) Riparian margins identified on Precinct Plan 1 – Albany features plan must be planted in accordance with a council approved planting plan, use eco-sourced

native vegetation, and be consistent with local biodiversity and habitat and in accordance with Appendix 16 Guideline for native revegetation plants.

- (3) All riparian margins within a subdivision application area must be planted in accordance with the approved planting plan prior to the issue of s224(c) certificate for the relevant subdivision or stage.

#### **I552.6.14.5. Esplanade reserve**

Purpose: To ensure that public access and enjoyment is made available to qualifying water courses and streams within the precinct.

- (1) Where any subdivision involving the creation of sites less than 4ha is proposed to land adjoining streams and/or rivers, the application plan and subsequent land transfer plan must provide for a minimum esplanade reserve or esplanade strip in accordance with section 230 of the Resource Management Act 1991 as follows:
  - (a) For qualifying water courses and streams within the precinct, 10m either side of the centreline of the stream.
  - (b) Where subdivision takes place adjoining the Days Bridge Esplanade Reserve, no further esplanade shall be required.
- (2) Any esplanade taken as part of a subdivision shall be landscaped in accordance with the requirements of standard I552.6.14.3. Subdivision standards for open space areas.

#### **I552.7 Assessment – controlled activities**

There are no controlled activities in this precinct.

#### **I552.8 Assessment – restricted discretionary activities**

##### **I552.8.1. Matters of discretion**

The council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in any relevant overlay, zone, and Auckland-wide provisions:

- (1) new buildings, additions and alterations to existing buildings and accessory buildings;
  - (a) general criteria:
    - (i) consistency with precinct plans;
    - (ii) building [materials](#), design and location;
    - (iii) shading
    - (iv) landscaping;
    - (v) transport;

- (vi) traffic plans and integrated transport assessments; and
  - (vii) infrastructure.
- (b) Additional criteria for buildings within Height Management Area 3:
- (i) building mass;
  - (ii) provision of internal green space;
  - (iii) passive surveillance; and
  - (iv) streetscape.
- (2) Commercial and Healthcare activities of more than 150m<sup>2</sup> gross floor area per tenancy that comply with Standard I552.6.7 – Commercial GFA and location control:
- (a) Transport; and
  - (b) Streetscape.
- (3) Any subdivision and/or development not otherwise listed in Table I552.4.1 that is generally in accordance with Precinct Plans 1 – 4:
- (a) consistency with precinct plans;
  - (b) infrastructure;
  - (c) traffic plans and integrated transport assessments; and
  - (d) transport.
- (4) Subdivision:
- (a) the matters of discretion set out in E38 Subdivision - Urban under E38.12.1;
  - (b) consistency with the precinct plans;
  - (c) infrastructure;
  - (d) traffic plans and integrated transport assessments; and
  - (e) transport.
- (5) Subdivision and development that does not comply with Standard I1552.6.13 Transport infrastructure development thresholds, and/or proposes alternative measures to achieve required transport access, capacity and safety:
- (a) effects on the transport network;
  - (b) the likely trip generation of the subdivision and/or development and the effects of the quantum of that development on the safe and efficient functioning of the roading network;
  - (c) contribution of alternatives to overall traffic effects; and
  - (d) effectiveness of alternatives.

## **I552.8.2. Assessment criteria**

The council will consider the relevant assessment criteria below for restricted discretionary activities in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, zone, and Auckland-wide provisions. Development may differ from the precinct plans where it is demonstrated that a different approach will result in a better-quality outcome for the community, or where it is necessary to integrate with authorised development on land outside the precinct that was not anticipated at the time the precinct plans were prepared.

- (1) New buildings, additions and alterations to existing buildings and accessory buildings:
  - (a) Consistency with precinct plans:
    - (i) Whether the subdivision or land use is in accordance with Precinct Plans 1 – 4.
    - (ii) Whether the activity is consistent overall with the objectives and policies of the precinct.
  - (b) Building [materials](#), design and location:
    - (i) The extent to which building [materials](#), design and layout achieves:
      - [a limited release of contaminant from building materials](#)
      - a character and appearance that will ensure a high standard of amenity;
      - a design that avoids conflict between activities within the precinct;
      - a consistent and attractive streetscape character;
      - variations in building footprints, form and style;
      - articulation of any building facades which are visible from roads so that the extent of large blank and/or flat walls and/or facades are reduced, having regard to the orientation of buildings and solar access;
      - access by windows of habitable rooms to sunlight, daylight and outlook; and
      - permeable fencing, except where residential activities need clear separation from non-residential activities.
    - (ii) The extent to which development contributes to a minimum 5 star community rating under Sustainable Community Rating Tool – Green Building Council, taking into consideration the level of overall development within the precinct (or other equivalent rating tool or system).

- (iii) The extent to which internal living areas at all levels within a building maximise outlook onto existing public open space and proposed public open space and streets.
- (iv) The extent to which activities at ground level engage with and activate existing and/or proposed open spaces, streets and lanes.
- (v) The extent to which outdoor living areas and internal living spaces achieve privacy from publicly accessible areas while maintaining a reasonable level of passive surveillance;
- (vi) The extent to which any otherwise unavoidable blank walls are enlivened by methods which may include artwork, māhi toi, articulation, modulation and cladding choice to provide architectural relief.
- (vii) The extent to which parking areas located within buildings are not directly open and/or visible from open spaces, streets and lanes.

(c) Shading:

- (i) The extent to which the location and design of buildings ensures a reasonable level of sunlight access (measured at the Winter Solstice) to residential units (principal living rooms and private outdoor spaces) and open space areas; taking into consideration site and building orientation, and the planned built-character of the precinct.

(d) Landscaping:

- (i) The extent to which landscaping treatment responds to and acknowledges the natural landscape character of the Fernhill Escarpment and adjoining land within the Days Bridge Esplanade Reserve.
- (ii) The extent to which landscaping of riparian and open spaces are consistent with any relevant objective and policy within the Albany 10 Precinct.

(e) Transport:

- (i) Whether vehicle accesses to sites are designed and located to complement the road function and hierarchy, while avoiding conflict with the function of existing public open space and proposed open space, streets and lanes, while balancing the requirements of access and through-movement.
- (ii) Where the total number of dwellings in the precinct exceeds 440 dwellings but does not exceed 770 dwellings under I552.6.14. Transport infrastructure development thresholds; the extent to which provision is made for public transport and



alternative transport modes to support and promote reduced dependency on private vehicles.

- (iii) The extent to which the provision of a private shuttle bus between development within the Albany 10 Precinct and the Albany Station:
- a. achieves the intended purpose of encouraging behaviour change away from private vehicles and towards public transport;
  - b. provides a level of service to support residents at any given stage of development of the Precinct; and
  - c. is necessary taking into consideration other public transport options and alternative transport modes made available in the surrounding area.

(f) Traffic plans and integrated transport assessments

- (i) The extent to which proposed developments meet the requirements of any existing integrated transport assessment applying to the proposed development and/or precinct; or any new integrated transport assessment or other traffic assessment lodged with any resource consent application provides appropriate travel plans that are consistent with the Integrated Transport Assessment.

(g) Infrastructure

- (i) The extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provision for:
- pedestrian, cycle and vehicle movements;
  - car parking;
  - infrastructure services; and
  - street tree planting and landscape treatment consistent with the overall planned outcomes for the precinct and surrounding environmental context.
- (ii) The extent to which infrastructure for stormwater, wastewater and water supply are designed to ensure minimisation of water use, stormwater and wastewater generation and maximise water re-use.
- (iii) The extent to which infrastructure provided to serve any new development models a range of different methods to achieve sustainability, with a particular emphasis on the efficient use and natural treatment for water quality.

- (iv) The extent to which development adopts an integrated approach to stormwater management, with an emphasis on water sensitive design to enable the reduction of stormwater generated from sites through reuse and reduction of impervious areas.
  - (v) The extent to which there is consistency with the Stormwater Management Plan and/or relevant network discharge consent.
  - (vi) The extent to which stormwater retention and treatment facilities are designed to retain in-stream ecological values and added additional habitat where practical.
  - (vii) The extent to which subdivision and development retains and provides protection for riparian margins and esplanade reserves.
  - (viii) The extent to which existing urban streams are supported through landscaping and riparian margins comprising predominantly native species, to contribute to the amenity of the precinct and to support their ecological function.
  - (ix) The extent to which open spaces are provided so that they are:
    - readily visible and accessible by adopting methods such as a generous street frontages or bordering onto yards of sites and front faces of buildings that are clear of visual obstructions;
    - located to provide visual relief, particularly in intensively developed areas;
    - integrated with surrounding development;
    - sized and developed according to community and neighbourhood needs; and
    - easy to maintain.
  - (x) The extent to which the esplanade shared path and all other walkways within the precinct are designed to be:
    - suitable and safe for regular shared pedestrian and cycle use;
    - easily visible and accessible; and
    - linked to the public walkway and cycleway network surrounding the precinct.
- (h) In addition, for buildings within Height Management Area 3:
- (i) In respect of building mass:
    - the extent to which long building frontages are visually broken up by variations in height, form and other design

means such as variations in facade design and roofline, recesses, awnings, upper level balconies and other projections, materials and colours.

(ii) In respect of the provision of internal green spaces:

- Whether internal common green space areas are provided within a building or development site to ensure adequate sunlight access and outlook for residential units, and the extent to which shared common green spaces internal to buildings:
  - provide legible access from the building/s;
  - ensure the privacy of residential units that overlook the space or are located at-grade;
  - are landscaped to provide informal passive recreation opportunities for residents and amenity of outlook while taking into consideration and mitigating the effects of reverse sensitivity;
  - achieve a reasonable duration of sunlight access measured at the Equinox.

(iii) In respect of passive surveillance:

- the extent to which buildings are designed to contribute to the prevention of crime through their design and configuration.

(iv) In respect of the streetscape:

- the extent to which the scale, proportion and rhythm of architectural features and the fenestration, materials, finishes and colours (as appropriate) of proposed buildings addressing street frontages acknowledge the planned-characteristics of the streetscape and provide street frontages with architectural design richness, interest and depth;
- the extent to which flat planes or blank facades devoid of modulation, relief or surface detail can be avoided;
- the extent to which servicing elements are concealed where possible and not placed on facades unless integrated into the facade design;
- the extent to which exterior lighting is integrated with architectural and landscape design to minimise glare and light overspill onto adjacent properties and streets; and
- the extent to which any rooftop mechanical plant or other equipment is screened or integrated in the building design.

(2) Commercial and Healthcare activities of more than 150m<sup>2</sup> gross floor area per tenancy that comply with Standard I552.6.7 – Commercial GFA and location control:

(a) Transport:

- (i) The extent to which traffic generation and trip movements to and from the activity may create adverse effects on the:
- capacity of roads giving access to the site;
  - safety of road users including cyclists and pedestrians;
  - sustainability of the primary road network; activity and capacity; and
  - the planned urban built character of the precinct.

(b) Streetscape:

- (i) The extent to which activities serving the local neighbourhood are designed, developed and operated to have an attractive street frontage, with buildings located on the street frontage providing generous display space or alternative shop front that suitably engages with the street.
- (ii) The extent to which additional GFA does not compromise the planned built character of the streetscape.
- (iii) The extent to which the building footprints, height, floor to floor heights and the profile of buildings enable them to accommodate a wide range of ground floor activities to be adapted to accommodate differing uses in the future.

(3) Any subdivision and/or development not otherwise listed in Table I552.4.1 that is generally in accordance with Precinct Plans 1 – 4:

(a) Consistency with precinct plans:

- (i) Whether the subdivision or land use is in accordance with Precinct Plans 1 – 4.
- (ii) Whether the activity is consistent overall with the objectives and policies of the precinct.

(b) Infrastructure:

- (i) The extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provision for:
- pedestrian, cycle and vehicle movements;
  - car parking;
  - infrastructure services; and

- street tree planting and landscape treatment consistent with the overall planned outcomes for the precinct and surrounding environmental context.
- (ii) The extent to which the design of streets and lanes integrates service lines beneath footpaths or car parking bays.
  - (iii) The extent to which infrastructure for stormwater, wastewater and water supply are designed to ensure minimisation of water use, storm and wastewater generation and maximise water re-use.
  - (iv) The extent to which infrastructure provided to serve any new development models a range of different methods to achieve sustainability, with a particular emphasis on the efficient use and natural treatment for water quality.
  - (v) The extent to which development adopts an integrated approach to stormwater management, with an emphasis on water sensitive design to enable the reduction of stormwater generated from sites through reuse and reduction of impervious areas.
  - (vi) The extent to which there is consistency with the Stormwater Management Plan and/or relevant network discharge consent.
  - (vii) The extent to which stormwater retention and treatment facilities are designed to retain in-stream ecological values and added additional habitat where practical.
  - (viii) The extent to which subdivision and development retains and provides protection for riparian margins and esplanade reserves.
  - (ix) The extent to which existing urban streams are supported through landscaping and riparian margins comprising predominantly native species, to contribute to the amenity of the precinct and to support their ecological function.
  - (x) The extent to which open spaces are provided so that they are:
    - readily visible and accessible by adopting methods such as generous street frontages or bordering onto yards of sites and front faces of buildings that are clear of visual obstructions;
    - located to provide visual relief, particularly in intensively developed areas;
    - integrated with surrounding development;
    - sized and developed according to community and neighbourhood needs; and

- easy to maintain.
- (xi) The extent to which the design and layout of the Central Park provides for a range of active and passive recreation opportunities that cater to all ages and abilities.
- (xii) The extent to which any common shared parking area within the Central Park is of a size and location that does not reduce or compromise the primary use and function of the Central Park area, and provides appropriate access to enable flexibility of use for community events, markets and the like.
- (xiii) The extent to which the esplanade shared path and all other walkways within the precinct are designed to be:
- suitable and safe for regular shared pedestrian and cycle use;
  - easily visible and accessible; and
  - linked to the public walkway and cycleway network surrounding the precinct.
- (c) Traffic plans and integrated transport assessments:
- (i) The extent to which proposed developments meet the requirements of any existing integrated transport assessment applying to the proposed development and/or precinct; or any new integrated transport assessment or other traffic assessment lodged with any resource consent application provides appropriate travel plans that are consistent with the Integrated Transport Assessment.
- (d) Transport:
- (i) The extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provision for:
- pedestrian, cycle and vehicle movements;
  - car parking;
  - infrastructure services; and
  - street tree planting and landscape treatment consistent with the overall planned outcomes for the precinct and surrounding environmental context.
- (ii) The extent to which local road and pedestrian/cycle networks encourage a walkable neighbourhood to reduce vehicle dependency and ensure local accessibility to community facilities, open space areas, public transport facilities and retail activities.

- (iii) Where the total number of dwellings in the precinct exceeds 440 dwellings but does not exceed 770 dwellings under 1552.6.14. Transport infrastructure development thresholds; the extent to which provision is made for public transport and alternative transport modes to support and promote reduced dependency on private vehicles.
- (iv) The extent to which traffic generation from activities may create adverse effects on the:
  - capacity of roads giving access to the site;
  - safety of road users including cyclists and pedestrians;
  - sustainability of the primary road network; activity and capacity; and
  - the planned urban built character of the precinct.
- (v) The extent to which the provision of a private shuttle bus between development within the Albany 10 Precinct and the Albany Station:
  - a. achieves the intended purpose of encouraging behaviour change away from private vehicles and towards public transport; provides a level of service to support residents at any given stage of development of the Precinct; and
  - b. is necessary taking into consideration other public transport options and alternative transport modes made available in the surrounding area.

(4) Subdivision:

(a) The matters of discretion set out in E38 Subdivision – Urban under E38.12.1:

- (i) The extent to which subdivision is consistent with the assessment criteria set out in E38 Subdivision – Urban E38.12.2.

