

# PC 78

## Section 32

### North Precincts

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## Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part

### 1500 Albany 3 Precinct

#### 1500 Albany 3 Precinct Analysis

**Purpose:** The Albany 3 Precinct applies to 13 hectares of land at 29, 40A and 42 Kewa Road, Albany Heights. This precinct is comprised of three sub-precincts; Sub-precincts A, B and C. The purpose of the precinct is to provide for development and subdivision in a manner that addresses all of the following matters:

- the protection of any significant natural features of the land, including landscape impacts on the Lucas Creek escarpment, and impacts arising from the identified ridgeline sites and eventual building heights in this area;
- maintain the water quality for the Lucas Creek catchment; and
- manage onsite stormwater management.

**Zoning:** The zoning of land within this precinct is Residential – Single House Zone.

**Changes to the precinct required by MDRS:** The precinct's underlying zone is the Residential – Single House Zone. The precinct is therefore subject to the MDRS provisions.

**Changes to the precinct required by NPS-UD:** The precinct is not within a walkable catchment so Policy 3 requirements do not apply.

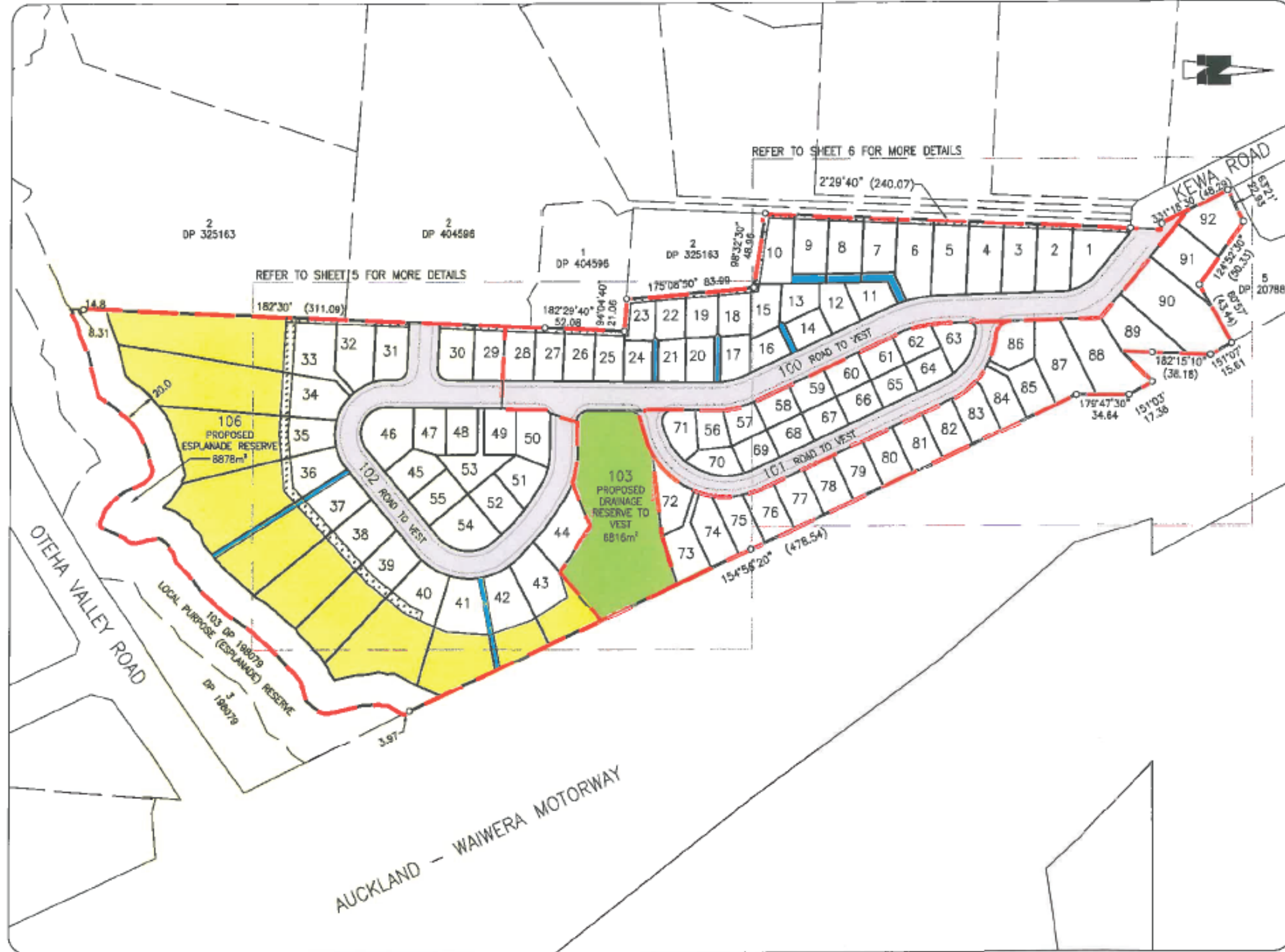
There are no qualifying matters that relate to the issues that the objectives of the plan change seek to manage and therefore no justifiable reason for maintaining the precinct. Retaining the precinct would not align with the objective of the plan change which is to give effect to the NPS-UD. In relation to Objective 1 of the precinct, it appears that majority of the subdivision and development identified within the precinct plan has been completed or is in progress. This was confirmed via a site visit which determined that all roads within the precinct appeared to be complete as well as a large portion of the residential development. There are some areas which remained undeveloped, including the northern section of the ridgeline lots as well as the southern section of the precinct which adjoins the SEA. Attached to this report are the approved subdivision plans for SUB60033069 confirming that subdivision within the precinct has been completed.

In relation to Objectives 2 and 3, it is noted that the southern section of the precinct is subject to an SEA overlay. This overlay will still apply even if the precinct is removed and will therefore provide a level of protection for the proposed reserve and landscape protection area. The proposed drainage reserve, located in the middle section of the precinct, has also been established.

In relation to Objective 3, it is noted that the precinct references ridgeline protection. It is considered that applying the Ridgeline Protection Overlay to this area would be a more effective way of protecting it as opposed to relying on the precinct provisions. The application of the overlay would need to be addressed via a separate plan change and would be subject to a landscape assessment.

Precinct provisions affected by MDRS or Policy 3	Outcome
<b>1500.6.1 Building Height (MDRS)</b> Restricts building height to 4m in areas identified in the precinct plan	<b>Delete</b> Restricts building height to less than 12m. There are no applicable QMs. It is recommended that, if the ridgeline is to be protected, it is done so via the application of the overlay rather than through the precinct provisions.
<b>1500.6.2 Location of new buildings and additions to buildings</b> Relates to identified areas within the precinct plan where buildings cannot be located	<b>Delete</b> The area identified as 'proposed reserve' on the precinct plan is subject to an SEA overlay which provides the necessary protection in that area without the need for the precinct restrictions. The proposed drainage reserve has also been constructed.

<b>1500.6.3 Minimum site size</b>	<b>Delete</b>
Provides minimums net site areas for the various sub-precincts.	Subdivision within the precinct has already occurred. Therefore, this standard is no longer relevant.