(b) Consistency with the precinct plans:

- (i) Whether the subdivision or land use is in accordance with Precinct Plans 1 – 4.
- (ii) Whether the activity is consistent overall with the objectives and policies of the precinct.

(c) Infrastructure:

- (i) The extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provision for:

- pedestrian, cycle and vehicle movements;
  - car parking;
  - infrastructure services; and
  - street tree planting and landscape treatment consistent with the overall planned outcomes for the precinct and surrounding environmental context.
- (i) The extent to which the design of streets and lanes integrate service lines beneath footpaths or car parking bays.
  - (ii) The extent to which infrastructure for stormwater, wastewater and water supply are designed to ensure minimisation of water use, storm and wastewater generation and maximise water re-use.
  - (iii) The extent to which infrastructure provided to serve any new development models a range of different methods to achieve sustainability, with a particular emphasis on the efficient use and natural treatment for water quality.
  - (iv) The extent to which development adopts an integrated approach to stormwater management, with an emphasis on water sensitive design to enable the reduction of stormwater generated from sites through reuse and reduction of impervious areas.
  - (v) The extent to which there is consistency with the Stormwater Management Plan and/or relevant network discharge consent.
  - (vi) The extent to which stormwater retention and treatment facilities are designed to retain in-stream ecological values and added additional habitat where practical.
  - (vii) The extent to which subdivision and development retains and provides protection for riparian margins and esplanade reserves.
  - (viii) The extent to which existing urban streams are supported through landscaping and riparian margins comprising predominantly native species, to contribute to the amenity of the precinct and to support their ecological function.
  - (ix) The extent to which open spaces are provided so that they are:
    - readily visible and accessible by adopting methods such as a generous street frontages or bordering onto yards of sites and front faces of buildings that are clear of visual obstructions;
    - located to provide visual relief, particularly in intensively developed areas;



- integrated with surrounding development;
  - sized and developed according to community and neighbourhood needs; and
  - easy to maintain.
- (x) The extent to which the design and layout of the Central Park provides for a range of active and passive recreation opportunities that cater to all ages and abilities.
- (xi) The extent to which any common shared parking area within the Central Park is of a size and location that does not reduce or compromise the primary use and function of the Central Park area, and provides appropriate access to enable flexibility of use for community events, markets and the like.
- (xii) The extent to which the esplanade shared path and all other walkways within the precinct are designed to be:
- suitable and safe for regular shared pedestrian and cycle use;
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  - linked to the public walkway and cycleway network surrounding the precinct.
- (d) Traffic plans and integrated transport assessments:
- (i) The extent to which proposed developments meet the requirements of any existing integrated transport assessment applying to the proposed development and/or precinct; or any new integrated transport assessment or other traffic assessment lodged with any resource consent application provides appropriate travel plans that are consistent with the Integrated Transport Assessment.
- (e) Transport:
- (i) The extent to which the design of streets and lanes are well-connected, attractive and safe transport routes, with appropriate provision for:
- pedestrian, cycle and vehicle movements;
  - car parking;
  - infrastructure services; and
  - street tree planting and landscape treatment consistent with the overall planned outcomes for the precinct and surrounding environmental context.
- (ii) The extent to which local road and pedestrian/cycle networks encourage a walkable neighbourhood to reduce vehicle

dependency and ensure local accessibility to community facilities, open space areas, public transport facilities and retail activities.

- (iii) Where the total number of dwellings in the precinct exceeds 440 dwellings but does not exceed 770 dwellings under I552.6.14. Transport infrastructure development thresholds; the extent to which provision is made for public transport and alternative transport modes to support and promote reduced dependency on private vehicles.
  - (iv) The extent to which traffic generation from activities may create adverse effects on the:
    - capacity of roads giving access to the site;
    - safety of road users including cyclists and pedestrians;
    - sustainability of the primary road network; activity and capacity; and
    - the planned urban built character of the precinct.
  - (v) The extent to which the provision of a private shuttle bus between development within the Albany 10 Precinct and the Albany Station:
    - a. achieves the intended purpose of encouraging behaviour change away from private vehicles and towards public transport; provides a level of service to support residents at any given stage of development of the Precinct; and
    - b. is necessary taking into consideration other public transport options and alternative transport modes made available in the surrounding area.
- (5) Subdivision and development that does not comply with Standard I552.6.13 Transport infrastructure development thresholds and/or proposes alternative measures to achieve required transport access, capacity and safety:
- (a) Effects on the transport network:
    - (i) Whether subdivision and/or development has adverse effects on the efficiency of the operation and safety of the transport network.
  - (b) The likely trip generation of the subdivision and/or development and the effects of the quantum of that development on the safe and efficient functioning of the roading network:
    - (i) Whether or not there is a need for the infrastructure upgrade as a result of the additional subdivision and/or development.

- (ii) The extent to which alternative methods or solutions can be implemented to ensure sufficient capacity within the road network exists.
- (c) Contribution of alternatives to overall traffic effects:
  - (i) Whether other transport network upgrade works have been undertaken that mitigate the transport effects of the proposed subdivision and/or development.
- (d) Effectiveness of alternatives:
  - (i) The extent to which (if any) staging of subdivision may be required due to the co-ordination of the provision of infrastructure.

### **I552.9 Special information requirements**

In addition to the general information that must be submitted with a resource consent application (refer C1.2(1) Information requirements for resource consent applications), applications for the activities listed below must be accompanied by the additional information specified:

#### **Integrated Transport Assessment**

- (1) the first subdivision resource consent application or first land use resource consent application for any development where the total number of dwellings either constructed or consented within the precinct exceeds 400 dwellings, are required to produce an integrated transport assessment for the precinct. An updated integrated transport assessment for the precinct will be required for all further development where the dwelling thresholds are likely to be triggered under Standard I1552.6.15 Transport infrastructure development thresholds.

#### **Dwelling density assessment**

- (2) Any application for new buildings and/or dwellings shall be accompanied by an assessment of the current density of development within the precinct, so as to confirm compliance with standard I552.6.1. Dwelling Density.

#### **Commercial GFA assessment**

- (3) Any application for non-residential commercial development shall be accompanied by an assessment of the current commercial GFA within the precinct, so as to confirm compliance with standard I552.6.7. Commercial GFA and location control.

### **I552.10 Precinct plans**

- Precinct Plan 1 – Albany features plan
- Precinct Plan 2 – Albany movement network.
- Precinct Plan 3 – Albany height and building coverage control areas.
- Precinct Plan 4 – Albany frontage controls.



3 August 2021

To: Todd Elder – Policy Planner, Auckland Council  
From: Carl Tutt – Ecologist, Auckland Council

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**Subject: Private Plan Change – PC59 – Albany Precinct 10 – Ecological Assessment**

## **1.0 Introduction**

- 1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to ecological effects.
  - 1.1.1 I hold the qualifications of Bachelor of Science in Biology and Post Graduate Diploma in Environmental Management from Auckland. I have 9 years' experience working as an ecologist in private and local government sectors.
  - 1.1.2 I have completed the Auckland Council Stream Ecological Valuation (SEV) training (2015).
  - 1.1.3 I am a professional member of the New Zealand Ecological Society, Environment Institute of Australia and New Zealand, New Zealand Freshwater Sciences Society and New Zealand Herpetological Society.
- 1.2 In writing this memo, I have reviewed the application material in full. The following documents specifically address ecological matters:
  - 'Application for Private Plan Change' by Campbell Brown, rev.2, dated 17 August 2020.
  - 'Ecological Values' by Boffa Miskell, rev.3, dated 7 May 2020.
  - 'Council's further information requests under the Resource Management Act 1991' by Campbell Brown and dated 17 August 2020.
  - 'Infrastructure Report' by Woods, rev.C, dated 13 August 2020.
  - Memorandum 'NPS-FM and NESF and Albany 10 Precinct' by Boffa Miskell, dated 28 June 2021.
- 1.3 I undertook a site visit on 10 June 2021.

## **2.0 Key ecological Issues**

- 2.1 Water quality and ecosystem health of Oteha Stream and Lucas Creek.
- 2.2 The wording of I552.6.10 (incorrectly labelled I522.6.10 in draft provisions) (3) is in contradiction with I552.6.10 (1).
- 2.3 Unclear depiction of streams on Precinct Plan 1 Albany Features Plan. Two keys for streams, one is 'existing watercourse' the other is 'existing stream'.

## **3.0 Applicant's assessment**

- 3.1 The applicants s32 planning report and ecological values report discuss the potential effects on the site's ecological values.
- 3.2 Section 10.2 summarises the ecological effects which are discussed in further detail in the ecological values report.
- 3.3 Section 4 of the ecological values report describes the ecological context of the site by each ecological component on site, vegetation, herpetofauna (lizards), avifauna (birds), bats, and freshwater. Section 4.2.1 specifically notes that a natural wetland is on site and restoration attempts have been made in the past to enhance the wetland.

3.4 The applicant proposes to enhance the riparian margins of streams on site, increasing ecological connectivity with Oteha Stream and the overall ecological value of the site.

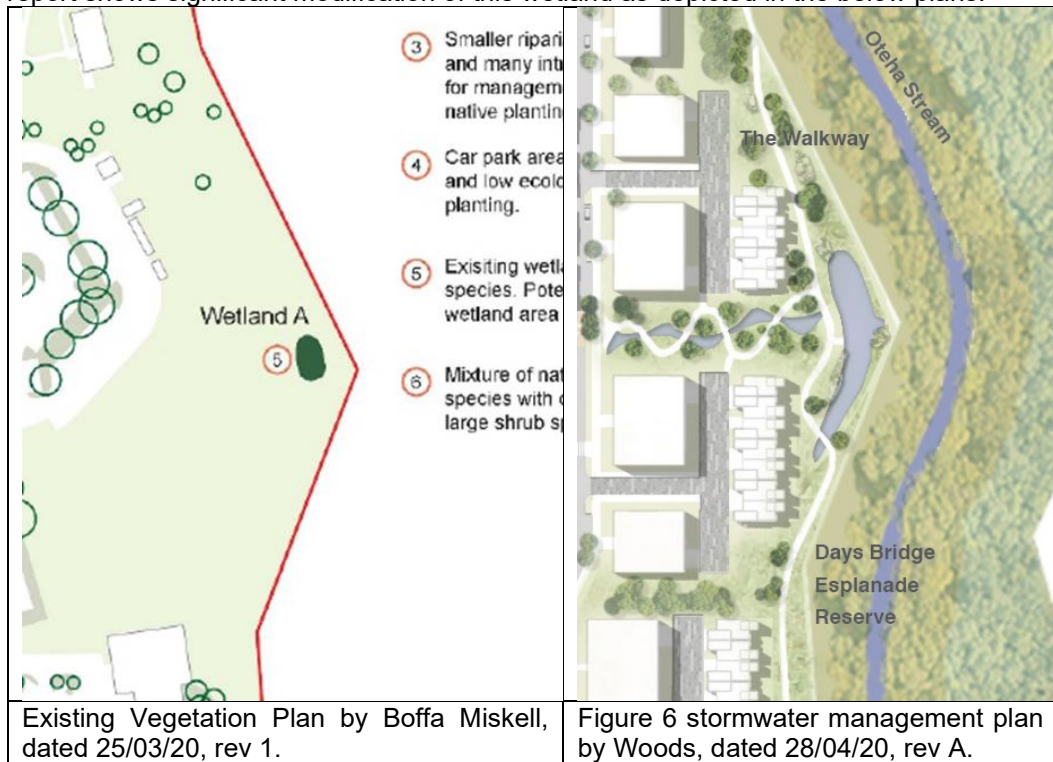
**4.0 Assessment of ecological effects and management methods**

4.1 While stormwater management has been proposed, it is assumed that GD01 devices will be sufficient. The Oteha stream is quite large and there is active bed and bank erosion occurring along it. The application does not contain an assessment on if this proposed development will further exacerbate stream bed or bank erosion.

4.2 I552.6.10 (3) states “Planting within riparian areas does not preclude the provision of pedestrian and shared walkways...”. This should be reworded to state that any pedestrian and shared walkways need to be additional to the proposed riparian planting widths. Otherwise, this is in contradiction with I552.6.10 (1) which requires all permanent and intermittent streams to be planted to a minimum width of 10m either side of the stream.

4.3 The key for streams on Precinct Plan 1 Albany Features Plan is unclear. It contains two keys for streams, one is ‘existing watercourse’ the other is ‘existing stream’. It is unclear why there is this differentiation when they a watercourse and stream are essentially referring to the same thing. This also creates a discrepancy in terminology between standard I552.6.10 (1) which starts “Riparian margins to existing watercourses identified on Precinct Plan 1 – Albany features plan that apply to permanent or intermittent streams...”. It is recommended that the word stream is solely used in this instance. This would also be consistent with the current AUP:OP terminology.

4.4 Wetland enhancement is proposed in the ecological values report, yet in the engineering report shows significant modification of this wetland as depicted in the below plans.



This wetland, while identified as natural in the ecological values report is in fact constructed for stormwater management as there are also stormwater structures (scruffy dome) within the footprint of this wetland. It appears in 2019 aerial images and not in 2017 indicating that it was constructed sometime within this time period. A pre-application meeting from 3 March 2017 (PRR00009450) was held with council to discuss the construction of this device. This wetland does not meet the definition of a natural wetland under the National Policy Statement for Freshwater Management (2020) (NPS:FM 2020). The National Environmental Standards for Freshwater Management (NES:FW) legislation does not apply as this wetland was not constructed to offset impacts on, or restore, an existing or former natural wetland.

- 4.5 The NPS:FM 2020 and Regional Policy Statement (RPS) in Auckland Unitary Plan: Operative in Part (AUP:OP) Chapter B7 contain strong directives requiring any more than minor adverse effects on freshwater, and on any ecosystem associated with freshwater to be avoided and that freshwater systems are maintained or enhanced.

## 5.0 Submissions

- 5.1 Submissions on the proposed plan change were reviewed and noted that the majority of submissions relate to broader traffic, density, building height and other matters of the proposed PC59. Submissions that are relevant to ecology were chiefly around streams and water quality and impacts on Fernhill Escarpment. These are summarised as follows.
- 5.2 Streams and water quality has been raised in submissions 21, 26, 94, 107, 112, 116, 117, 121. These submissions seek that the proposed development does not generate any adverse effects the receiving environment, Oteha Stream or the wider catchment.
  - 5.2.1 Proposed stormwater management (assessed by Healthy Waters Department) will be integral to ensuring that the effects on the receiving environment are managed at an acceptable level. It should be noted however that urban streams in Auckland are at an increased pressure of erosion due to alterations to flow regimes.
- 5.3 Submissions specifically raising concerns around impacts on Fernhill Escarpment are 26, 107, 112.
  - 5.3.1 While valid concerns, Days Bridge Esplanade Reserve and Fernhill Escarpment which are both owned by Auckland Council and fall within a Significant Ecological Area overlay border the property to the east. There is already public access via walking tracks through Fernhill Escarpment. Direct impacts of this development on these areas would be negligible.
- 5.4 Auckland Council's submission (73) recommends changes to the proposed plan change standards.
  - 5.4.1 Specifically, this submission seeks to amend standard I552.6.10, clauses (1) and (2) to match the terminology used on Precinct Plan 1 Albany Features Plan. I have recommended similar wording alterations in section 4.2 which is more consistent that what has been suggested in this submission.

## 6.0 Conclusions and recommendations

- 6.1 The applicant has adequately addressed majority of the private plan change effects on the environment related to ecology.
- 6.2 The private plan change application does not contain an assessment on the current state of the receiving environment (Oteha Stream). Conclusions reached are that GD01 devices will be sufficient to manage stormwater effects. Given the intensity of the proposed development, certainty is required to ensure that there will be no effect (stream bed or bank erosion) on the receiving environment.
- 6.3 The private plan change is consistent with the direction and framework of the AUP, requiring 10m riparian margins along streams in urban areas.
- 6.4 The plan change has not adequately given effect to water quality objectives and policies set out in the AUP:OP RPS and chapter E1 which require any more than minor adverse effects on freshwater, and on any ecosystem associated with freshwater to be avoided. The proposed plan change objective (17) starting point is adverse effects of stormwater runoff to be mitigated to maintain water quality as opposed to avoided, and that freshwater systems are maintained or enhanced
- 6.5 The private plan change gives effect to the National Policy Statement for Freshwater Management 2014, and subject to direction from the Chair this assessment has been updated against the NPS:FM 2020.

- 6.6 The plan change gives effect to the Regional Policy Statement in relation to indigenous biodiversity (B7.2).
- 6.7 I am able to support the plan change with the proposed amendments to the PC59 are attached shown below. Relief sought: ~~Strikethrough~~ is to be read as deletion; Underlining is to be read as an addition.
- 6.7.1 I552.2 Objectives
- (12)The ecological values of existing streams and habitats are recognised enhanced and protected.
- (17)The adverse effects of stormwater runoff within the precinct are avoided as far as practicable, or otherwise mitigated to maintain water quality and preserve the mauri of the Oteha Stream
- 6.7.2 I552.3 Policies
- (13)Incorporate existing ~~urban~~ streams within the precinct into the open space green network to ensure their ongoing contribution to the natural amenity and environmental values of the surrounding environment.
- (22)Ensure that stormwater in the precinct is managed ~~and, where appropriate, treated, to ensure~~ maintain the health and ecological value of streams ~~are maintained~~.
- 6.7.3 1522.6.10 Riparian Planting
- (3) ~~Planting within riparian areas does not preclude the provision of~~ All pedestrian and shared walkways and passive recreational spaces are additional to the 10m riparian planting widths associated with streams identified on ~~with~~ Precinct Plan 1 – Albany features plan.



# Memo

18/06/2020

**To:** Todd Elder  
**cc:** Charlie Brightman, Engineering & Technical Services  
**From:** Nicole Li, Regulatory Services  
**Subject:** Geotechnical Review of Private Plan Change Application at 473 Albany Highway, Albany  
**Status:** For Information Version: 0

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## 1 Introduction

We have been requested by Todd Elder from Auckland Council Regulatory Services to review geotechnical aspects of a private plan change at 473 Albany Highway, Albany. It is understood that the developer is seeking a change from Residential – Mixed Housing Suburban to Residential – Terrace Housing and Apartment Building. and provide. Our geotechnical review includes queries/comments/recommendations pertaining to geotechnical matters.

The following geotechnical report has been attached to the application and reviewed by us:

- CMW Ltd “Geotechnical Report for Plan Change Application”, reference AKL2018-0083AG Rev 0 and dated 29 January 2020

We understand that the reports have been prepared to support the private plan change application. Our findings and recommended conditions are summarised below.

## 2 Summary of assessment and recommended conditions

### Assessment of Geotechnical Effects

#### Geology and Geomorphology

The site is underlain by alluvial deposits of the Puketoka Formation of the Tauranga Group, overlying East Coast Bays Formation of the Waitemata Group. Sandstone of Waitemata Group was encountered between 1.5m and 4.5m depths below existing ground surface in machine boreholes.

The Oteha Stream runs along the eastern boundary of the site, while minor tributaries or associated gully features run west to east across the proposed site. The site typically consists of gently sloping ground, with localised steeper slopes in the eastern portion (within and in close vicinity of the gully features and the Oteha Stream).

It is noted that fill placement may have been undertaken on site to form the existing land profile. The fill encountered by the investigations appears to be uncontrolled and uncertified, containing areas of buried topsoil deposits.

### Earthworks

The CMW report states, “*Relatively minor fills up to approximately 1.5m depth will be required in some areas between buildings and beneath some of the buildings adjacent to Oteha Stream, with significant excavations being undertaken to form building basements*”. We note the proposed earthworks volumes, including basement excavations are 119,326 m<sup>3</sup> cut and 31,014 m<sup>3</sup> fill, with an excess fill volume of 88,312 m<sup>3</sup>. The intention for management of the excess material has not been provided, however we anticipate this will be carted off-site for disposal/reuse based on the submitted information.

Further details of the earthworks proposals will be required for resource consent application.

### High Groundwater Level

The CMW report states that “*high groundwater is typical in lower lying portions of this geology. High groundwater can cause limitations when planning earthworks and during construction and civil works*”. Subsoil and/or underfill drains are anticipated to be installed in these areas where required.

### Ground Stability

The CMW report indicates that adequate Factor of Safety (FoS) can be achieved for global stability on site; however, “*slope instability can occur in this geology when areas of the land are over steepened by streams and creeks or aggressive cut or fill gradients*”. The report states that numerical stability analysis has been completed within the proposed development boundaries. However, outputs of the stability modelling are not attached to the geotechnical report.

Further stability assessment will be required to be undertaken based on site-specific development in order to support resource consent application. As a minimum the stability assessment shall:

- include both existing and proposed ground profiles and remedial measures (if deemed required).
- address localised over steep areas.
- be undertaken in accordance with requirements outlined in the Auckland Council Geotechnical Code of Practice.

### Compressible Ground and Consolidation Settlement

The CMW report considers that “*due to the high moisture content and typically low degree of consolidation of the Tauranga Group alluvial deposits there is a potential for settlement of the soils if additional load is added with either building development or earthworks*”.

Resource consent application will require settlement assessment and associated monitoring for the future proposed fill placement. The settlement assessment shall consider both primary and secondary/creep settlement. No permanent structures or infrastructure shall be constructed until the settlement has attenuated to an acceptable level. The settlement attenuation shall be reviewed and approved by the Council’s geotechnical specialists.

### Settlement Induced by Groundwater Drawdown

Deep basements are proposed which require excavations potentially below groundwater levels. The CMW report states that settlement from groundwater drawdown were found to be negligible, however without an assessment/a review for the specific proposal the CMW statement of 'negligible' cannot be substantiated.

An assessment against Chapter E7 of the Auckland Unitary Plan will be required for resource consent application. If the proposed work is not determined a permitted activity under E7, a comprehensive groundwater assessment will be necessary.

### Settlement Induced by Basement Wall Deflection

It is understood that the future buildings will include up to 2-levels of basement parking below ground level, and effects of wall deflections were assessed by Initia Ltd (Initia) previously. It should be noted that the assessment carried out by Initia was not made available to Council at the time of memo preparation. The CMW report states that *"Assessment of the settlement effects from basement wall deflection were made by Initia for both 1 and 2 level basements in their report and found potential settlements of 5 to 20mm adjacent to basement walls, reducing to negligible amounts 5 to 10m from the walls. Initia also considered the potential settlement of the 725mm diameter wastewater pipeline that crosses the site from basement excavation activities and reported it to be negligible for the development scheme they were addressing at the time"*.

A comprehensive assessment will be required for resource consent application including (but not to be limited to) wall deflection, associated settlement, effects on the existing neighbouring land and infrastructure and remedial solutions (if needed) to be submitted for review at the time of future resource consent. The assessment shall be based on the latest development scheme.

### Erosion

Erosion may occur along the banks of Oteha Stream due to water flows, which may destabilise the toe of slopes supporting the developed land. There is no discussion in the CMW report on this matter. Resource consent application shall assess the potential for this erosion and incorporate remedial erosion protection measures.

### Foundations

It is understood that the proposed development on site will comprise of 2-3 storey terrace dwellings and 3-10 storey apartment buildings. Specifically designed deep foundations (e.g. piles) are anticipated for the taller apartment buildings.

### Ground Shrinkage and Swelling Potential

Shrink/swell ground movements are expected. While laboratory testing (water content, Atterberg limits and linear shrinkage) was performed which can provide data for shrinkable soil assessment, there is no discussion in the CMW report on this matter.

Assessment of ground shrinkage/swelling potential will be required for resource consent application based on an interpretation of site-specific laboratory results.

### Seismic Impacts

There is no discussion in the CMW report on this matter. Although the seismic risk is relatively low in the Auckland region, a preliminary assessment on seismic impacts, including liquefaction and lateral spreading due to the presence of the water body (Oteha Stream) will be required for resource consent application.

### **Request for Further Information**

The CMW report states that numerical stability analysis has been completed within the proposed development boundaries. As this has been completed, we require the applicant to provide this numerical stability analysis in the report.

We require the following referenced reports to be provided:

- Stability assessment outputs discussed in the CMW geotechnical report (dated 29 January 2020)
- Groundwater & Settlement Analysis, Retirement Village Dewatering – Williamson Water and Land Advisory (WWLA) reference WWA0106, Rev 1 dated 14 August 2019
- Proposed Albany Estates Apartment Buildings, 473 Albany Highway, Albany Retaining Wall Deflection and Settlement Analysis for Resource Consent – Initia reference P-000625 dated 14 June 2019

### **Recommendations and Conclusions**

The above further information should be provided before plan change determination.

As a development proposal is associated with the plan change which includes large earthworks volumes of cut material to be removed off site, deep basement excavation and multi-storey building construction, the Auckland Unitary Plan provisions appear to have been triggered in relation to the geotechnical matters discussed above. We recommend that the appropriate Unitary Plan provisions are applied to ensure that geotechnical issues are addressed. This should be identified by planner or development engineer.

At the plan change stage, it is appropriate to comment on the suitability of the land for rezoning. We consider that the site is suitable to support the proposed private land change, provided that detailed assessments, specific engineering designs of earthworks, associated remedial measures, structures, infrastructures and appropriate construction methodologies are submitted. We recommend that the resource consent stage is the most appropriate time to address the specific geotechnical issues on the site. Inputs from the Council geotechnical specialists will be required at the future resource and building consent stages.

### 3 Quality assurance

**Reviewed and approved for release by**

**Reviewer**

Charlie Brightman, Principal Geotechnical Specialist, 18/06/2020

***This memo is satisfactorily completed to fulfil the objectives of the scope. I have reviewed, and quality checked all information included in this memo***

**Author**

Nicole Li, Development Engineer, Regulatory Services

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## **APPENDIX 5**

### **RECOMMENDED CHANGES TO PROPOSED PRIVATE PLAN CHANGE 59**

Amendments are shown with text to be deleted as struck through and text to be added as underlined.





## **I552 Albany 10 Precinct**

### **I552.1 Precinct Description**

The Albany 10 Precinct applies to part of the former Massey University Albany Campus which extends across 13.7 hectares of land between the Albany Highway, gradually falling away towards the Days Bridge Esplanade Reserve, beyond which lies the Oteha Stream and Fernhill Escarpment.

The precinct benefits from the existing amenity, landscape and ecological values that the Fernhill Escarpment and Oteha Stream provide to the surrounding urban environment; and is strategically located adjacent to Albany Highway which provides direct multi-modal transport connections to Albany Village and the Albany Metropolitan Centre. The precinct also benefits from proximity to, and connections with, the walking tracks throughout the Fernhill Escarpment, which extend along the Oteha Stream to the northeast, and towards Lucas Creek to the west. These features are identified within the precinct as integral to support urban growth and residential liveability.

The purpose of the precinct is to provide for a comprehensive and integrated redevelopment of part of the former Massey University Albany Campus. The precinct enables a new residential community comprising a mixture of housing types including terrace housing, low and mid-rise apartment buildings and integrated residential development such as retirement villages within a unique urban setting. The variety of housing typologies enabled by the precinct will help cater for Auckland's projected growth and will integrate comfortably within the existing urban environment.

The precinct seeks to maintain the ecological functions and water quality of existing streams, while also enhancing the landscape and open space amenity values of the area through the provision of publicly-accessible open space that incorporates established trees, planting (including riparian planting), visual corridors, shared pedestrian cycle paths, walkways and informal recreation and play areas.

The zoning of the land within the precinct is Residential - Terrace Housing and Apartment Buildings Zone. A location-specific range of residential densities and building forms are provided for that includes commercial and healthcare activities in identified locations around a Community Hub identified on Precinct Plan 1, intended to support the local community while not undermining the role, function and viability of existing centres nearby.

Height control areas have been applied to recognise the favourable size, location and topography of the precinct to accommodate a range of buildings heights. The enabled heights recognise the relative sensitivities of adjoining and adjacent neighbours, with greater height located where potential adverse effects can be managed within the precinct and/or there is capacity to accommodate greater building height. Buildings of up to ten storeys are enabled in identified locations through the centre of the precinct, transitioning to six storeys along the Days Bridge Esplanade Reserve and the northern frontage of the precinct to Albany Highway. In areas where there is an interface to lower intensity zones or the Days Bridge Esplanade Reserve, the precinct enables a built character of development of predominantly three storeys.

The precinct seeks to control the number of dwellings that are enabled in order to manage effects on the transportation network and on intersections providing access to the precinct. Triggers are provided for within the precinct to assess the capacity of the ~~local~~ transport network to accommodate the planned growth, and to provide for upgrades to the two primary signalised intersections servicing the precinct, along with upgrades to cycle paths. [\[127.3\]](#)

Development of this precinct will be guided by the following precinct plans:

- Precinct Plan 1 – Albany features plan
- Precinct Plan 2 – Albany movement network.
- Precinct Plan 3 – Albany height and building coverage control areas.
- Precinct Plan 4 – Albany frontage controls.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

## **I552.2 Objectives [dp]**

### *Development*

- (1) Creation of a vibrant and diverse community that enables a range of household sizes and dwelling typologies, including integrated residential development.
- (2) Subdivision and development are undertaken in a comprehensive manner in general accordance with Precinct Plans 1 – 4, and are designed to align with the provision of open space and, where required, the upgrading and installation of infrastructure including transport infrastructure and services ~~(roading and pedestrian linkages and accessways)~~, water, wastewater and stormwater. [\[127.4\]](#) [\[59.2\]](#)
- (3) Subdivision and dDevelopment provides for an efficient use of land to deliver housing supply in proximity to existing centres. [\[73.12\]](#)
- (4) Non-residential activities are provided for in identified locations, proximate to the central Community Hub identified on Precinct Plan 1, to support residential occupation within the precinct.
- (5) Subdivision and dDevelopment within the precinct contributes to, and models the principles of, a sustainable urban neighbourhood as identified in the Green Star Sustainable Communities rating tool, or other equivalent rating system. [\[73.12\]](#)

### *Built form*

- (6) New buildings and structures respond and positively contribute to the amenity values of streets, open spaces and the surrounding environment.
- (7) Development is in keeping with the planned urban built character of the precinct, enabling buildings between three and ten storeys in height in identified locations.

- (8) Subdivision and development in the precinct respond positively to the natural and physical features of the area, while at the same time providing for the planned built-outcomes within the precinct.

*Open space and public realm*

- (9) Pedestrian and cycle linkages within the precinct are provided, including connections within-to the wider roading and pedestrian network and adjacent land, taking into account topography, visual corridors, watercourses and vegetation, to enhance recreation and connectivity and create a network that links open spaces within the precinct and the wider environment. [127.5]
- (10) Recreational needs of the community are met through:
- (a) the provision of open space areas in accordance with Precinct Plan 1 – Albany features plan, that are publicly accessible and integrated with the movement network and Community Hub; and
  - (b) promoting common informal recreational spaces in areas of intensity identified within Precinct Plan 3 – Albany height and building coverage control areas.
- (11) Accessible open spaces recognise and take advantage of the natural features of the site, including the incorporation of existing waterways, existing riparian margins and identified existing mature trees within the open space network.
- (12) The ecological values of existing streams and habitats are recognised and protected and where practicable enhanced.[73.36]
- (13) The natural and environmental values of the precinct are maintained and, where practicable, enhanced.