### APPLICATION PLAN

**Applicant:** CDL Land  
 New Zealand Ltd  
**Comprised in:** 56207, 118573,  
 Legal road to be stopped, 136B/579  
**Local Authority:** Auckland Council  
**Total Area:** 13.1002 ha  
**Scale:** (As Original) 1:2500  
**Date:** July 2017

- LEGEND**
- PROPOSED ROAD TO VEST
  - PROPOSED RESERVES
  - PROPOSED EASEMENTS
  - STAGE BOUNDARY (Refer to Sheet 4 for staging details)
  - PROPOSED COVENANT (Landscape Protection Mechanism)
  - PROPOSED COVENANT (Landscape Buffer Strip)
  - PROPOSED LAND COVENANT



- Notes:**
1. Changes may occur to the layout of the proposal shown as a result of the Resource Consent Conditions.
  2. Areas and dimensions on this plan may be subject to change following field survey.
  3. The copyright and intellectual property rights for the information shown on this plan remain the property of CKL Surveys Ltd.
  4. This plan has been prepared only for the purpose of illustrating an application for resource consent. It should not be used for any other purpose.

Designed:	MS	27.03.15
Drawn:	TM	15.05.17
Checked:	MS	16.05.17

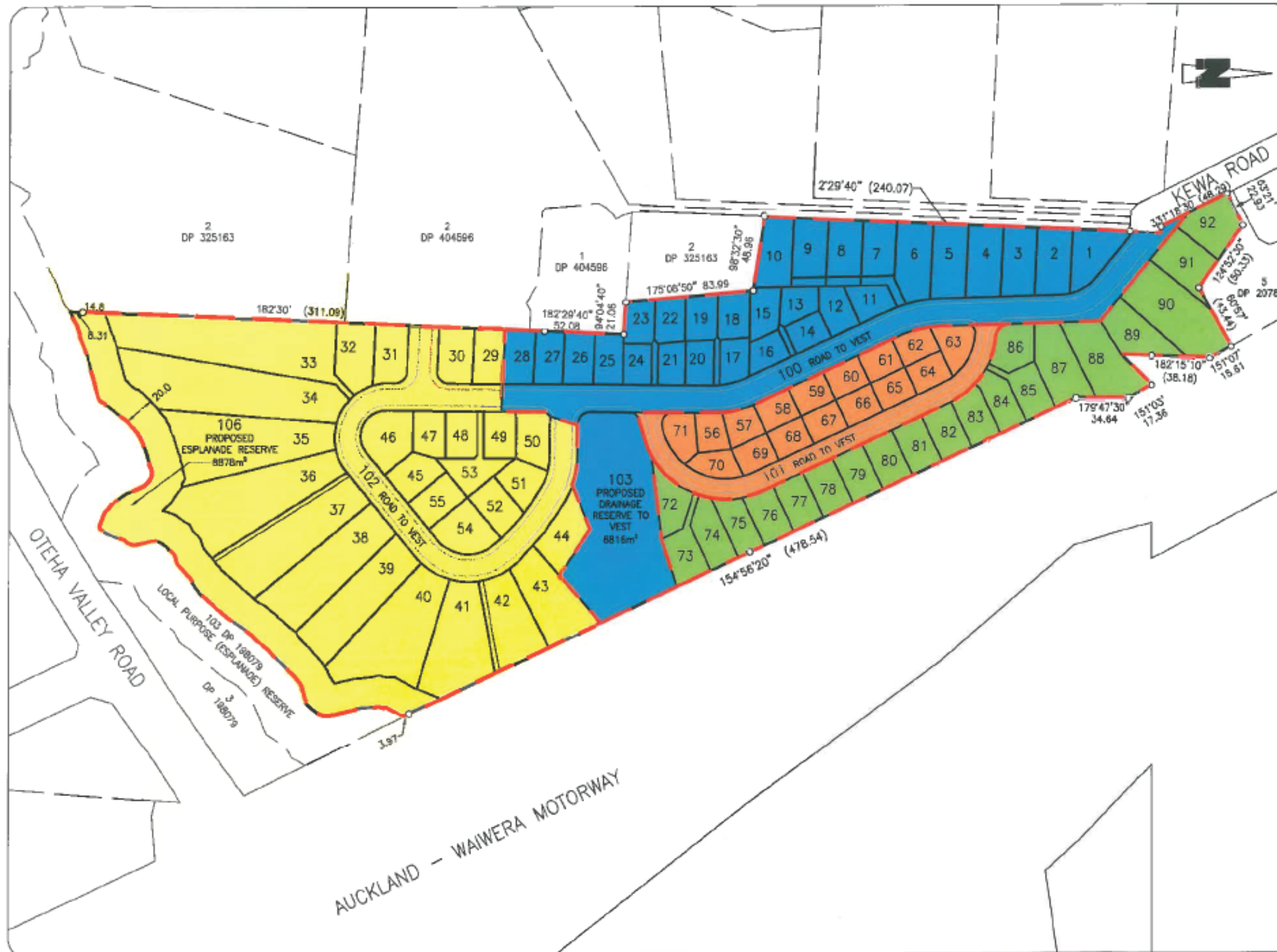
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**PROPOSED SUBDIVISION OF SEC 1 & 2 SO 70450,  
 LOT 2 DP 329049 & LOT 6 DP 207888  
 OPTION 3  
 (29, 40A & 42 Kewa Road, Albany)**





### APPLICATION PLAN

Applicant: CDL Land  
 New Zealand Ltd  
 Comprised in: 56207, 118573,  
 Legal road to be stopped, 136B/579  
 Local Authority: Auckland Council  
 Total Area: 13.1002 ha  
 Scale: (A3 Original) 1:2500  
 Date: July 2017

#### LEGEND

- STAGE BOUNDARY
- STAGE 1 (28 LOTS)
- STAGE 2 (16 LOTS)
- STAGE 3 (21 LOTS)
- STAGE 4 (27 LOTS)



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## PROPOSED SUBDIVISION OF SEC 1 & 2 SO 70450, LOT 2 DP 329049 & LOT 6 DP 207888

### Staging (29, 40A & 42 Kewa Road, Albany)

## Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part

### I501 Albany 9 Precinct

#### I501 Albany 9 Precinct Analysis

**Purpose:** The purpose of the precinct is to enable tertiary education and the development and operation of a range of activities to cater for the diverse requirements of the student population, employees and visitors. Community use of the facilities is also provided for.

The precinct also allows for business, offices, research and laboratory facilities which are increasingly co-locating within these campuses, to the benefit of the tertiary institution, students and the economic development of Auckland.

The precinct also enables new tertiary education facilities, new activities, access and physical connections within the site.

**Zoning:** The zoning of the land within the Albany 9 Precinct is the Business - Mixed Use Zone for Sub-precincts A, B and D and Residential - Mixed Housing Suburban Zone for Sub-precinct C.

Note: Sub-precinct C is subject to the decision on Plan Change 59 and will be transitioned into the Albany 10 precinct in future.

**Changes to the precinct required by MDRS:** Sub-precincts A, B and D are not subject to changes required by MDRS as the underlying zone is Business – Mixed Use Zone which is not a relevant residential zone. Sub-precinct C is subject to changes required by the MDRS as the underlying zone is a residential zone (currently the Residential – Mixed Housing Suburban Zone).

**Changes to the precinct required by NPS-UD:** Sub-precincts A, B and D are located within a walkable catchment so are subject to Policy 3(c) of the NPS-UD. Therefore, building heights of at least 6 storeys must be enabled within sub-precincts A, B and D.