*Infrastructure*

- (14) Subdivision and development are integrated with the capacity of the ~~local~~ transport network ~~internal to the precinct~~ to ensure travel demand is supported by suitable transportation infrastructure. [73.13][127.6]
- (15) Land use and development within the precinct promotes the safe and efficient operation of the local transport network.
- (16) Subdivision and development within the precinct facilitates a transport network that:
- (a) supports pedestrian, cycle and public transport use; and
  - (b) facilitates and promotes alternative transport choices.
- (17) The adverse effects of stormwater runoff within the precinct are avoided or mitigated to maintain water quality and preserve the mauri of the Oteha Stream. [73.36]
- (17)(18) Development is integrated and sequenced with the upgrading of and/or installation of new water and wastewater infrastructure. [59.3]

In addition to the objectives specified above, all relevant overlay, Auckland-wide and zone objectives apply in this precinct.

### **I552.3 Policies [dp]**

#### *Development*

- (1) Promote comprehensive and integrated of subdivision and development of the precinct in general accordance with Precinct Plans 1 – 4. [\[73.14\]](#)
- (2) Ensure that subdivision and development within the precinct contributes to a 'sustainable community rating', particularly through the principles of energy efficiency, accessibility including cycling and public transport, sustainable water management, biodiversity and compact walkable neighbourhoods. [\[73.14\]](#)
- (3) Enable development in a variety of forms and heights to ensure an efficient use of land, while responding to the planned urban built character of adjoining residential sites, preserving the character and amenity of the Days Bridge Esplanade Reserve and Fernhill Escarpment, and providing high-quality on-site amenity.
- (4) Promote an integrated urban form, with pedestrian and cycleway movement networks to provide an alternative to, and reduce dependency on, private motor vehicles as a means of transportation.
- (5) Enable commercial and healthcare activities in identified areas through a commercial frontage control located in proximity to the community hub identified on Precinct Plan 1, to service the needs of the community while ensuring that:
  - (a) the commercial uses will not detract from the residential amenity of the precinct; and
  - (b) the scale and intensity of commercial activities will not have an adverse effect on the role, function and viability of Albany Village and the Albany Metropolitan Centre.

#### *Built form*

- (6) Ensure subdivision and development is of a scale and form that maintains adequate sunlight access to residential units and open space, and mitigates the effects of bulk, dominance and overlooking. [\[73.14\]](#)
- (7) Require that new buildings:
  - (a) achieve a high-density urban built character of three to ten storey buildings in identified locations in a variety of forms.
  - (b) are appropriate in scale to the internal street network and public frontage to the precinct along Albany Highway;

- (c) provide a transition in height between Albany Highway and the Days Bridge Esplanade Reserve;
  - (d) ~~and other development in the precinct are to be~~ located and designed to ~~support both~~ maintain the identified Visual Corridors through to the Fernhill Escarpment and key open space and pedestrian connections within the site; and [73.37]
  - (e) do not result in significant shading, bulk and dominance effects on residential land within and/or adjacent to the precinct, having regard to the planned outcomes for the zone.
- (8) Ensure residential development achieves a high standard of amenity by:
- (a) providing functional and accessible outdoor living spaces that are suitable for different dwelling typologies;
  - (b) discouraging fencing in identified locations to ensure a permeable and legible pedestrian environment;
  - (c) controlling fence heights in identified locations, to provide a reasonable level of on-site privacy while enabling passive surveillance of streets and open spaces;
  - (d) controlling building coverage, impervious areas and minimum landscaped areas;
  - (e) requiring the setback of buildings above 5 storeys to promote alternative building forms and facades;
  - (f) applying design assessment criteria to manage privacy effects both within and external to the site;
  - (g) specifying minimum setbacks from boundaries for primary and secondary outlooks to minimise overlooking, maximise daylight access and mitigate noise effects; and
  - (h) requiring minimum side yards in identified locations to enable separation between buildings and development outside of the precinct.

~~(9) Require new buildings and other development in the precinct to be located and designed to maintain identified Visual Corridors between the Albany Highway and the Fernhill Escarpment. [73.37]~~

#### *Open space and public realm*

~~(10)~~(9) Enable development that addresses and responds to the internal open space network, while generally requiring that all subdivision and development is consistent with the planned movement network identified on Precinct Plan 2 – Albany movement network. [73.14]

~~(11)~~(10) Ensure that subdivision and development does not compromise the use of pedestrian linkages and the streetscape as natural extensions of the open space/s identified on Precinct Plan 2 – Albany movement network. [73.14]

~~(12)~~(11) Enable passive recreation opportunities within open space areas throughout the precinct to encourage the use and enjoyment of the pedestrian network and natural environment within the precinct.

~~(13)~~(12) Incorporate existing urban streams and watercourses within the precinct into the open space green network to ensure their ongoing contribution to the natural amenity and environmental values of the surrounding environment. [73.38]

~~(14)~~(13) Promote the activation, use and enjoyment of the Central Park green space for residents within the precinct by:

- (a) enabling recreation and play equipment;
- (b) providing for a vehicle parking area that can be adapted to contain community gatherings, markets and other such events that support the local community; and
- (c) enabling a small building to contain restaurant and café activities that will support the Central Park as a Community Hub, while not compromising the overall amenity, use and enjoyment of the space.

#### *Infrastructure*

~~(15)~~(14) Require the safety and capacity of the transport network is maintained, taking into account the anticipated maximum number of dwellings and non-residential floorspace enabled by the precinct. [73.39] [73.7(g)]

~~Where the number of dwellings constructed within the precinct generates appropriate demand, require upgrades to identified signalised intersections and public cycling facilities.~~

~~(16)~~(15) Require subdivision and development to avoid, remedy or mitigate the adverse effects, including cumulative effects, of subdivision and development on the existing and future infrastructure required to support the Precinct through the provision of new and upgraded infrastructure. .[73.40] [73.7(g)]

~~(17)~~(16) Ensure new roads, lanes and pedestrian/cycle facilities are located in accordance with Precinct Plan 2 – Albany movement network to contribute to a highly connected pedestrian, cycle and road network that provides for all modes of transport. [73.41]

~~(18)~~(17) Ensure pedestrian and cycle linkages within the precinct and across the boundaries of the precinct as generally indicated on Precinct Plan 2 – Albany movement network, to allow for safe and efficient movements beyond and within the precinct. [127.14]

~~(19)~~(18) Ensure that commercial activities and healthcare facilities are of a size and intensity that supports the local residents within the precinct, and discourage activities that do not appropriately manage adverse effects on the safe and efficient operation of transport network including effects on pedestrian safety. without encouraging significant trip movements from outside the precinct. [73.42] [127.15] [139.5]

~~(20)~~(19) Apply parking maximums to activities enabled within the precinct to mitigate the effects of traffic generation, and to ~~ensure that~~ support alternative transport modes ~~are as~~ a viable alternative to private vehicle use. [127.16]

~~(21)~~(20) Restrict the maximum impervious area within the overall precinct in order to manage the amount of stormwater runoff generated by development, while enabling specific areas of greater impervious coverage to support the planned urban built character of the precinct.

(21) Ensure that stormwater in the precinct is managed and, where appropriate, treated, to ensure the health and ecological value of streams are maintained and where practicable, enhanced for all subdivision and development. [73.14] [73.43]

(22) Ensure that water and wastewater infrastructure is provided to enable the servicing of new residential lots and commercial activities. [59.4]

In addition to the policies specified above, all relevant overlay, Auckland-wide and zone policies apply in this precinct.

#### I552.4 Activity table

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is specifically listed in Activity Table I552.4.1 below.

Activity Table I552.4.1 specifies the activity status of district land use and subdivision activities in the Albany 10 Precinct pursuant to sections 9(3) and 11 of the Resource Management Act 1991.

**Table I552.4.1 Activity table**

Activity		Activity Status
<b>Use</b>		
Residential		
A1	Dwellings	P
Commercial activities		
A2	Commercial activities and Healthcare facilities (excluding drive-through restaurants) up to 150m <sup>2</sup> gross floor area per tenancy that comply with Standard I552.6.7 – Commercial GFA and location control	P
A3	Commercial activities and Healthcare facilities (excluding drive-through restaurants) of more than 150m <sup>2</sup> gross floor area per tenancy that comply with Standard I552.6.7 – Commercial GFA and location control	RD
A4	Commercial activities and Healthcare facilities <u>(excluding drive-through restaurants)</u> that do not comply with Standard I552.6.7 – Commercial GFA and location control [73.54]	D

Activity		Activity Status
A5	One supermarket up to 500m <sup>2</sup> gross floor area	P
A6	Large format retail, including supermarkets not otherwise provided for	NC
A7	Restaurants and cafes within a single building no greater than 100m <sup>2</sup> GFA located within the Central Park identified on Precinct Plan 1 – Albany features plan	P
<b>Subdivision and Development [73.15]</b>		
A8	New buildings	RD
A9	External additions to existing buildings	RD
A10	Accessory buildings	RD
A11	Development that does not comply with Standard I552.6.1 – Dwelling density	D
A12	Development that does not comply with Standard I552.6.2 – Building height	NC
A13	Buildings within an identified Visual Corridor on Precinct Plan 1 – Albany features plan (not including street furniture and lighting)	NC
A14	Any development, including vehicle access to Albany Highway, not otherwise listed in Table I552.4.1 that is not generally in accordance with Precinct Plans 1, <del>2</del> and 4 [73.46]	D
A15	Any development not otherwise listed in Table I552.4.1 that is generally in accordance with Precinct Plans 1 – 4	RD
<b>Community</b>		
<del>A16</del>	<del>Informal recreation and leisure activities (including play / gym equipment and seating) within Open Space areas and riparian yards, identified on Precinct Plan 1 – Albany features plan</del>	<del>P</del>
<del>A17</del>	<del>Recreation and leisure activities (including play / courts / gym equipment and seating) within the Central Park identified on Precinct Plan 2 – Albany features plan</del>	<del>P</del>
<b>Subdivision and development [73.15]</b>		
A18	Subdivision	RD
A19	Subdivision and development which does not comply with Standard I552.6.13 – Transport infrastructure development thresholds [127.23] [73.17] [73.18], <del>but proposes alternative measures to achieve required transport access, capacity and safety</del>	<del>RD</del>
A20	Subdivision that is not in accordance with Standards I552.6.14.1, I552.6.14.3, I552.6.14.4, I552.6.14.5.	D
A21	Subdivision, including subdivision in accordance with an approved land use consent, that is not in accordance with	NC



Activity		Activity Status
	Standard I552.6.14.2 – Subdivision standards for key roading and access	
<u>(AXX)</u>	<u>Subdivision and development which does not comply with Standard I552.6.12 parking [127.17]</u>	<u>RD</u>
<u>Community</u>		
<u>A16</u>	<u>Informal recreation and leisure activities (including play / gym equipment and seating) within Open Space areas and riparian yards, identified on Precinct Plan 1 – Albany features plan</u>	<u>P [73.15]</u>
<u>A17</u>	<u>Recreation and leisure activities (including play / courts / gym equipment and seating) within the Central Park identified on Precinct Plan 2 – Albany features plan</u>	<u>P [73.15]</u>

### I552.5 Notification

- (1) Any application for resource consent for a restricted discretionary activity listed in activity table I552.4.1 except for (A18) subdivision will be considered without public notification. This does not include: [127.24]
  - ~~a. I552.4.1 (A19) Subdivision and development which does not comply with Standard I552.6.13 – Transport infrastructure development thresholds, but proposes alternative measures to achieve required transport access, capacity and safety [127.23]~~
  - a. I552.4.1 (AX) Subdivision and development which does not comply with Standard I552.6.12 parking
- (2) Any application for resource consent for an activity listed in activity table I552.4.1 which is not identified in I552.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13.

### I552.6. Standards

- (1) Unless specified in Standard I552.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in Activity Table I552.4.1 above. Where there is any conflict or difference between standards in this precinct and the Auckland-wide and zone standards, the standards in this precinct will apply.
- (2) The following standards in the Residential – Terrace Housing and Apartment Buildings Zone do not apply to land in the Albany 10 Precinct:

(a) H6.5.5. Building height [73.6]

~~(a)~~(b) H6.6.6. Height in relation to boundary;

~~(b)~~(c) H6.6.7. Alternative height in relation to boundary within the Residential – Terrace Housing and Apartment Buildings Zone;

~~(e)~~(d) H6.6.10. Maximum impervious area;

~~(e)~~(e) H6.6.11. Building coverage;

~~(e)~~(f) H6.6.12. Landscaped area.

- (3) Non-compliance with any standard not otherwise identified as a discretionary or non-complying under Table I552.4 is a restricted discretionary activity under General Rule C1.9.

### **I552.6.1. Dwelling Density**

Purpose: To ensure that the precinct responds to the anticipated growth of the Albany area, while also ensuring that the planned outcomes for the precinct are not undermined through over development.

- (1) There must be no more than a total of 1,800 dwellings or Dwelling Unit Equivalents in the Albany 10 Precinct in total.
- (2) For the purposes of calculating a Dwelling Unit Equivalent, the following rates apply:

**Table I552.6.1.1 Dwelling unit equivalents**

Type	Equivalent dwellings unit value
Retirement village unit	0.61
Rest home bed	0.46
Visitor accommodation room	1.3

### **1552.6.2. Building Height**

Purpose: To ensure development is consistent with the planned outcomes identified on Precinct Plan 3 – Albany height and building coverage control areas, by:

- focussing greater building height within the precinct in identified locations that are removed from lower intensity residential zones, the Oteha Stream and Days Bridge Esplanade Reserve;
- focussing the greatest height and density through the centre of the precinct around the Central Park, Community Hub and Visual Corridors identified on Precinct Plan 1 – Albany features plan; and
- recognising the lower intensity residential development of the surrounding area by applying lower height limits at identified precinct boundaries.

All development within the precinct must comply with the following standards:

- (1) Buildings must not exceed the maximum heights specified in Table I552.6.2.1 and on Precinct Plan 3 – Albany height and building coverage control areas.

**Table I552.6.2.1. Building height**

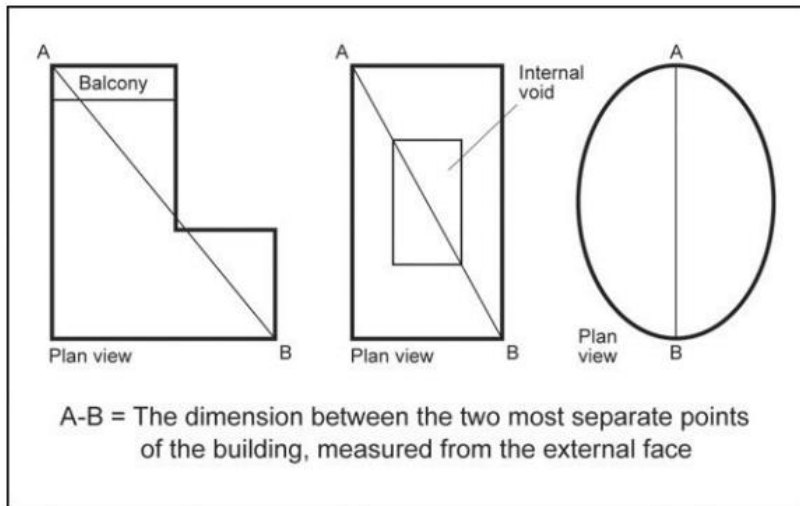
Area	Height for roof form	Total building height shown on Precinct Plan 3
Area 1 (Low Rise)	2m	11m
Area 2 (Low-Rise)	2m	19m
Area 3 (Mid-Rise)	NA	35m
Area 4 (Open Space and Reserves)	1m	4.5m

### I552.6.3. Maximum building dimension and separation

Purpose: To ensure that buildings over 19m in height:

- are not overly bulky in appearance and manage significant visual dominance effects;
  - allow adequate sunlight and daylight access to streets, public open space and nearby sites;
  - provide adequate sunlight and outlook around and between buildings; and
  - mitigate adverse wind effects.
- (1) The maximum plan view dimension of that part of any individual building above 19m must not exceed 55m.
  - (2) The maximum plan view dimension is the horizontal dimension between the exterior faces of the two most separate points of the building as A to B in Figure I552.6.3.1 Maximum building dimension per plan view. [73.48]
  - (3) Above a height of 19m, a minimum distance of 20m must be provided between buildings.