Precinct provisions affected by MDRS or Policy 3	Outcome
<b>I501.6.1 Building height (Policy 3(c))</b>  Sets a maximum building height of 32.5m within Sub-precincts A and B	<b>Retain</b>  Height limit provides for more than 6-storeys (21m) as required by the NPS-UD. It is recommended that this is retained as removing the standard would mean that the height limit defaults to the underlying zone (Business – Mixed Use Zone) standard which is 18m and less than the required 6-storeys (21m).  Sub-precinct D is not subject to this standard meaning the height will default to the underlying zone (Business – Mixed Use) height.
<b>I501.6.5 Yards</b>  Sets minimum yard requirements for boundaries adjoining a residential zone.	<b>Amend</b>  Yard provision is more restrictive than the MDRS. Only relevant for Sub-precinct C as the underlying zone is a residential zone.  Suggest amending the standard to exclude it from applying to Sub-precinct C. Yard standards for Sub-precinct C will then rely on the underlying zone provisions.

## Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part

### I502 Albany Centre Precinct

#### I502 Albany Precinct Analysis

**Purpose:** The Albany Centre Precinct covers the large emerging metropolitan centre located to the west of State Highway 1 and contained by Oteha Valley Road and Albany Expressway in the northern urban part of the North Shore.

The precinct recognises the component parts of the Business - Metropolitan Centre Zone Albany Centre and the supporting role of the southern section covered by Business - Business Park Zone. It identifies four sub-precincts with different development emphases and requires activities to develop in accordance with Albany Centre: Precinct plan 1 – Albany Centre.

The main retail focus of the centre is the Civic Crescent area. The mainstreet type retail area in the north east will act as a catalyst for the grouping of employment-related activities in this area, and help to link the Albany busway station via the Main Street area with the shopping centre in the Civic Crescent area. Retail activities should generally be limited outside of these two areas to those activities that support the day-to-day needs of office workers and residents, or involve retail formats that cannot be integrated into the Civic Crescent and Main Street areas.

Commercial office development is encouraged throughout the centre, particularly in areas north of Don Mckinnon Drive and also extensively in the southern section in the business park environment.

Intensive residential development is encouraged to locate in certain parts of the precinct where the retail and commercial focus is not as strong, particularly in areas beyond the core area circled by Don Mckinnon Drive.

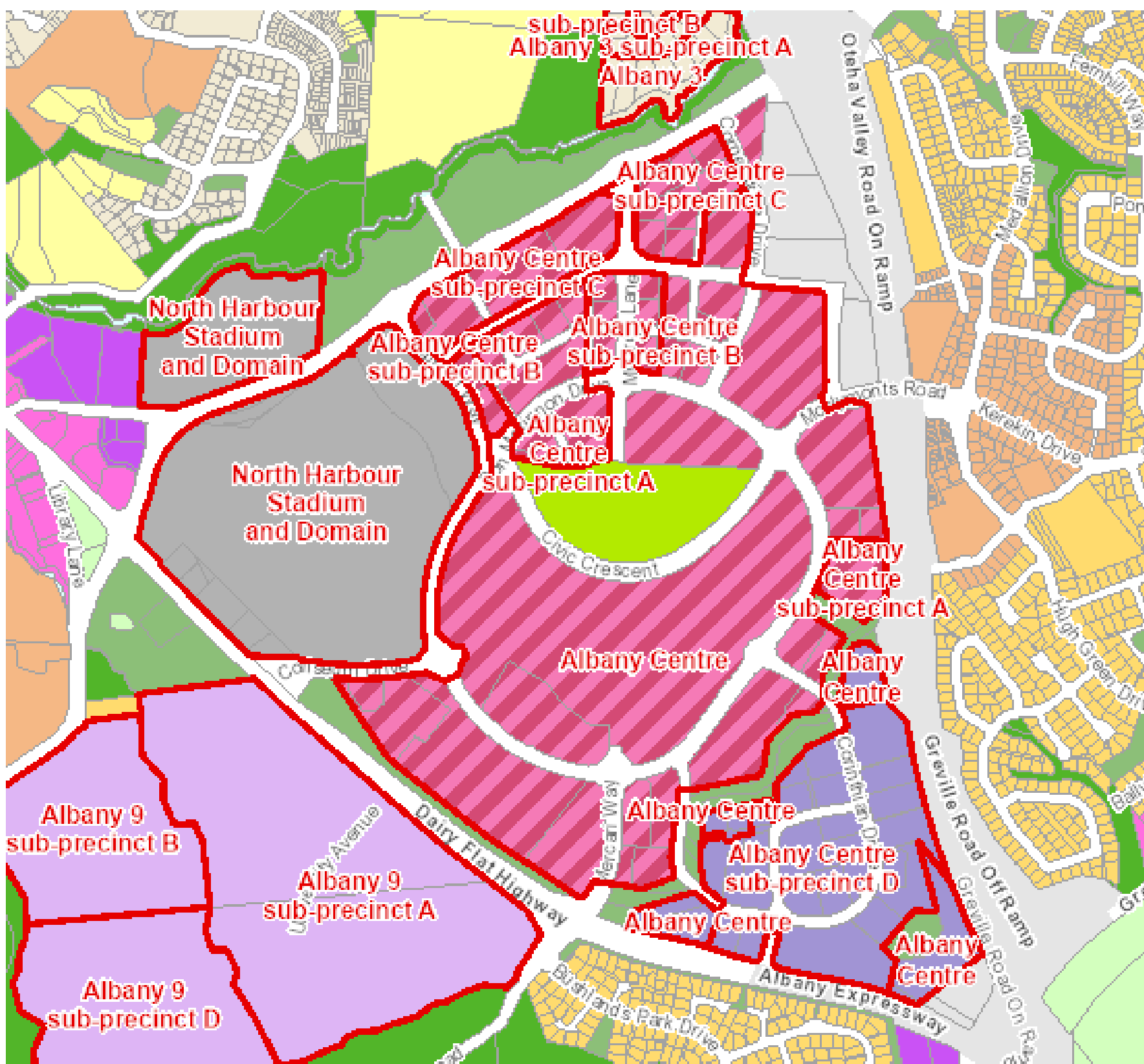
**Zoning:** The zoning of land within this precinct is Business - Metropolitan Centre Zone, Business - Business Park Zone, Open Space – Community Zone, Open Space – Informal Recreation Zone.

**Changes to the precinct required by MDRS:** MDRS provisions do not apply as the precinct does not contain any relevant residential zones.

**Changes to the precinct required by NPS-UD:** The precinct’s underlying zone is the Business - Metropolitan Centre Zone, and it is therefore subject to Policy 3(b) of the NPS-UD. In accordance with Policy 3(b), the precinct must have “building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys”. The precinct is also located within a walkable catchment so is also subject to Policy 3(c) of the NPS-UD.