**Figure I522.6.3.1 Maximum building dimension plan view**



#### I552.6.4. Maximum building coverage, impervious area and landscaping

Purpose:

- to manage the amount of stormwater runoff generated by development;
- to enable an intensive built character for apartment buildings;
- to provide a good standard of onsite amenity for residents; and
- ~~to ensure apartment buildings in Height Management Area 3 specified in Table I552.6.2.1 and on Precinct Plan 1—Albany height and building coverage control areas provide for internal amenity and sunlight access to lower level apartments and common outdoor areas at 19m above ground level. [73.49]~~

(1) The maximum and minimum areas in Table I552.6.4.1 apply. Compliance is to be determined both for individual lots and for the total precinct

**Table I552.6.4.1 Maximum building coverage, impervious area and Landscaping**

Maximum Impervious area	Maximum building coverage	Minimum landscaped area
<b>Individual lots</b>		
Apartments 100%	Apartments 100%	Apartments 0%
Detached or attached housing 85%	Detached or attached housing 65%	Detached or attached housing 15%
Any site not connected to stormwater 10%		
Riparian Yard 10%		
<b>Total precinct</b>		
70%	65%	35%

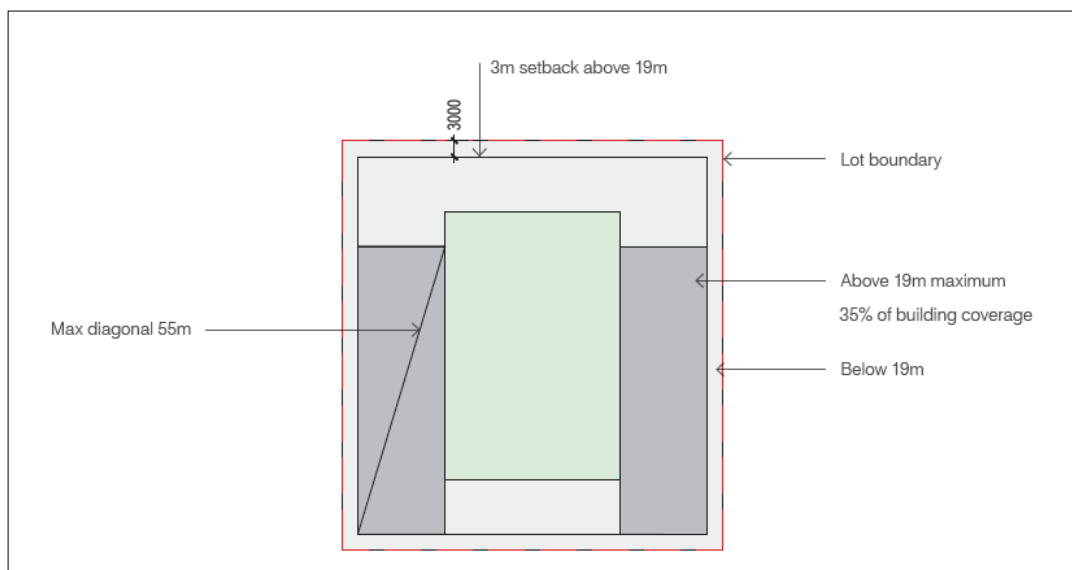
- (2) The cumulative building coverage for each building in Height Management Area 3 above a height of 19m above ground level must not exceed 35% of the building below. For clarity, compliance with this standard can be expressed with multiple towers at differing heights within a block, subject to the limitations in I552.6.3 – Maximum building dimension and building separation, I552.6.2 Building height and H6.6.14. Daylight.

### I552.6.5. Building setback at upper levels

Purpose:

- to provide adequate daylight access to streets;
  - to manage visual dominance effects on streets; and
  - to manage visual dominance, residential amenity and privacy effects on residential uses within and surrounding the precinct.
  - to ensure apartment buildings in Height Area 3 specified in Table I552.6.2.1 and on Precinct Plan 1 – Albany height and building coverage control areas provide for internal amenity and sunlight access to lower level apartments and common outdoor areas at 19m above ground level. [73.49]
- (1) Above a height of 19m a new building must be set back 3m from the outer façade of the building below as shown in Figure I552.6.5.1.

**Figure I552.6.5.1 Building setback at upper levels**



### I552.6.6. Wind [73.52]

Purpose: mitigate the adverse wind effects generated by tall buildings.

- ~~(1)~~ A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause are subject to H13.6.8. Wind of H13 Business – Mixed Use Zone :

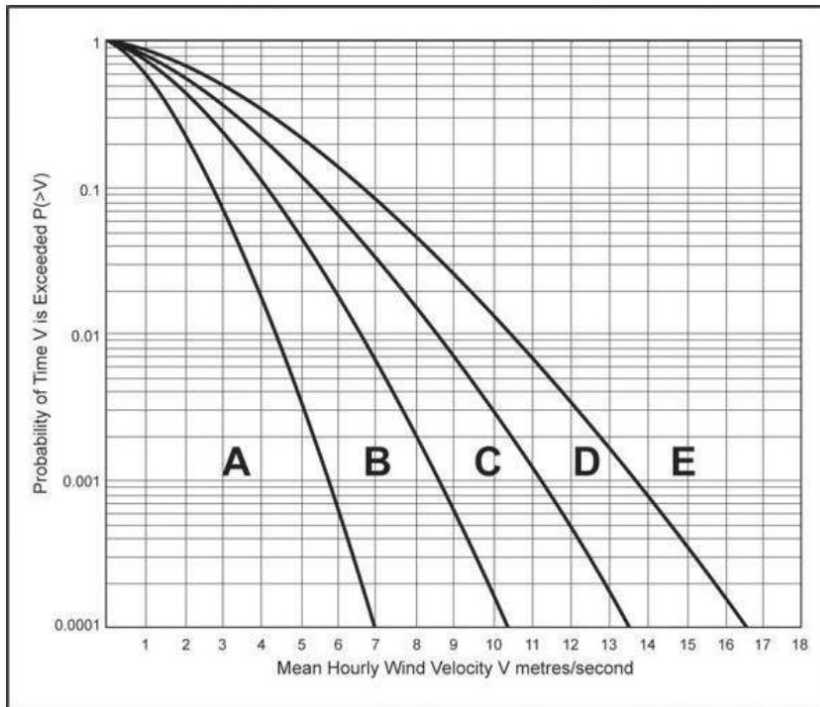
- ~~(2) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table I552.6.6.1 and Figure I552.6.6.1 below;~~
- ~~(3) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m/second; and~~
- ~~(4) an existing wind speed which exceeds the controls of Standard I552.6.6(1)(a) or Standard I552.6.6(1)(b) above to increase.~~
- ~~(5) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard I552.6.6(1) above, will demonstrate compliance with this standard.~~
- ~~(6) If the information in Standard I552.6.6(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.~~

~~(7) **Table I552.6.6.1 Categories**~~

<del>(8) <b>Category</b></del>	<del>(9) <b>Description</b></del>
<del>(10) Category A</del>	<del>(11) Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space</del>
<del>(12) Category B</del>	<del>(13) Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties</del>
<del>(14) Category C</del>	<del>(15) Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in categories A or B above</del>
<del>(16) Category D</del>	<del>(17) Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or from which would include the spaces in categories A—C above</del>
<del>(18) Category E</del>	<del>(19) Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city</del>

~~(20)~~

~~(21) **Figure I552.6.6.1 Wind environment control**~~



(22)

(23) Derivation of the wind environment control graph:

(24) The curves on the graph delineating the boundaries between the acceptable categories (A-D) and unacceptable (E) categories of wind performance are described by the Weibull expression:

(25)  $P(>V) = e^{-(v/c)^k}$

(26) where V is a selected value on the horizontal axis, and P is the corresponding value of the vertical axis:

(27) and where:

(28)  $P(>V)$  = Probability of a wind speed V being exceeded;

(29) e = The Napierian base 2.7182818285

(30) v = the velocity selected;

(31) k = the constant 1.5; and

(32) c = a variable dependent on the boundary being defined:

(33) A/B, c = 1.548

(34) B/C, c = 2.322

(35) C/D, c = 3.017

(36) (1) D/E, c = 3.715

### **I552.6.7. Commercial GFA and location control [\[127.26\]](#)[\[127.27\]](#)[\[73.53\]](#)**

Purpose: To enable commercial and healthcare activities in identified locations in proximity to the Community Hub without compromising the role, function and viability of existing centres.

- (1) Commercial [activities](#) and healthcare [activities-facilities](#) (excluding restaurants or cafes located within the Central Park) must be located in areas subject to the commercial frontage control, shown on Precinct Plan 1 – Albany features plan.
- (2) The area to be used for commercial and/or healthcare purposes must front the [main street/road to vest/open space, subject to requirements under standard I552.6.11.1 Special frontage height and vehicle access restriction matrix-](#)
- (3) The [total](#) gross floor area of [all](#) commercial- [activities](#) and healthcare activities shall not exceed 4,000m<sup>2</sup> within the precinct.

*Note: Commercial activities are defined within the 'Commerce' nesting table in Chapter J.*

### **I552.6.8. Front, side and rear fences and walls**

Purpose: To ensure that where fences and walls are provided, they:

- do not obstruct visual, landscape and ecological integration with open space in the precinct;
  - enable privacy for dwellings and outdoor living spaces, whilst maximising opportunities for passive surveillance of the street, rear lane or adjoining public place;
  - minimise visual dominance effects to immediate neighbours and the street or adjoining public places; and
- (1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below when measured from the ground level at the boundary:
    - (a) Within front yards:
      - (i) Fences in a front yard must not exceed 1.0m in height.
      - (ii) Where a dwelling is erected within 1.5m of the road frontage, a fence must not be erected in the front yard.
      - (iii) Where there is no front fence and a side boundary fence is to run between adjoining properties, the boundary fence must be set at least 1m back from the front corner of the building.
    - (b) Within side and rear yards:
      - (i) Fences in side and rear yards must not exceed 1.8m in height on land/boundaries that do not adjoin Fernhill Escarpment or the Albany Highway, provided that any fence on a rear boundary that faces onto a rear lane shall be at least 50 percent visually open, as viewed perpendicular to the boundary.



- (ii) On land /boundaries that adjoin Fernhill Escarpment fences must be visually permeable, must be constructed of a pool type fencing, and must not exceed 1.4 metres in height.

#### **I552.6.9. Stormwater**

Purpose: To ensure that stormwater in the precinct is managed and, where appropriate, treated, to ensure the health and ecological value of streams are maintained.

(1) All land use development and subdivision shall be managed in accordance with an approved Network Discharge Consent and/or Stormwater Management Plan certified by the Stormwater network utility operator.

~~(1)~~(2) All stormwater runoff from a new impermeable road or accessway surface must be directed via a piped underground network to communal or public stormwater raingardens and/or wetland. The wetland must be located in general accordance with Precinct Plan 1 – Albany features plan and, unless otherwise authorised, must be designed to provide stormwater treatment and stream protections via stormwater detention for the 90th percentile 24-hour rainfall event as outlined in Guideline Document 2017/001, Version 1, “Stormwater Management Devices in the Auckland Region”, by Auckland Council and dated December 2017. [73.25][73.28]

#### **I4522.6.10. Riparian planting**

Purpose: To ensure that the amenity, water quality and ecology of the stream network within the precinct is maintained through riparian planting.

- (1) Riparian margins to existing watercourses and streams identified on Precinct Plan 1 – Albany features plan ~~that apply to permanent or intermittent streams,~~ must be planted to a minimum width of 10m measured from the channel edge of the stream, or from the centreline of the watercourse or stream where the channel edge cannot be physically identified by ground survey. This rule shall not apply to road crossings over streams. [73.59]
- (2) Riparian margins to existing watercourses identified on Precinct Plan 1 – Albany features plan, must be planted in accordance with a council approved planting plan, use eco-sourced native vegetation, and be consistent with local biodiversity and habitat in accordance with the Appendix 16 Guideline for native revegetation plants.
- (3) Planting within riparian areas does not preclude the provision of pedestrian and shared walkways and passive recreational spaces in accordance with Precinct Plan 1 – Albany features plan.

#### **I552.6.11. Special frontage and height control**

Purpose: To ensure a quality interface between buildings and key street edges to ensure streetscape and pedestrian amenity to support a safe and efficient operation of the road network and maintain passive surveillance and outlook to the street. [127.29]

(1) Buildings fronting roads and open space as shown on Precinct Plan 4 – Albany frontage controls, must comply with the requirements of Table I552.6.11.1. Special height and frontage matrix.

(2) On frontages where Standard I552.6.11(1) applies, where there is a conflict between this standard and any other standard, this standard applies

(2)(3) *No direct vehicle access shall be provided to properties from those roads and streets that are subject to frontage controls as identified on Precinct Plan 4 – Albany frontage controls. This does not apply to private roads and lanes. [127.30]*

**Table I552.6.11.1. Special height and frontage matrix [127.31]**

Street or open space frontage typology	Albany Highway <u>with frontage control</u>	<u>Vested Road</u> <u>Road to be vest with frontage control</u>	Private Roads and Lanes	Open Space	Commercial GFA control (I552.6.7) <u>Frontage</u>
<b>Description:</b>	Buildings fronting Albany Highway provide a well-defined urban frontage of a scale that responds to the existing urban form located opposite. Safety for all street users is ensured by avoiding vehicle crossings. Modest private open space can be accommodated in the front yard. However, the setback is limited so as to establish an urban character with good overlooking of the street. Passive surveillance of the street with living spaces oriented to the west is encouraged.	Buildings fronting <del>Type A Urban</del> <u>Streets</u> <u>these roads</u> provide a more formal urban frontage. Scale and density are urban in character with setbacks limited, building to the street is encouraged. Increased building height, continuous frontage and reduced setback reinforces the urban character of the street. No vehicular access or garaging is permitted to ensure pedestrian safety and amenity.	Buildings fronting private streets and lanes provide a less formal urban frontage. Safety for all users is ensured by allowing for but reducing the impact of car parking and manoeuvring areas. Services areas a provided for. Shared streets and home zones are expected.	Buildings shall front Open Spaces and Walkways in order to provide passive surveillance, ensuring safety for park / open space users. Buildings shall take full advantage of the amenity on offer by actively fronting open spaces and walkways. Building length is controlled to allow buildings further back to participate in the amenity on offer, and to maximise accessibility to open spaces and walkways. Privacy effects at the interface are managed through appropriate threshold heights and vertical separation.	Commercial Buildings fronting <del>Type A Urban</del> <u>Streets</u> <u>these roads</u> provide a more formal urban frontage. Scale and density are urban in character with setbacks limited, building to the street is encouraged. Increased building height, continuous frontage and reduced setback reinforces the urban character of the street. No vehicular access or garaging is permitted to ensure pedestrian safety and amenity.

<b>No. of floors shall be:</b> [refer also to note i below]	2 min		2 min		N/A		2 min		2 min	
<b>Frontage setback</b>	min 3m	max 5m	min 0m	max 3m	min 2m	max n/a	min 1m	max 3m	min 0m	max 3m
<b>Threshold condition (ii)</b>	min 0m	max 0.9m	min 0.5m	max 1.25m	N/A		min 0m	max 0.9m	min 0m	max 0.5m
<b>Vehicular access from street frontage permitted</b>	No		No		Yes		No		No	
<b>Minimum ground floor, floor to ceiling heights for buildings</b>	N/A		N/A		N/A		N/A		4m	
<b>At grade parking or multi Level Parking<sup>iv</sup></b>	N/A		Yes		Yes		No		No	
<b>Continuous building frontage (iv)</b>	No		yes for 80% of development block		No		No		N/A	
<b>Maximum building length</b>	60m		N/A		N/A		60m		N/A	
Notes: i The relevant minimum height is deemed to have been met where the building frontage meets the storey height limit and is at least one dwelling unit depth. ii The definition of Threshold is the height difference between street level and the ground floor level of the unit. ii Ground floor parking within a building must not be located adjacent to the street frontage or any space in public ownership. Buildings must be designed to accommodate a business or residential activity, depending on the zone, between any ground floor parking and the building frontage. iv The definition of continuous building frontage is a row of buildings with no more than 2m separating adjoining residential units with no driveways servicing the front.										