Precinct provisions affected by MDRS or Policy 3	Outcome
<b>I502.1 Precinct description</b>	<p>The zoning of land within the precinct is a mix of Business – Metropolitan Centre Zone and Business - Business Park Zone and Open Spaces zones. Therefore, the MDRS does not apply as the precinct does not contain any relevant residential zones.</p> <p>The precinct is subject to Policy 3(b) for metropolitan centres under the NPS-UD (outside the scope of this work). The precinct is also located within a walkable catchment.</p>
<b>Rule I502.4.1(A2) – Dwellings are RDA in sub-precincts B and C</b>	<b>Retain</b>
<b>Standard I502.6.1 - Dwellings in sub-precinct A are subject to a no-complaint covenant</b>	<b>Retain</b>
<b>Standard I502.6.2 – Compliance with I502.10.1 Albany Centre: Precinct Plan 1 – Albany Centre</b>	<p style="text-align: center;"><b>Retain</b></p> <p>Provision of streets and reserve is in accordance with the implementation of the Albany Centre masterplan. Connections support increased density enabled by the Metropolitan Centre zone.</p>
<b>Standard I502.6.3.1 Yards Sub-precinct A</b>	<b>Retain</b>
	Does not restrict height or density.
<b>Standard I502.6.2 Yards Sub-precinct C</b>	<b>Retain</b>

	Does not restrict height or density.
<b>Standard I502.6.4 Maximum building setback</b>	<b>Retain</b> Standard sets a maximum rather than a minimum. Does not restrict height or density.
<b>Standard I502.6.5 Location of parking</b>	<b>Retain</b> Standard provides guidance on where parking should be located, where provided for. Does not restrict height or density.
<b>Standard I502.6.6 Landscaping</b>	<b>Retain</b> Requirements for landscaped areas do not apply to residential activities. Does not restrict height or density.





**Proposed Plan Change78 (PC78) to the Unitary Plan Operative in part  
I508 Devonport Peninsula Precinct**

**I508 Devonport Peninsula Precinct Analysis**

**Purpose:** The purpose of the Devonport Peninsula precinct is to provide for the comprehensive residential development of the former Navy housing land holdings located in the suburbs of Devonport, Bayswater, Belmont and Hauraki on Auckland's North Shore.

**Zoning:** Residential – Mixed Housing Suburban zone, Residential – Mixed Housing Urban zone and Open Space – Conservation zone.

**Changes to the precinct required by MDRS:** The existing Residential – Mixed Housing Suburban zone will become Mixed Housing Urban (MDRS), removal of a variety of standards regarding bulk and location within the precinct.

**Changes to the precinct required by NPS-UD:** No Walkable catchment applies, therefore no effect from Policy 3.

No QMs identified. Amendments below to provide for MDRS

Precinct provisions affected by MDRS or Policy 3	Outcome
Zoning	<p align="center"><b>Amend</b></p> Replace Mixed Housing Suburban zoning with Mixed Housing Urban.
I508.1 Precinct description	<p align="center"><b>Amend</b></p> Amend to account for change in height limit via MDRS, and remove references to the Mixed Housing Suburban zone.
I508.5 Notification (1) and (3)	<p align="center"><b>Amend</b></p> Amend to remove reference to the Mixed Housing Suburban zone standards that are no longer relevant in the precinct.
I508.6 Standards	<p align="center"><b>Amend</b></p> Amend to remove reference to Mixed Housing Suburban standards.
I508.6.1 Building height	<p align="center"><b>Amend</b></p> Amend the maximum height for Area 4 from 8m to 11m, consistent with MDRS, and make subsequent changes to the wording of the standard so that both Area 3 and Area 4's building height limits are demonstrated in Figure I508.6.1.1
Figure I508.6.1.2 Building height in Area 4	<p align="center"><b>Amend</b></p> Remove Figure I508.6.1.2 as it is inconsistent with MDRS height limit.
I508.6.2 Building coverage	<p align="center"><b>Amend</b></p> Remove standard as default will be MDRS standards in the Mixed Housing Urban zone.
I508.6.3 Landscaping	<p align="center"><b>Amend</b></p> Remove standard as default will be MDRS standards in the Mixed Housing Urban zone.

<p><b>I508.6.4 Building setbacks to open spaces zones</b></p>	<p><b>Amend</b> Remove standard as default will be MDRS standards in the Mixed Housing Urban zone.</p>
<p><b>I508.6.5 Height in relation to boundary – sub precinct boundaries</b></p>	<p><b>Amend</b> Remove standard as default will be MDRS standards in the Mixed Housing Urban zone.</p>
<p><b>I508.6.6 Alternative Height in relation to boundary for internal boundaries of Area 1</b></p>	<p><b>Amend</b> Remove standard as default will be MDRS standards in the Mixed Housing Urban zone.</p>
<p><b>I508.6.7 Yards</b></p>	<p><b>Amend</b> Remove standard as default will be MDRS standards in the Mixed Housing Urban zone.</p>
<p><b>I508.6.8 Outdoor living space</b></p>	<p><b>Amend</b> Remove standard as default will be MDRS standards in the Mixed Housing Urban zone.</p>
<p><b>I508.8.1.2 Building coverage</b></p>	<p><b>Amend</b> Remove matter of discretion as default will be MDRS standards and matters of discretion in the Mixed Housing Urban zone.</p>
<p><b>I508.8.1.3 Landscaping</b></p>	<p><b>Amend</b> Remove matter of discretion as default will be MDRS standards and matters of discretion in the Mixed Housing Urban zone.</p>
<p><b>I508.8.1.4 Building setbacks to open space zones</b></p>	<p><b>Amend</b> Remove matter of discretion as default will be MDRS standards and matters of discretion in the Mixed Housing Urban zone.</p>
<p><b>I508.8.1.5 Height in relation to boundary – sub-precinct boundaries</b></p>	<p><b>Amend</b> Remove matter of discretion as default will be MDRS standards and matters of discretion in the Mixed Housing Urban zone.</p>

<p><b>I508.8.1.6 Alternative height in relation to boundary for internal boundaries</b></p>	<p style="text-align: center;"><b>Amend</b></p> <p>Remove matter of discretion as default will be MDRS standards and matters of discretion in the Mixed Housing Urban zone.</p>
<p style="text-align: center;"><b>I508.8.1.7 Yards</b></p>	<p style="text-align: center;"><b>Amend</b></p> <p>Remove matter of discretion as default will be MDRS standards and matters of discretion in the Mixed Housing Urban zone.</p>
<p style="text-align: center;"><b>I508.8.1.8 Outdoor living space</b></p>	<p style="text-align: center;"><b>Amend</b></p> <p>Remove matter of discretion as default will be MDRS standards and matters of discretion in the Mixed Housing Urban zone.</p>
<p style="text-align: center;"><b>I508.8.2.2.2 Building coverage</b></p>	<p style="text-align: center;"><b>Amend</b></p> <p>Remove assessment criteria as default will be MDRS standards and assessment criteria in the Mixed Housing Urban zone.</p>
<p style="text-align: center;"><b>I508.8.2.2.3 Landscaping</b></p>	<p style="text-align: center;"><b>Amend</b></p> <p>Remove assessment criteria as default will be MDRS standards and assessment criteria in the Mixed Housing Urban zone.</p>
<p style="text-align: center;"><b>I508.8.2.2.4 Building setbacks to open space zones</b></p>	<p style="text-align: center;"><b>Amend</b></p> <p>Remove assessment criteria as default will be MDRS standards and assessment criteria in the Mixed Housing Urban zone.</p>
<p style="text-align: center;"><b>I508.8.2.2.5 Height in relation to boundary</b></p>	<p style="text-align: center;"><b>Amend</b></p> <p>Remove assessment criteria as default will be MDRS standards and assessment criteria in the Mixed Housing Urban zone.</p>
<p style="text-align: center;"><b>I508.8.2.2.6 Alternative height in relation to boundary for internal boundaries</b></p>	<p style="text-align: center;"><b>Amend</b></p> <p>Remove assessment criteria as default will be MDRS standards and assessment criteria in the Mixed Housing Urban zone.</p>