### I552.6.12. Parking

Purpose: To ensure the safety and capacity of the internal and wider road network and to reduce single occupancy vehicle commuter trips to and from the precinct.

(1) Parking ratios:

- (a) the number of parking spaces within the precinct must not exceed the maximum and minimum rates specified in Table E27.6.2.3 Parking rates – area 1, Chapter E27 Transport, unless otherwise stated in Table I552.6.12.1 – Maximum parking provision, below:

**Table I552.12.1. Maximum parking provision**

<b>Activity</b>	<b>Maximum Parking ratio</b>	
Offices	1 space per 60m <sup>2</sup> of gross floor area	
Commercial services	1 space per 60m <sup>2</sup> of gross floor area	
Retail	1 space per 50m <sup>2</sup> of gross floor area	
Dwellings	1-3 bedrooms: 1 space	4+ bedrooms: 2 spaces

- (2) At least one dedicated cycle parking space shall be provided for each dwelling unit.
- (3) Visitor cycle parking shall be provided at a rate of one for every 20 dwellings within a single building.

**I552.6.13. Transport infrastructure development thresholds [\[127.2\]](#)[\[127.25\]](#)**

Purpose: To ensure that the precinct responds to the anticipated growth of the Albany area, while also ensuring the safe and efficient operation of the ~~local~~-transport network. [\[127.33\]](#)

- (1) The number of dwellings within the precinct may not exceed the following dwelling thresholds in Table I552.6.13.1 until such time that the identified transportation infrastructure upgrades are constructed:

**Table I552.6.13.1 Transport infrastructure development upgrade thresholds**

<b>Dwelling threshold</b>	<b>Transport infrastructure required in order to exceed the dwelling threshold</b>
Initial development	Level where a private shuttle bus between the site and Albany Station is provided for residents to encourage behaviour change away from private vehicle and towards public transport.
460-770	Review of transportation mode share is required through a transport assessment as part of any resource consent application (for all such applications involving dwellings between 460 and 770 dwellings).
<u>770 or more dwellings</u>	<p><u>A Transport Assessment is required to ensure the traffic generation of the dwellings and non-residential activities (or dwelling unit equivalents under Standard I552.6.1. Dwelling Density together does not exceed the traffic thresholds detailed below:</u></p> <ul style="list-style-type: none"> <li>• <u>500 Vehicles per hour without intersection upgrades</u></li> <li>• <u>600 vehicles per hour with the following upgrades:</u></li> </ul> <p><u>Upgrades to the two primary intersections servicing the precinct at Wharf Road and Bass Road:</u></p> <ul style="list-style-type: none"> <li>• Addition of separate left and right turn lanes (60m queuing length) on the site approach (currently known as Eastbourne Road) to the Albany Highway / Wharf Road signalised intersection.</li> <li>• Addition of separate left and right turn lanes (60m queuing length) on the site approach (currently known as Oakland Road) to the Albany Highway / Bass Road signalised intersection.</li> </ul> <p><u>The Transport Assessment must include detail of:</u></p> <ul style="list-style-type: none"> <li>• <u>Surveyed traffic volumes entering and exiting the precinct at both Albany Highway / Wharf Road signalised intersection and the Albany Highway / Bass Road Signalised intersection;</u></li> <li>• <u>Survey traffic volumes must be collected within 6 months of an application for any development;</u></li> <li>• <u>Resultant traffic generation rate of the precinct;</u></li> </ul>

	<ul style="list-style-type: none"> <li>• <u>Predicted traffic generated by any proposed development that will generate vehicle trips, and specific traffic generating characteristics of those activities;</u></li> <li>• <u>Traffic generation analysis demonstrating the predicted cumulative traffic generation of all existing proposed development within the precinct is less than the traffic generation reference above, being:</u> <ul style="list-style-type: none"> <li><u>(a) 500 vehicles per hour without intersection upgrades; or</u></li> <li><u>(a)(b) 600 vehicles per hour with intersection upgrades.</u></li> </ul> </li> </ul>
<p>930 <del>(or 770 dwellings without intersection upgrade):</del> [127.37]</p>	<ul style="list-style-type: none"> <li>• Completion of the two cycleway projects identified in the Upper Harbour Greenways Plan (September 2019) being: <ul style="list-style-type: none"> <li>– Oteha Valley Road Express Network between Albany Expressway and Mills Lane; and</li> <li>– Vineyard Road, Coliseum Drive, Don McKinnon Drive local network – street.</li> </ul> </li> <li>• Improvement of public transport provision (e.g. increased frequency of public transport, modification of existing routes.).</li> </ul>

(2) Dwellings shall be calculated in accordance with Table I552.6.1.1 Dwelling unit equivalents.

### I552.6.14 Subdivision standards

The subdivision controls in E38 Subdivision Urban apply in this precinct, with the following additional standards specified below.

#### I552.6.14.1 Subdivision standards for stormwater management

Purpose: To ensure that stormwater is managed and treated in the precinct and watercourses recharged appropriately.

- (1) All ~~land-use development and~~ subdivision shall be managed in accordance with an approved Network Discharge Consent and/or Stormwater Management Plan certified by the Stormwater network utility operator. [73.25]
- (2) All stormwater runoff from a new impermeable road or accessway surface must be directed via a piped underground network to communal or public stormwater raingardens and/or wetland. The wetland must be located in general accordance with Precinct Plan 1 – Albany features plan and, unless otherwise authorised, must be designed to provide stormwater treatment and stream protections via stormwater detention for the 90<sup>th</sup> percentile 24-hour rainfall event as outlined in Guideline Document 2017/001, Version 1, “Stormwater Management Devices in the Auckland Region”, by Auckland Council and dated December 2017.

#### I552.6.14.2 Subdivision standards for key roading and access

Purpose: To ensure the precinct is supported by a safe, efficient and legible movement and transport network.

- (1) All roads, lanes and pedestrian/cycle connections within the precinct must be located in general accordance and alignment with Precinct Plan 2 – Albany movement network.
- (2) All public ‘roads to vest’ must be constructed in accordance with the standards contained within Table I552.6.14.2.1 and vested in Council.

**Table I552.6.14.2.1. Standards for road typologies within the Albany 10 Precinct**

Types of Road	Legal Road Width	Cycle	Footpath
Vested Road	20m minimum	Not required (shared within reserve)	1.8m minimum (both sides)

- (3) A publicly accessible shared cycle/footpath must be provided along the extent of the Days Bridge Esplanade Reserve, in general accordance with Precinct Plan 2 – Movement network.

- (4) Vehicle access from Albany Highway must be from the identified access points on Precinct Plan 2 – Movement network (~~northern access,~~ Wharf Road and Bass Road). [\[127.40\]](#)

- (5) Compliance with this standard is achieved where an alternative alignment of private roads and lanes identified as ‘no control’ on Precinct Plan 4 – Albany frontage controls, is provided for within an approved Integrated Transport Assessment.

- (5)(6) Sites that front onto roads where direct vehicle access is not permitted under Standard I552.6.11 must be provided with access from rear lanes (access lots) or side roads at the time of subdivision. [127.38]

**I4552.6.14.3. Subdivision standards for open space areas**

Purpose: To ensure:

- that sufficient and well-designed open space for residents is provided, developed, managed and maintained appropriately;
- subdivision and development provide for public access to the Days Bridge Esplanade Reserve, Fernhill Escarpment and public walking networking throughout Albany; and
- open space areas providing connection through the Precinct to the Days Bridge Esplanade Reserve, provide for the integration of flora and the movement of native fauna between the Precinct and the Esplanade Reserve.

- (1) All land shown on Precinct Plan 1 – Albany features plan as open space must be accessible to the public at all times and, if not vested in Council, held as

private open space that is owned by a legal structure that shall be formed for the eventual owners to hold responsibility in perpetuity for the on-going maintenance and management of private infrastructure and planted areas. All land owners must be members of this legal entity, or otherwise obliged to contribute to its outgoings on a perpetual basis and this shall be registered by way of consent notice on each title as part of any future subdivision consent.

- (2) The first subdivision application must include an open space development plan for all areas of open space in the precinct which details the existing and proposed development, the existing trees to be retained in accordance with Albany Precinct Plan 1 – Features plan, new planting and landscaping and infrastructure for the open space, and includes an on-going management and maintenance plan as well as mechanisms for making changes to the plan when required.
- (3) All open space within a subdivision application area shall be developed in accordance with the relevant open space development plan prior to the issue of a certificate for the relevant subdivision or stage under Section 224(c) of the Resource Management Act 1991.

#### **1552.6.14.4. Subdivision standards for riparian margins [73.33]**

Purpose: To ensure that:

the amenity, water quality and ecology of the stream and watercourse network within the precinct is enhanced through riparian planting; ~~and~~

- (1) Riparian margins identified on Precinct Plan 1 – Albany features plan that apply to permanent or intermittent streams, must be planted to a minimum average width of 10m measured from the channel edge of the stream, or from the centreline of the watercourse or stream where the channel edge cannot be physically identified by ground survey. This rule shall not apply to road crossings over streams.
- (2) Riparian margins identified on Precinct Plan 1 – Albany features plan must be planted in accordance with a council approved planting plan, use eco-sourced native vegetation, and be consistent with local biodiversity and habitat and in accordance with Appendix 16 Guideline for native revegetation plantings of the Auckland Unitary Plan.
- (3) All riparian margins within a subdivision application area must be planted in accordance with the approved planting plan prior to the issue of section 224(c) certificate (under Resource Management Act 1991) for the relevant subdivision or stage.

#### **1552.6.14.5. Esplanade reserve**

Purpose: To ensure that public access and enjoyment is made available to qualifying water courses and streams within the precinct.

- (1) Where any subdivision involving the creation of sites less than 4ha is proposed to land adjoining streams and/or rivers, the application plan and subsequent land transfer plan must provide for a minimum esplanade reserve

or esplanade strip in accordance with section 230 of the Resource Management Act 1991 as follows:

- (a) For qualifying water courses and streams within the precinct, 10m either side of the centreline of the stream.
  - (b) Where subdivision takes place adjoining the Days Bridge Esplanade Reserve, no further esplanade shall be required.
- (2) Any esplanade taken as part of a subdivision shall be landscaped in accordance with the requirements of standard I552.6.14.3. Subdivision standards for open space areas.

### **I552.7 Assessment – controlled activities**

There are no controlled activities in this precinct.

### **I552.8 Assessment – restricted discretionary activities**

#### **I552.8.1. Matters of discretion**

The council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in any relevant overlay, zone, and Auckland-wide provisions:

- (1) new buildings, additions and alterations to existing buildings and accessory buildings;
  - (a) general criteria:
    - (i) consistency with precinct plans;
    - (ii) building design and location;
    - (iii) shading
    - (iv) landscaping;
    - (v) transport;
    - (vi) ~~traffic plan~~ transport assessments and integrated transport assessments; and [127.42]
    - (vii) infrastructure.
  - (b) Additional criteria for buildings within Height Management Area 3:
    - (i) building mass;
    - (ii) provision of internal green space;
    - (iii) passive surveillance; and
    - (iv) streetscape.



- (2) Commercial activities and Healthcare activities-facilities of more than 150m<sup>2</sup> gross floor area per tenancy that comply with Standard I552.6.7 – Commercial GFA and location control: [127.43]
  - (a) Transport; and
  - (b) Streetscape.
- (3) Any ~~subdivision and/or~~ development not otherwise listed in Table I552.4.1 that is generally in accordance with Precinct Plans 1 – 4: [73.59]
  - (a) consistency with precinct plans;
  - (b) infrastructure;
  - (c) ~~traffic plan~~transport assessments and integrated transport [127.44] assessments; and
  - (d) transport.
- (4) Subdivision:
  - (a) the matters of discretion set out in E38 Subdivision - Urban under E38.12.1;
  - (b) consistency with the precinct plans;
  - (c) infrastructure;
  - (d) traffic plans and integrated transport assessments; and
  - (e) transport.
- ~~(5) Subdivision and development that does not comply with Standard I1552.6.13 Transport infrastructure development thresholds, and/or proposes alternative measures to achieve required transport access, capacity and safety:~~
  - ~~(a) effects on the transport network;~~
  - ~~(b) the likely trip generation of the subdivision and/or development and the effects of the quantum of that development on the safe and efficient functioning of the roading network;~~
  - ~~(c) contribution of alternatives to overall traffic effects; and [127.45]~~
- ~~(6) effectiveness of alternatives.~~

### **I552.8.2. Assessment criteria**

The council will consider the relevant assessment criteria below for restricted discretionary activities in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, zone, and Auckland-wide provisions. Development may differ from the precinct plans where it is demonstrated that a different approach will result in a better-quality outcome for the community, or where it is necessary to integrate with authorised development on land outside the precinct that was not anticipated at the time the precinct plans were prepared.

- (1) New buildings, additions and alterations to existing buildings and accessory buildings:
- (a) Consistency with precinct plans:
- (i) Whether the subdivision or land use is in accordance with Precinct Plans 1 – 4.
- (ii) Whether the activity is consistent overall with the objectives and policies of the precinct.
- (b) Building design and location:
- (i) The extent to which building design and layout achieves:
- a character and appearance that will ensure a high standard of amenity;
  - a design that avoids conflict between activities within the precinct;
  - a consistent and attractive streetscape character;
  - variations in building footprints, form and style;
  - articulation of any building facades which are visible from roads so that the extent of large blank and/or flat walls and/or facades are reduced, having regard to the orientation of buildings and solar access;
  - access by windows of habitable rooms to sunlight, daylight and outlook; and
  - permeable fencing, except where residential activities need clear separation from non-residential activities.
- (ii) The extent to which ~~development~~ building and layout contributes to a minimum 5 star community rating under Sustainable Community Rating Tool – Green Building Council, taking into consideration the level of overall development within the precinct (or other equivalent rating tool or system). [\[127.46\]](#)
- (iii) The extent to which internal living areas at all levels within a building maximise outlook onto existing public open space and proposed public open space and streets.
- (iv) The extent to which activities at ground level engage with and activate existing and/or proposed open spaces, streets and lanes.
- (v) The extent to which outdoor living areas and internal living spaces achieve privacy from publicly accessible areas while maintaining a reasonable level of passive surveillance;
- (vi) The extent to which any otherwise unavoidable blank walls are enlivened by methods which may include artwork, māhi toi,

articulation, modulation and cladding choice to provide architectural relief.

- (vii) The extent to which parking areas located within buildings are not directly open and/or visible from open spaces, streets and lanes.

(c) Shading:

- (i) The extent to which the location and design of buildings ensures a reasonable level of sunlight access (measured at the Winter Solstice) to residential units (principal living rooms and private outdoor spaces) and open space areas; taking into consideration site and building orientation, and the planned built-character of the precinct.

(d) Landscaping:

- (i) The extent to which landscaping treatment responds to and acknowledges the natural landscape character of the Fernhill Escarpment and adjoining land within the Days Bridge Esplanade Reserve.
- (ii) The extent to which landscaping of riparian and open spaces are consistent with any relevant objective and policy within the Albany 10 Precinct.

(e) Transport:

- (i) Whether vehicle accesses to sites are designed and located to complement the road function and hierarchy, while avoiding conflict with the function of existing public open space and proposed open space, streets and lanes, while balancing the requirements of access and through-movement.
- (ii) Where the total number of dwellings in the precinct exceeds 440 dwellings but does not exceed 770 dwellings under 1552.6.14. Transport infrastructure development thresholds; the extent to which provision is made for public transport and alternative transport modes to support and promote reduced dependency on private vehicles.
- (iii) The extent to which the provision of a private shuttle bus between development within the Albany 10 Precinct and the Albany Station:
  - a. achieves the intended purpose of encouraging behaviour change away from private vehicles and towards public transport;
  - b. provides a level of service to support residents at any given stage of development of the Precinct; and

- c. is necessary taking into consideration other public transport options and alternative transport modes made available in the surrounding area.
- (f) ~~Traffic plans~~Traffic assessments and integrated transport assessments
- (i) The extent to which proposed developments meet the requirements of any existing integrated transport assessment applying to the proposed development and/or precinct; or any new integrated transport assessment or other traffic assessment lodged with any resource consent application provides appropriate travel plans that are consistent with the Integrated Transport Assessment. [127.47]
- (g) Infrastructure
- (i) The extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provision for:
- pedestrian, cycle and vehicle movements;
  - car parking (while minimising reliance on private vehicles); [127.48]
  - infrastructure services; and
  - street tree planting and landscape treatment consistent with the overall planned outcomes for the precinct and surrounding environmental context.
- (ii) The extent to which infrastructure for stormwater, wastewater and water supply are designed to ensure minimisation of water use, storm and wastewater generation and maximise water re-use.
- (iii) The extent to which infrastructure provided to serve any new development models a range of different methods to achieve sustainability, with a particular emphasis on the efficient use and natural treatment for water quality.
- (iv) The extent to which development adopts an integrated approach to stormwater management, with an emphasis on water sensitive design to enable the reduction of stormwater generated from sites through reuse and reduction of impervious areas.
- (v) The extent to which there is consistency with the Stormwater Management Plan and/or relevant network discharge consent.
- (vi) The extent to which stormwater retention and treatment facilities are designed to retain in-stream ecological values and added additional habitat where practical.

- (vii) The extent to which subdivision and development retains and provides protection for riparian margins and esplanade reserves.
  - (viii) The extent to which existing urban streams are supported through landscaping and riparian margins comprising predominantly native species, to contribute to the amenity of the precinct and to support their ecological function.
  - (ix) The extent to which open spaces are provided so that they are:
    - readily visible and accessible by adopting methods such as a generous street frontages or bordering onto yards of sites and front faces of buildings that are clear of visual obstructions;
    - located to provide visual relief, particularly in intensively developed areas;
    - integrated with surrounding development;
    - sized and developed according to community and neighbourhood needs; and
    - easy to maintain.
  - (x) The extent to which the esplanade shared path and all other walkways within the precinct are designed to be:
    - suitable and safe for regular shared pedestrian and cycle use;
    - easily visible and accessible; and
    - linked to the public walkway and cycleway network surrounding the precinct.
- (h) In addition, for buildings within Height Management Area 3:
- (i) In respect of building mass:
    - the extent to which long building frontages are visually broken up by variations in height, form and other design means such as variations in facade design and roofline, recesses, awnings, upper level balconies and other projections, materials and colours.
  - (ii) In respect of the provision of internal green spaces:
    - Whether internal common green space areas are provided within a building or development site to ensure adequate sunlight access and outlook for residential units, and the extent to which shared common green spaces internal to buildings:
      - provide legible access from the building/s;

- ensure the privacy of residential units that overlook the space or are located at-grade;
- are landscaped to provide informal passive recreation opportunities for residents and amenity of outlook while taking into consideration and mitigating the effects of reverse sensitivity;
- achieve a reasonable duration of sunlight access measured at the Equinox.

(iii) In respect of passive surveillance:

- the extent to which buildings are designed to contribute to the prevention of crime through their design and configuration.

(iv) In respect of the streetscape:

- the extent to which the scale, proportion and rhythm of architectural features and the fenestration, materials, finishes and colours (as appropriate) of proposed buildings addressing street frontages acknowledge the planned-characteristics of the streetscape and provide street frontages with architectural design richness, interest and depth;
- the extent to which flat planes or blank facades devoid of modulation, relief or surface detail can be avoided;
- the extent to which servicing elements are concealed where possible and not placed on facades unless integrated into the facade design;
- the extent to which exterior lighting is integrated with architectural and landscape design to minimise glare and light overspill onto adjacent properties and streets; and
- the extent to which any rooftop mechanical plant or other equipment is screened or integrated in the building design.

(2) Commercial activities and Healthcare activities-facilities of more than 150m<sup>2</sup> gross floor area per tenancy that comply with Standard I552.6.7 – Commercial GFA and location control: [127.43]

(a) Transport:

- (i) The extent to which traffic generation and trip movements to and from the activity may create adverse effects on the:
- capacity of roads giving access to the site;
  - safety of road users including cyclists and pedestrians;

- ~~sustainability of the primary road network; activity and capacity, efficient and safe operation of the road network (including the arterial road network); and [127.49]~~
- the planned urban built character of the precinct.

(b) Streetscape:

- (i) The extent to which activities serving the local neighbourhood are designed, developed and operated to have an attractive street frontage, with buildings located on the street frontage providing generous display space or alternative shop front that suitably engages with the street.
- (ii) The extent to which additional GFA does not compromise the planned built character of the streetscape.
- (iii) The extent to which the building footprints, height, floor to floor heights and the profile of buildings enable them to accommodate a wide range of ground floor activities to be adapted to accommodate differing uses in the future.

(3) Any ~~subdivision and/or~~ development not otherwise listed in Table I552.4.1 that is generally in accordance with Precinct Plans 1 – 4: [73.59]

(a) Consistency with precinct plans:

- (i) Whether the subdivision or land use is in accordance with Precinct Plans 1 – 4.
- (ii) Whether the activity is consistent overall with the objectives and policies of the precinct.

(b) Infrastructure:

- (i) The extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provision for:
  - pedestrian, cycle and vehicle movements;
  - car parking (while minimising reliance on private vehicle use); [127.50]
  - infrastructure services; and
  - street tree planting and landscape treatment consistent with the overall planned outcomes for the precinct and surrounding environmental context.

~~(ii) The extent to which the design of streets and lanes integrates service lines beneath footpaths or car parking bays. [127.51]~~

~~(iii)~~ (ii) The extent to which infrastructure for stormwater, wastewater and water supply are designed to ensure minimisation of water

use, storm and wastewater generation and maximise water re-use.

~~(iv)~~(iii) \_\_\_\_\_ The extent to which infrastructure provided to serve any new development models a range of different methods to achieve sustainability, with a particular emphasis on the efficient use and natural treatment for water quality.

~~(v)~~(iv) \_\_\_\_\_ The extent to which development adopts an integrated approach to stormwater management, with an emphasis on water sensitive design to enable the reduction of stormwater generated from sites through reuse and reduction of impervious areas.

~~(vi)~~(v) \_\_\_\_\_ The extent to which there is consistency with the Stormwater Management Plan and/or relevant network discharge consent.

~~(vii)~~(vi) \_\_\_\_\_ The extent to which stormwater retention and treatment facilities are designed to retain in-stream ecological values and added additional habitat where practical.

~~(viii)~~(vii) \_\_\_\_\_ The extent to which subdivision and development retains and provides protection for riparian margins and esplanade reserves.

~~(ix)~~(viii) \_\_\_\_\_ The extent to which existing urban streams are supported through landscaping and riparian margins comprising predominantly native species, to contribute to the amenity of the precinct and to support their ecological function.

~~(x)~~(ix) \_\_\_\_\_ The extent to which open spaces are provided so that they are:

- readily visible and accessible by adopting methods such as generous street frontages or bordering onto yards of sites and front faces of buildings that are clear of visual obstructions;
- located to provide visual relief, particularly in intensively developed areas;
- integrated with surrounding development;
- sized and developed according to community and neighbourhood needs; and
- easy to maintain.

~~(xi)~~(x) \_\_\_\_\_ The extent to which the design and layout of the Central Park provides for a range of active and passive recreation opportunities that cater to all ages and abilities.



~~(xii)~~(xi) \_\_\_\_\_ The extent to which any common shared parking area within the Central Park is of a size and location that does not reduce or compromise the primary use and function of the Central Park area, and provides appropriate access to enable flexibility of use for community events, markets and the like.

~~(xiii)~~(xii) \_\_\_\_\_ The extent to which the esplanade shared path and all other walkways within the precinct are designed to be:

- suitable and safe for regular shared pedestrian and cycle use;
- easily visible and accessible; and
- linked to the public walkway and cycleway network surrounding the precinct.

(c) ~~Traffic plans~~Transport assessments and integrated transport assessments:

(i) The extent to which proposed developments ~~meet the requirements~~are consistent with the analysis and recommendations of any existing integrated transport assessment ~~applying to supporting~~the proposed development and/or precinct provision; or to the extent which any new integrated transport assessment or other ~~traffic transport~~assessment lodged with any resource consent application provides assesses appropriate travel plan transport effects, and provides for transport infrastructure and services that are consistent with the existing Integrated Transport Assessment. [127.52]

(d) Transport:

- (i) The extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provision for:
- pedestrian, cycle and vehicle movements;
  - car parking (while minimising reliance on private vehicles); [127.53]
  - infrastructure services; and
  - street tree planting and landscape treatment consistent with the overall planned outcomes for the precinct and surrounding environmental context.
- (ii) The extent to which local road and pedestrian/cycle networks encourage a walkable neighbourhood to reduce vehicle dependency and ensure local accessibility to community

facilities, open space areas, public transport facilities and retail activities.

- (iii) Where the total number of dwellings in the precinct exceeds 440 dwellings but does not exceed 770 dwellings under 1552.6.14. Transport infrastructure development thresholds; the extent to which provision is made for public transport and alternative transport modes to support and promote reduced dependency on private vehicles.
- (iv) The extent to which traffic generation from activities may create adverse effects on the:
  - capacity of roads giving access to the site;
  - safety of road users including cyclists and pedestrians;
  - ~~sustainability of the primary road network; activity and capacity~~effective, efficient and safe operation of the road network (including the arterial road network); and [127.54]
  - the planned urban built character of the precinct.
- (v) The extent to which the provision of a private shuttle bus between development within the Albany 10 Precinct and the Albany Station:
  - a. achieves the intended purpose of encouraging behaviour change away from private vehicles and towards public transport; provides a level of service to support residents at any given stage of development of the Precinct; and
  - b. is necessary taking into consideration other public transport options and alternative transport modes made available in the surrounding area.

(4) Subdivision:

(a) The matters of discretion set out in E38 Subdivision – Urban under E38.12.1:

- (i) The extent to which subdivision is consistent with the assessment criteria set out in E38 Subdivision – Urban E38.12.2.

(b) Consistency with the precinct plans:

- (i) Whether the subdivision or land use is in accordance with Precinct Plans 1 – 4.
- (ii) Whether the activity is consistent overall with the objectives and policies of the precinct.

(c) Infrastructure:

- (i) The extent to which the design of streets and public lanes are well-connected, attractive and safe transport routes, with appropriate provision for:
- pedestrian, cycle and vehicle movements;
  - car parking (while minimising reliance on private vehicles use); [127.55]
  - infrastructure services; and
  - street tree planting and landscape treatment consistent with the overall planned outcomes for the precinct and surrounding environmental context.
- ~~(i) The extent to which the design of streets and lanes integrate service lines beneath footpaths or car parking bays. [127.56]~~
- (ii) The extent to which infrastructure for stormwater, wastewater and water supply are designed to ensure minimisation of water use, storm and wastewater generation and maximise water re-use.
- (iii) The extent to which infrastructure provided to serve any new development models a range of different methods to achieve sustainability, with a particular emphasis on the efficient use and natural treatment for water quality.
- (iv) The extent to which development adopts an integrated approach to stormwater management, with an emphasis on water sensitive design to enable the reduction of stormwater generated from sites through reuse and reduction of impervious areas.
- (v) The extent to which there is consistency with the Stormwater Management Plan and/or relevant network discharge consent.
- (vi) The extent to which stormwater retention and treatment facilities are designed to retain in-stream ecological values and added additional habitat where practical.
- (vii) The extent to which subdivision and development retains and provides protection for riparian margins and esplanade reserves.
- (viii) The extent to which existing urban streams are supported through landscaping and riparian margins comprising predominantly native species, to contribute to the amenity of the precinct and to support their ecological function.
- (ix) The extent to which open spaces are provided so that they are:
- readily visible and accessible by adopting methods such as a generous street frontages or bordering onto yards of sites and front faces of buildings that are clear of visual obstructions;

- located to provide visual relief, particularly in intensively developed areas;
- integrated with surrounding development;
- sized and developed according to community and neighbourhood needs; and
- easy to maintain.

(x) The extent to which the design and layout of the Central Park provides for a range of active and passive recreation opportunities that cater to all ages and abilities.

(xi) The extent to which any common shared parking area within the Central Park is of a size and location that does not reduce or compromise the primary use and function of the Central Park area, and provides appropriate access to enable flexibility of use for community events, markets and the like.

(xii) The extent to which the esplanade shared path and all other walkways within the precinct are designed to be:

- suitable and safe for regular shared pedestrian and cycle use;
- easily visible and accessible; and
- linked to the public walkway and cycleway network surrounding the precinct.

(d) ~~Traffic plans~~ Transport assessments and integrated transport assessments:

(i) The extent to which proposed developments ~~meet the requirements~~ are consistent with the analysis and recommendation of any existing integrated transport assessment ~~applying to supporting~~ the proposed development and/or precinct provisions; or the extent to which any new integrated transport assessment or other ~~traffic-transport~~ assessment lodged with any resource consent application ~~provides-assesses appropriate travel plans-transport effects~~ and provides transport infrastructure and services that are consistent with the existing Integrated Transport Assessment. [127.57]

(e) Transport:

(i) The extent to which the design of streets and lanes are well-connected, attractive and safe transport routes, with appropriate provision for:

- pedestrian, cycle and vehicle movements;

- car parking (minimising reliance on private vehicle use); [127.58]
  - infrastructure services; and
  - street tree planting and landscape treatment consistent with the overall planned outcomes for the precinct and surrounding environmental context.
- (ii) The extent to which local road and pedestrian/cycle networks encourage a walkable neighbourhood to reduce vehicle dependency and ensure local accessibility to community facilities, open space areas, public transport facilities and retail activities.
- (iii) Where the total number of dwellings in the precinct exceeds 440 dwellings but does not exceed 770 dwellings under 1552.6.14. Transport infrastructure development thresholds; the extent to which provision is made for public transport and alternative transport modes to support and promote reduced dependency on private vehicles.
- (iv) The extent to which traffic generation from activities may create adverse effects on the:
- capacity of roads giving access to the site;
  - safety of road users including cyclists and pedestrians;
  - sustainability of the primary road network; activity and capacity effective, efficient and safe operation of the road network (including the arterial road network); and [127.59]
  - the planned urban built character of the precinct.
- (v) The extent to which the provision of a private shuttle bus between development within the Albany 10 Precinct and the Albany Station:
- a. achieves the intended purpose of encouraging behaviour change away from private vehicles and towards public transport; provides a level of service to support residents at any given stage of development of the Precinct; and
  - b. is necessary taking into consideration other public transport options and alternative transport modes made available in the surrounding area.
- (vi) The extent to which construction traffic impacts on the Albany Highway/Bass Road intersection during school peak hours (8am-9am and 3pm-4pm) are minimised. [139.6]

- ~~(5) Subdivision and development that does not comply with Standard I552.6.13 Transport infrastructure development thresholds and/or proposes alternative measures to achieve required transport access, capacity and safety:~~
- ~~(a) Effects on the transport network:~~
- ~~(i) Whether subdivision and/or development has adverse effects on the efficiency of the operation and safety of the transport network.~~
- ~~(b) The likely trip generation of the subdivision and/or development and the effects of the quantum of that development on the safe and efficient functioning of the roading network:~~
- ~~(i) Whether or not there is a need for the infrastructure upgrade as a result of the additional subdivision and/or development.~~
- ~~(ii) The extent to which alternative methods or solutions can be implemented to ensure sufficient capacity within the road network exists.~~
- ~~(c) Contribution of alternatives to overall traffic effects:~~
- ~~(i) Whether other transport network upgrade works have been undertaken that mitigate the transport effects of the proposed subdivision and/or development.~~
- ~~(d) Effectiveness of alternatives: [127.60]~~

## **I552.9 Special information requirements**

In addition to the general information that must be submitted with a resource consent application (refer C1.2(1) Information requirements for resource consent applications), applications for the activities listed below must be accompanied by the additional information specified:

### **Integrated Transport Assessment**

- (1) the first subdivision resource consent application or first land use resource consent application for any development where the total number of dwellings either constructed or consented within the precinct exceeds 400 dwellings, ~~are required to produce an~~ shall be accompanied integrated transport assessment for the precinct. An updated integrated transport assessment for the precinct will be required for all further development where the dwelling thresholds are likely to be triggered under Standard I552.6.15 Transport infrastructure development thresholds. [127.61]

### **Dwelling density assessment**

- (2) Any application for new buildings and/or dwellings shall be accompanied by an assessment of the current density of development within the precinct, so as to confirm compliance with standard I552.6.1. Dwelling Density.