<p><b>I508.8.2.2.7 Yards</b></p>	<p><b>Amend</b> Remove assessment criteria as default will be MDRS standards and assessment criteria in the Mixed Housing Urban zone.</p>
<p><b>I508.8.2.2.8 Outdoor living space</b></p>	<p><b>Amend</b> Remove assessment criteria as default will be MDRS standards and assessment criteria in the Mixed Housing Urban zone.</p>
<p><b>I508.10.1 Devonport Peninsula: Precinct plan 1 – Sub-precinct A</b></p>	<p><b>Amend</b> Amend plan replacing Area 4’s 8m height with 11m height.</p>
<p><b>I508.10.2 Devonport Peninsula: Precinct plan 2 – Sub-precinct B</b></p>	<p><b>Amend</b> Amend plan replacing Area 4’s 8m height with 11m height.</p>
<p><b>I508.10.3 Devonport Peninsula: Precinct plan 3 – Sub-precinct C</b></p>	<p><b>Amend</b> Amend plan replacing Area 4’s 8m height with 11m height.</p>
<p><b>I508.10.4 Devonport Peninsula: Precinct plan 4 – Sub-precinct D</b></p>	<p><b>Amend</b> Amend plan replacing Area 4’s 8m height with 11m height.</p>
<p><b>I508.10.5 Devonport Peninsula: Precinct plan 5 – Sub-precinct E</b></p>	<p><b>Amend</b> Amend plan replacing Area 4’s 8m height with 11m height.</p>
<p><b>I508.10.6 Devonport Peninsula: Precinct plan 6 – Sub-precinct F</b></p>	<p><b>Amend</b> Amend plan replacing Area 4’s 8m height with 11m height.</p>

**Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in Part  
I516 Kumeū Precinct**

**I516 Kumeū Precinct Analysis**

**Purpose:** The purpose of the Kumeū Precinct is to enable the establishment of a town centre to serve the Kumeū-Huapai area with a strong commercial core and associated residential and recreational areas.

**Zoning:** Business – Town Centre Zone, Residential – Mixed Housing Urban Zone and Open Space – Conservation Zone

**Changes to the precinct required by MDRS:** Sub-precinct C contains some residential density and subdivision standards that are not consistent with the MDRS.

**Changes to the precinct required by NPS-UD:** The town centre zoning is not within an RTN walkable catchment. The extent and intensity of zoning around and in the centre is considered in other reports.



<b>Precinct provisions affected by MDRS</b>	<b>Outcome</b>
<b>Table I516.4.1 Precinct-wide</b>	Amendments are recommended to the effect that the Rule (A5) so does not apply to the residential sub-precinct C for consistency with the MDRS.
<b>Table 1516.4.5 Sub-precincts B, C and D [rp/dp]</b>	Amendments are recommended to (A46) and (A47) the effect that rules on new buildings and alterations to buildings do not apply in sub-precinct C for consistency with the MRDS.
<b>I516 Standards</b> <b>Residential – Mixed Housing Urban Zone (a), (b), and (c)</b> <b>Subdivision – Urban (a)</b>	It is recommended that these exemptions to the zone standards be deleted for consistency with the MDRS.
<b>I516.6.4 Yards</b>	Amendments are recommended to the effect that it does not apply to the residential sub-precinct C for consistency with the MDRS.
<b>I516.6.5 Landscaping</b>	Amendments are recommended to the effect that it does not apply to the residential sub-precinct C for consistency with the MDRS.
<b>I516.6.8 Maximum building coverage</b>	It is recommended that this standard be deleted, as although it is consistent with the MDRS, it is unnecessary duplication and can be deleted.
<b>I516.6.10 Site size (2) and (3)</b>	It is recommended that (2) be deleted and (3) amended so that it does not apply to the residential sub-precinct C for consistency with the MDRS.
<b>I516.6.11 (2)</b>	Amendments are recommended to remove potential inconsistency with the MDRS.
<b>I516.8.1 Matters of discretion (7) and I516.8.2 Assessment criteria (7)</b>	Amendments are recommended for consistency with the MDRS.

### **Section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter**

#### **EVALUATION REPORT**

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I516 Kumeū Precinct to the medium density residential standards (MDRS) of Schedule 3A of the Act and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).]

The council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 771 or 770.

**No qualifying matters are identified. Accordingly further evaluation is not required.**

**Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part  
I519 Long Bay Precinct**

**I519 Long Bay Precinct Analysis**

**26 July 2022**

## Section 32 and 77

### EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q; 77J / 77L and 77P / 77 R of the Resource Management Act 1991 ('the Act') for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the Section 32 overview report, as is the purpose and required content of section 32 and 77K / Q, 77J / L and 77P/R evaluations:

- Sec 77K / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77Q / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying the medium density residential standards (MDRS) of Schedule 3A of the RMA and the implementation of policy 3 of the NPS-UD to I519 Long Bay Precinct.

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

Where the qualifying matter is an existing qualifying matter, then the steps in sec 77K may be followed. An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be "other" qualifying matters, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).

### Context

**Background:** The purpose of the Long Bay precinct is to develop a new community on greenfield land in accordance with a land use strategy shown on Precinct Plan 1. The strategy uses an integrated, sustainable low impact approach that protects and enhances the high ecological and amenity value of its receiving environment. It includes extra precinct provisions including Sub-precincts to manage effects on:

- stormwater receiving environments including freshwater systems and marine environments
- Significant Ecological Areas and related restoration
- the values of the adjoining Long Bay Regional Park and open spaces
- scheduled outstanding natural landscapes and the high natural character areas of the coastal environment.
- scheduled heritage and cultural values.

The Precinct is the result of an extensive, high profile RMA process including detailed Environment Court decisions on appropriate provisions.

**AUP Zoning:** The Operative AUP zoning is set out in the image below and includes:

- Business – Local Centre Zone
- Residential – Terrace Housing and Apartment Buildings Zone
- Residential – Mixed Housing Urban Zone
- Residential – Mixed Housing Suburban Zone
- Residential – Single House Zone
- Residential – Large Lot Zone (the largest zone by area in the precinct)
- Open Space – Conservation Zone
- Open Space – Informal Recreation Zone
- Open Space – Sport and Active Recreation.

The general arrangement of the zoning includes generous open space adjoining the coastline, residential and centre zoning inland from the coastal edge, and large lot zoning further inland. This arrangement:

- protects the immediate coastline and associated outstanding natural landscape and high natural character values
- allows the valuable adjoining coastal land to be developed and occupied by housing, while limiting development in the upper catchment
- protects freshwater and marine ecology by reduced density of development further into the catchment
- recognises cultural values
- provides a community orientated urban coastal settlement that has distinct characteristics and identity.

Much of the residentially and centre zoned area has been developed or is under development.

The Precinct is on the outer edge of the Auckland urban area and not served by rapid transit or similar.

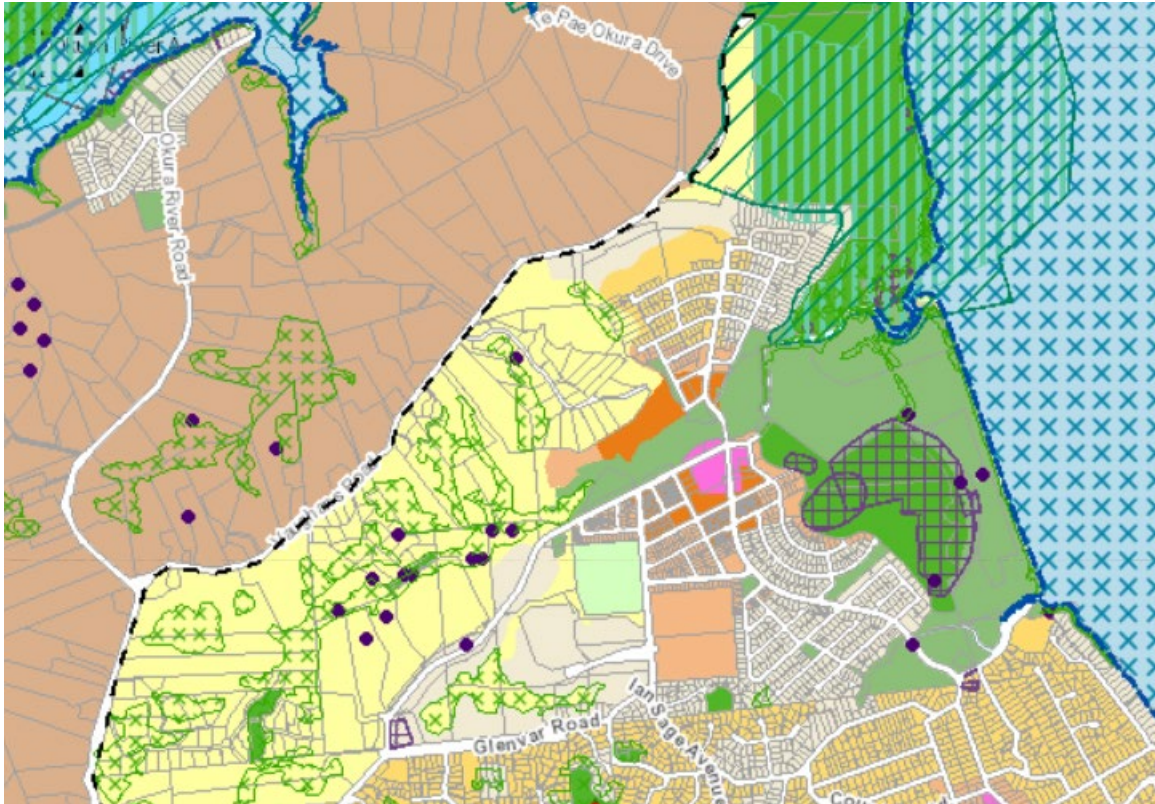


Figure 1: AUP Overlays

Relevant AUP Overlays within or adjacent to the Precinct are:

- SEA Marine (receiving environment)
- Outstanding natural landscape – northern section of regional park
- High Natural Character - northern section of regional park
- Historic Heritage extent of place – Awaruku Headland
- SEA – Terrestrial (west of Primary School)

Many of the constraints in this precinct give effect to section 6 of the RMA, the NZCPS, the NPS-FM and Hauraki Gulf Marine Park Act. These matters are evaluated further in this report.

In terms of zoning pattern, the precinct has a variety of bespoke density, height and subdivision provisions. Of particular note is the pattern of Residential: Single House zone around the “edges” of the neighbourhood, and the Residential: Mixed Housing Suburban area on the south facing Vaughans Road slopes (north of the river). This zoning is a departure from the MDRS. In other respects, the Residential Mixed Housing Urban and Residential Terrace Housing and Apartment Building zoning is consistent with the MDRS / Policy 3, however there are differences in relation to various building (density) standards, including the number of dwellings permitted per site, density of development and subdivision controls.

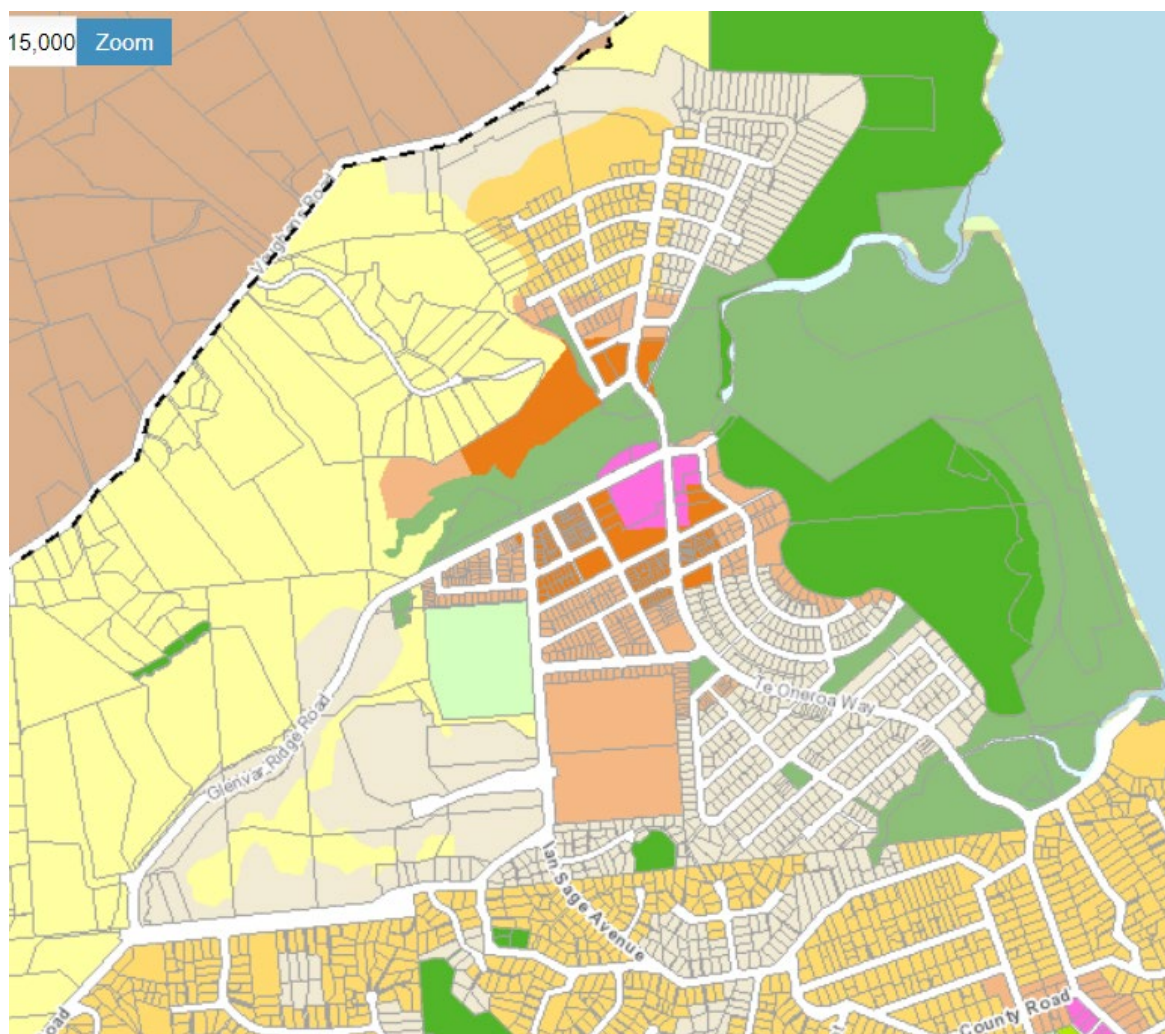


Figure 2: AUP zoning



The Precinct has a complex pattern of Sub-precincts (Sub-precincts A to L). The MDRS requirements do not apply to the Residential – Large Lot Zone (yellow area to the west and north of the Precinct), nor the Open Space zones.