## Commercial GFA assessment

- (3) Any application for non-residential activities, commercial activities and healthcare facilities-development shall be accompanied by an assessment of the current ~~commercial~~ GFA for these activities and facilities within the precinct, so as to confirm compliance with standard I552.6.7. Commercial GFA and location control. [127.62]

### **I552.10 Precinct plans**

- Precinct Plan 1 – Albany features plan
- Precinct Plan 2 – Albany movement network.
- Precinct Plan 3 – Albany height and building coverage control areas.
- Precinct Plan 4 – Albany frontage controls.





## APPENDIX 6

### SUBMISSIONS AND FURTHER SUBMISSIONS

This attachment has been reproduced in a separate volume due to its size. This attachment can be found at:

<https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/Hearing-documents.aspx?HearingId=479>



## **APPENDIX 7**

### **TABLE OF GENERAL SUBMISSIONS OPPOSING PLAN CHANGE 59**



Appendix 7 – Table of General Submissions Opposing PC59

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions
1.1	Zhiganag Lin	Seeks to decline the plan change	<b>FS09</b> Oppose - Kairu Han <b>FS10</b> Support - Yong Sheng Li <b>FS11</b> Support - Yiding Zhao
2.1	Yong Sheng Li	Seeks to decline the plan change	
3.1	Kiki Qiu 邱彩玲	Seeks to decline the plan change	
4.1	Richard John Stephens	Seeks to decline the plan change	
5.1	Xiaoping Ban	Seeks to decline the plan change	
6.1	Fang Cheng	Seeks to decline the plan change	
7.1	Xiaoming Cai	Seeks to decline the plan change	
8.1	Jia Jin	Seeks to decline the plan change	
9.1	Jie Wen	Seeks to decline the plan change	<b>FS04</b> Support - Jie Wen
11.1	Bin Zhao	Seeks to decline the plan change	<b>FS02</b> Support - Bin Zhao
12.1	Jingchen Liu	Seeks to decline the plan change	
13.1	Sheryl and Bruce Parker	Seeks to decline the plan change	
14.1	Qing Zhang	Seeks to decline the plan change	
15.1	Yang Chen	Seeks to decline the plan change	
16.1	Dongmei Li	Seeks to decline the plan change	
16.2	Dongmei Li	Seeks to live in a quiet place.	
17.1	Ou Wang	Seeks to decline the plan change	
17.2	Ou Wang	Seeks to keep this area as how it is now, don't change it.	
19.1	Guangyan Shi	Seeks to decline the plan change	
20.1	Apinya Traiyapak	Seeks to decline the plan change	
20.2	Apinya Traiyapak	Seeks to have no high rise structures that will block the view.	
22.1	Clive Anthony Worsnop	Seeks to decline the plan change	
23.2	Julie Castell	Seeks additional infrastructure back to the community i.e. a school.	
23.3	Julie Castell	Seeks to decrease approved height of buildings.	
25.1	Faith Investment Limited Attn: Xiuping Liang	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
26.1	John Sample	Seeks to decline the plan change	
30.1	PingpingLiu	Seeks to decline the plan change	

32.1	Rajasekar Perumanandham	Seeks to decline the plan change	<b>FS01</b> Support - Rajasekar Perumanandham
33.1	Chenan Zhou	Seeks to decline the plan change	
34.1	Selina Peng	Seeks to decline the plan change	
35.1	Ivan Kalugin	Seeks to decline the plan change	
36.1	Jiayan Ying	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
37.1	Jason Hill	Seeks to decline the plan change	
38.1	Lara	Seeks to decline the plan change	
39.1	May Wo	Seeks to decline the plan change	
40.1	Zhiwei Luo	Seeks to decline the plan change	
41.1	Diana Dai	Seeks to decline the plan change	
42.1	Albany Primary School Attn: Leisha Clewett Attn: Maree Bathurst	Seeks to decline the plan change	<b>FS08</b> Support - Mengfan Zhou <b>FS15</b> Support - Nicola and Carl Van Driel <b>FS16</b> Support Kristin School Chritable Trust
43.1	Stephanie Everest	Seeks to decline the plan change	
44.1	Melachrini Chatzidimitriou	Seeks to decline the plan change	
45.1	Charles Chen	Seeks to decline the plan change, but if approved, make the amendments I requested	<b>FS15</b> Support - Nicola and Carl Van Driel
46.1	Erica Hill	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
47.1	Gusmoko Suratman	Seeks to decline the plan change	<b>FS03</b> Support - Gusmoko Suratman
47.2	Gusmoko Suratman	Seeks to decline the plan change and keep the zone as housing suburban.	<b>FS03</b> Support - Gusmoko Suratman
48.1	Mami Hikino	Seeks to decline the plan change	
49.1	Hatice Ozer Balli	Seeks to decline the plan change	
50.1	Ling Liu	Seeks to decline the plan change	
51.1	Sergei Filippov	Seeks to decline the plan change	

52.1	Genevere Pearl	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
53.1	Chun Fung Yeung	Seeks to decline the plan change	
54.1	Nicola and Carl Van Driel	Approve the plan change with the amendments I requested	
54.2	Nicola and Carl Van Driel	Seeks to decline the plan change as there will be adverse transport and parking effects	
54.3	Nicola and Carl Van Driel	Seeks to decline the plan change as the schools are at capacity	
54.4	Nicola and Carl Van Driel	Seeks to decline the plan change as the construction phase will be disruptive for 15 years	
54.5	Nicola and Carl Van Driel	Seeks to decline the plan change as there will be adverse visual effects	
54.6	Nicola and Carl Van Driel	Seeks to decline the plan change as the scale of development is too large.	
55.1	Zhen Chen	Seeks to decline the plan change	
56.1	Mark Paisey	Seeks to decline the plan change	
57.1	Melody Saseve	Seeks to decline the plan change, but if approved, make the amendments I requested	
58.1	Hayley Smith	Seeks to decline the plan change	
60.1	Business North Harbour Attn: Kevin O'Leary	Seeks to decline the plan change	
60.2	Business North Harbour Attn: Kevin O'Leary	Seeks to decline the plan change because the density of this development will result in a significant number of residents being added to the area all needing to use Albany Highway to access or leave their homes. This will add significantly to the traffic congestion already being experienced on this road which provides access to many of our members' businesses.	
60.3	Business North Harbour Attn: Kevin O'Leary	Seeks to decline the plan change because the increased congestion will have a knock-on effect in the wider Albany and Rosedale areas as traffic access to this main arterial road backs-up onto the feeder roads, which also provide access to many of our members' businesses. Traffic and transport delays which are already significant will increase even further.	

60.4	Business North Harbour Attn: Kevin O'Leary	Seeks to decline the plan change because further congestion above that already having to be dealt with on a daily basis means that businesses will experience additional delays in the movement of goods into, around and away from the area.	
60.5	Business North Harbour Attn: Kevin O'Leary	Seeks to decline the plan change because a further consequence is that the business district will become increasingly difficult for business partners, clients and / or customers to access and travel around.	
60.6	Business North Harbour Attn: Kevin O'Leary	Seeks to decline the plan change because the situations above will be further exacerbated as the additional school-aged children residing in the development seek to access the local schools or other schools in the surrounding area, adding to the often grid-locked traffic density.	
60.7	Business North Harbour Attn: Kevin O'Leary	Seeks to oppose because another issue to be taken into consideration which will add further volumes of traffic to the area for a significant length of time, is the effect of additional construction traffic, as the materials and trades-people required to construct the development look to gain access to the site on a daily basis.	
60.8	Business North Harbour Attn: Kevin O'Leary	Seeks to decline the plan change because parking, which is already at a premium in the area, will become even more difficult for everyone as new residents who own more than one vehicle seek to park their additional vehicles near to their homes. This will become an issue for those people who already use the available parking spaces and will also result in the area being less attractive for people to visit.	
61.1	Lisa Elder	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
62.1	Charmaine Braun	Seeks to decline the plan change	
63.1	Fiona Wills	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
64.1	Sachintana Dissanayake	Seeks to decline the plan change	
65.1	Guangji Liang	Seeks to decline the plan change	
66.1	Hilary C Yeh	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
67.1	Albany Primary School Board	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel <b>FS16</b> Support Kristin School Charitable Trust



67.2	Albany Primary School Board	<p>Seeks to object the zone change to THAB as it will increase the approved total number of dwellings causing significant pressure on the following:</p> <ul style="list-style-type: none"> <li>• Albany primary school roll and property is already under pressure from current in zone pupils, Ministry of Education are unable to keep up with required number of classrooms required.</li> <li>• Albany Primary School has an identified cap for enrolled student numbers and the site is physically limited to ongoing growth</li> <li>• Existing traffic pressure onto the Albany highway at school start and finish times as well as traffic peak flow times 7am-10am and 3pm-7pm will only increase</li> </ul>	<p><b>FS15</b> Support - Nicola and Carl Van Driel  <b>FS16</b> Support Kristin School Charitable Trust</p>
68.1	Yuk To Ng	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
69.1	Yian Jia	Seeks to decline the plan change	
70.1	Erica Cataloni	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
71.1	Chang Gun Choi	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
72.1	Ken Oh	Seeks to decline the plan change	
74.1	Shu Li	Seeks to decline the plan change	
75.1	Yiding Zhao	Seeks to decline the plan change	
75.2	Yiding Zhao	Seeks to decline the plan for building high volume apartments	
76.1	Jodie Rosevear	Seeks to decline the plan change	
76.2	Jodie Rosevear	Seeks that a new school will be required (to accommodate a 1,800 unit development) as existing schools are full enough and local schools are closing out of zone applications.	
77.1	Ian Sofiz	Seeks to decline the plan change	
78.1	Zhouyu Wang	Seeks to decline the plan change	

79.1	Inka Mursalim	Seeks to decline the plan change	
80.1	Steve Thornton	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
80.2	Steve Thornton	Seeks to decline the plan change as there is significant traffic congestion on Albany Highway due to increased vehicle numbers from the development.	<b>FS15</b> Support - Nicola and Carl Van Driel
80.3	Steve Thornton	Seeks to decline the plan change as there is significant traffic congestion on Albany Highway due to increased vehicle numbers from the development.	
80.4	Steve Thornton	Seeks to decline the plan change as school are at capacity	<b>FS15</b> Support - Nicola and Carl Van Driel
80.5	Steve Thornton	Seeks to decline the plan change as the construction will go on for the next 15 - 20 years	
80.6	Steve Thornton	Seeks to decline the plan change, but would support a lower scale of development	
81.1	Christine Ma	Seeks to decline the plan change	
82.1	Wade Deng	Seeks to decline the plan change	<b>FS05</b> Support - Wade Deng
83.1	Gitokarjono Panoedjoe	Seeks to decline the plan change	
84.1	Malliyawadu Vipul Priyantha Gunasekara	Seeks to decline the plan change, but if approved, make the amendments I requested	
84.2	Malliyawadu Vipul Priyantha Gunasekara	Seeks to not allow apartment buildings	<b>FS15</b> Support - Nicola and Carl Van Driel
85.1	Kit Foon Janny Chan	Seeks to decline the plan change	
86.1	Kefu Deng	Seeks to decline the plan change	
87.1	Wei Tian	Seeks to decline the plan change	
88.1	Hongtu Li	Seeks to decline the plan change	
89.1	Eyan Yu	Seeks to decline the plan change	

90.1	Rick and Sue Flood	Seeks to decline the plan change and oppose the proposed development mainly because the infrastructure can't take it.	<b>FS15</b> Support - Nicola and Carl Van Driel
91.1	Michael Craig Symons	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
92.1	Lydia Hancy	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
93.1	Michele Simpson	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
94.1	Mark Harrison	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
95.1	Yicong Li	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
96.1	Carole Helen Woods	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
97.1	Sheng Li	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
98.1	Tao Zhang	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
99.1	NVC International (NZ) Limited Attn: Olivia Zhang	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
100.1	Yiicong Li	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
101.1	Lisa Battersby	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
102.1	Susan Wan Chen	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
103.1	Philip John Voss	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
104.1	Annemieke Potter	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
105.1	Jinyu Zhou	Seeks to decline the plan change	FS15 Support - Nicola and Carl Van Driel
106.1	Yuan Yuan	Seeks to decline the plan change	
107.1	Changbo Sun	Seeks to decline the plan change	
108.1	Lee Trigg	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel

109.1	Keri Woods	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
110.1	Deborah Taylor	Seeks to decline the plan change	
111.1	Amanda Brinsden	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
112.1	Leslie (Les) James Wootton	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
113.1	Roger Brian Franklin	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
114.1	Matthew Patten	Seeks to decline the plan change	
115.1	Adam Patten	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
116.1	John William de Kwant	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
117.1	Mark Pearl	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
118.1	Ming Zhu	Seeks to decline the plan change	
119.1	Paul James Hansen	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
120.1	Paul Guy Linnell	Seeks to decline the plan change	
121.1	Mei Zheng	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
122.1	Shawna Dew	Seeks to decline the plan change	
123.1	Xilin Wang	Seeks to decline the plan change	
124.1	Hong sun	Seeks to decline the plan change	
125.1	Henry Tan	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
126.1	Will Construction Limited Attn: Tao Wang	Seeks to decline the plan change.	<b>FS15</b> Support - Nicola and Carl Van Driel
130.1	Jinyan Xu	Seeks to decline the plan change, but if approved, make the amendments I requested	
130.2	Jinyan Xu	Seeks a new school	
131.1	Willem Swart	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel

132.1	Carlene Little	Seeks to decline the plan change	
133.1	Johan Andre van den Bergh	Seeks to decline the plan change, but if approved, make the amendments I requested	
133.2	Johan Andre van den Bergh	Seeks adequate plans so that neighbouring properties are not affected. For example a 10 story block would overlook the once very private housing. Will another school be build as the present ones are at capacity.	
134.1	Brian Hedley	Seeks to oppose the rezoning for reasons stated in submission.	<b>FS15</b> Support - Nicola and Carl Van Driel
135.1	Jessica Soper	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel
137.1	Kenneth and Mavis Hughes	Seeks to decline the plan change	
138.1	A. Ripi	Seeks for the concerns outlines in the submission to be addressed.	<b>FS15</b> Support - Nicola and Carl Van Driel
140.1	Desmond Glass	Seeks to decline the plan change	
141.1	JT Reweti	Seeks to decline the plan change	
142.1	Ian Thompson	Seeks to decline the plan change	<b>FS15</b> Support - Nicola and Carl Van Driel