**Sec 77G of the Act requires MDRS to apply to relevant residential zones unless a qualifying matter (QMs) is present.** The MDRS should therefore apply to the SHZ and MHS zones unless qualifying matters are present.

The Single House and Mixed Housing Suburban zones are utilised in the following Precincts. Qualifying matters present are identified:

Sub Precinct	Zoning (AUP)	Qualifying matters
D Glenvar Ridge road / Primary School	SHZ	High quality streams (Stream Protection A area) Marine Reserve – sediment generation Significant Ecological Area
E North Vaughans	SHZ	Proximity to Outstanding Natural Landscape, High Natural Character
F Awaruku slopes	SHZ	Stormwater (receiving environment – Marine Reserve) Visual relationship to coastal environment / regional park
Sub precinct G South Vaughans slopes	MHS	Relationship to Outstanding Natural Landscape, High Natural Character

**NPS-UD:** The precinct has a (small) Business Local Centre zone surrounded by mainly residential THAB zoning with some residential MHU and open space zoning.

NPS-UD policy 3(d) is applicable (as updated May 2022).

*Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable...*

*(d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.*

Council's approach to smaller local centre is not to adjust zones or zone heights beyond that already set out in the AUP. There is no need to amend the zoning pattern due to the NPS-UD.

### Development Standards

There are a number of differences in development (density standards) between the Long Bay provisions and the MDRS, as per the following table:

Standard	MDRS	SHZ (Long Bay sub precincts D, E and F)	MHS (Long Bay sub precinct G)	MHU (Long Bay sub precinct H)
Height	11m + 1m roof form	8m (subject to visibility criteria)	8m	11m, except within 30m of open space conservation = 10.5m
Height in relation to boundary	4m plus 60 degrees, but not internal boundaries	Zone standard applies (2.5m plus 45 degrees) except in sub precinct F where specific provision is made for duplexes and triplexes	Zone standard: 2.5m plus 45 degrees except that no height in relation to boundary standard applies to those parts of a site boundary that share a wall with an existing or proposed building on an adjoining site.	Zone standard applies on any boundary with Sub-precinct A to F, or an open space zone. For other buildings must not project beyond a 68 degree recession plane measured from a point 3m vertically above ground level.
Set backs Front Side Rear	1.5m 1m 1m	Front: 5m (Vaughans Road – 10m) Side 1.2m Rear 3m	Front – 5m Side – 1.2m Rear – 3m	Front – 2m Side - 0m Rear – 0m (unless adjoins open space)
Coverage	50%	35%, 40% in integrated housing developments in sub precinct F	35%	50%
Outdoor living	20m <sup>2</sup> per unit	NA	Zone standard applies	Zone standard applies
Outlook space	4 by 4m 1 by 1m	NA	Zone standard applies	
Windows to street	20% of front façade	NA	NA	NA
Landscaped area	20% of site	Zone standard applies (40%)	Zone standard applies	No zone standard
Impervious area	NA	50%	50%	50%



Council is proposing a new Residential – Low Density Residential zone to replace the Residential – Single House zone. The new Low Density Residential zone has an 8m height limit, and 35% building coverage. Height in relation to boundary is more relaxed than that of the SHZ.

### **Evaluation of Qualifying Matters**

For the purposes of PC 78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be medium. Long Bay is an area of high ecological and landscape and natural character values with a regional profile due to the very popular Regional Park.

This evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received. No specific pre-notification consultation has been undertaken.

The evaluation report is structured so each relevant Sub-precinct is considered in turn. Further information on each relevant Sub-precinct is contained in section 3.

Relevant Sub-precincts are D, E, F, G, H, I, J and K. Sub-precincts A, B, C and L are not affected by the MDRS.

## Sub Precinct Evaluation

### Integrated evaluation for sec 77K (a) to (i) qualifying matters for Sub-precinct D

Sub-precinct D provides for lower density residential lots in the Stream Protection A area (high quality stream). 600m<sup>2</sup> site area applies. Significant Ecological Areas that follow stream corridors are identified as Long Bay Sub-precinct B.

Qualifying matters in section 77I/O(a) to (i)	Significant Ecological Areas (SEA) overlay responding to Section 6(c) of the RMA and Policy 11 of the NZCPS	Stream Protection A area responding to Policy 22 of the NZCPS (Sedimentation) and sec 8, Hauraki Marine Park Act
<b>Relevant precinct provisions supporting QMs</b>	Residential – Single House Zone <ul style="list-style-type: none"> <li>Table I519.1.1</li> <li>I519.2 Objective (12)</li> <li>I519.3 Policies (6)(c), (45), (46), (54)</li> <li>I519.4.1 Activity Table (A2), (A5), (A6), (A7), (A8), (A9), (A14), (A15), (A18).</li> <li>I519.4.6 Activity Table</li> <li>I519.6.2 Building height (1), and (2)</li> <li>I519.6.3 Yards (1), (7), (8)</li> <li>I519.6.4 Building coverage (1)</li> <li>I519.6.20 Subdivision (1)</li> </ul>	Residential – Single House Zone <ul style="list-style-type: none"> <li>Table I519.1.1</li> <li>I519.2 Objective (12)</li> <li>I519.3 Policies (6)(c), (45), (46), (54)</li> <li>I519.4.1 Activity Table (A2), (A5), (A6), (A7), (A8), (A9), (A14), (A15), (A18).</li> <li>I519.4.6 Activity Table</li> <li>I519.6.2 Building height (1), and (2)</li> <li>I519.6.3 Yards (1), (7), (8)</li> <li>I519.6.4 Building coverage (1)</li> <li>I519.6.20 Subdivision (1)</li> </ul>
<b>Effects managed</b>	Effects on indigenous vegetation and fauna	Effects on steam health and receiving environment
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	Residential – Single House Zone is a relevant residential zone	
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	Important aspects of the Sub-precinct are the larger lots sizes (600m <sup>2</sup> ), 35% building coverage and limited impervious area coverage (50%).  Larger site size and modest building coverage helps reduce pressure to remove SEA vegetation in stream valley to accommodate expected development, and/ or install large retaining structures that may modify ground water flows.	Larger site size, lower building coverage along with impervious area limit helps manage stormwater impacts using on-site techniques. Note: MDRS does not control impervious area  Larger lot size also assists with limiting earthworks (and as a result sediment generation)
<b>Conclusion</b>	Amend zoning to Residential – Low Density Residential	Amend zoning to Residential – Low Density Residential

### Integrated evaluation for (a) to (i) qualifying matters for Sub-precinct E

Single houses are provided in the North Vaughans area.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	<b>Section 6(a), Section 6(b) of the RMA given effect to by the identified high natural character and outstanding natural landscape overlays, and the adjoining Open Space zone. These also give effect to policies 13, 14, 15, 21, 22 and 23 of the NZCPS.</b>
<b>Relevant precinct provisions supporting QMs</b>	The following provisions which are the policies and rules relating to the above including sub-precinct specific building height and building coverage controls, a Ridgeline Height Control and Park Interface Protection Area: <ul style="list-style-type: none"> <li>I519.2 Objectives (3), (4), and (12)</li> <li>I519.3 Policies (10), (45), (47), (50), (51), (52) and (53)</li> <li>I519.6.2 Building height (2) and (4)</li> <li>I519.6.4 Building coverage (1) and (2)</li> <li>I519.6.7 Activities in Sub-precinct E in the Park Interface Protection Area South and West of the Ridgeline Height Control Line (1), (2) and (3)</li> <li>I519.6.16A Subdivision</li> <li>I519.6.21 Subdivision – Sub-precincts C and E</li> </ul>
<b>Effects managed</b>	The effects managed are those on: <ul style="list-style-type: none"> <li>the protection of the natural character of the coastal environment and its protection from inappropriate subdivision, use, and development</li> <li>the protection of outstanding natural landscapes from inappropriate subdivision, use and development</li> </ul>
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	Sub-precinct E is currently zoned Residential – Single House Zone. This is affected by the MDRS provisions.

<p><b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b></p>	<p>Long Bay QMs require site-specific building height limits (depending upon application of visibility criteria). While the majority of sites have already been developed in accordance with the Sub-precinct and in some cases covenants applied to reinforce protection of views from the regional park, there will be some additional height and building coverage achievable if there was any redevelopment of sites in the future in accordance with the MDRS. While precinct-based controls will control height, the underlying zoning needs to support a low-risk approach to management, given extent of values present.</p> <p>QMs also modify yard requirements, with specific controls applying to Regional Park interface.</p> <p>Properties on Vaughans Road have larger front yard set back to protect landscape values of Northern section of Long Bay and the Weiti catchment to the north and associated Outstanding Natural Landscapes.</p>
<p><b>Conclusion</b></p>	<p>Zone Residential – Low Density Residential. Precinct specific visibility standards and criteria are strongly supported by the low-density nature of the zoning.</p> <p>Retention of the Sub-precinct E provisions supported by qualifying matters:</p> <ul style="list-style-type: none"> <li>• I519.2 Objectives (3), (4), and (12)</li> <li>• I519.3 Policies (10), (45), (47), (50), (51), (52) and (53)</li> <li>• I519.6.2 Building height (2) and (4)</li> <li>• I519.6.4 Building coverage (1) and (2)</li> <li>• I519.6.7 Activities in Sub-precinct E in the Park Interface Protection Area South and West of the Ridgeline Height Control Line (1), (2) and (3)</li> <li>• I519.6.16A Subdivision</li> <li>• I519.6.21 Subdivision – Sub-precincts C and E</li> </ul>

### Integrated evaluation for (a) to (i) qualifying matters for Sub-precinct F

Single houses are provided in the Awaruku area with some higher intensity integrated housing fronting main roads and reserves. This is a large sub precinct facing existing urban development, recently built out with little physical change expected over next 30 to 50 years. Many lots are in the 500m<sup>2</sup> range.

<p><b>Qualifying matters in section 77I/O(a) to (i)</b></p>	<p><b>Regional Park interface: Section 6(a) and section 6(f) of the RMA given effect to by the adjoining Open Space – Conservation zone and heritage items. These also give effect to policies 2, 13, and 17 of the NZCPS.</b></p> <p><b>Rest of Awaruku slopes: Within Stream Protection B area - effects on marine SEA / policy 22 of NZCPS / sec 8 Hauraki Gulf Marine Park Act - sedimentation and urban run off.</b></p>
<p><b>Relevant precinct provisions supporting QMs</b></p>	<p>The following provisions relate to sub-precinct specific building and activity controls within 30m of the adjoining Open Space – Conservation Zone:</p> <ul style="list-style-type: none"> <li>• I519.2 Objectives (2), (4) and (12)</li> <li>• I519.3 Policies (45) and (62)</li> <li>• I519.4.2 Activity Table</li> <li>• I519.6.2 Building height (1) and (5)</li> <li>• I519.6.3 Yards (1), (2), (7), (8) and (10)</li> </ul> <p>For effects on marine environment, the main control is impervious area limit of 50%, with assessment required for extension to 70%.</p> <ul style="list-style-type: none"> <li>• I519.6.4 Building coverage (1) and (2)</li> <li>• I519.6.20 Subdivision (1), (2) and (3).</li> </ul>
<p><b>Effects managed</b></p>	<p>Effects of building height / bulk and activities on the adjoining cultural, heritage and natural character values of coastal environment.</p> <p>Effects on marine environment. Wetland to manage stormwater sized to accommodate expected impervious area (50%). Discharges to Marine Reserve.</p>
<p><b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b></p>	<p>Sub-precinct F is currently zoned Residential – Single House Zone. This is affected by the MDRS provisions.</p>
<p><b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b></p>	<p>Minimum lot size / density would be removed; although Sub-precinct does allow for some mixing of densities - 450m<sup>2</sup> site area per dwelling, with RDA more intensive along main road and around reserves</p> <p>2 storey height limit would be replaced with three storeys, building coverage would increase from 35% to 50%.</p> <p>Impervious area =50%, but up to 70% if mitigated back to 50%.</p>

	<p>The QMs related to the interface with the Regional Park affect only a small proportion of Sub-precinct F. One option would therefore be for the Sub-precinct to the west of Beach Road extension be rezoned to Mixed Housing Urban (MDRS) on the basis that the area is distant from coastal interface. Land to the east of Beach Road extension could retain the Residential: Low-Density Residential zoning.</p> <p>In other respects, QMs relate to stormwater management and the high quality receiving environment. Rezoning land to the west to MHU will see some increase in building density and coverage achievable if there was any redevelopment of sites in the future. This will generate additional run off. Low building coverage and impermeable area controls would need to be maintained west of Beach Road extension due to stormwater quality and quantity issues.</p> <p>The wetland that treats stormwater from the sub precinct may need to be upgraded (although space to do so is limited).</p> <p>The more effective option is to retain the Residential - Low Density zoning and associated Sub-Precinct standards.</p>
<b>Conclusion</b>	Retention of the Sub-precinct F provisions, rezone to Residential – Low Density Residential

### Integrated evaluation for (a) to (i) qualifying matters for Sub-precinct G

The sub-precinct provides a mixture of stand-alone houses on smaller lots and attached housing types in the North Vaughans area, generally to the south and west of the northern Beach Road extension. The area has a visual relationship with the coastal environment to the east and north, while land in the Sub-precinct to the east of Beach Road falls within specific Park visibility controls.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	Section 6(a), Section 6(b) of the RMA given effect to by the identified high natural character and outstanding landscape overlays, and the adjoining Open Space – Conservation zone and heritage items. These also give effect to policies 13, 14, 15, 21, 22 and 23 of the NZCPS.
<b>Relevant precinct provisions supporting QMs</b>	<p>The following provisions which are the policies and rules relating to the above including sub-precinct specific building height controls, a Ridgeline Height Control, and density standard:</p> <ul style="list-style-type: none"> <li>• I519.2 Objectives (3), (4), (7) and (12)</li> <li>• I519.3 Policies (45), (47),</li> <li>• I519.4.2 Activity Table</li> <li>• I519.6.2 Building height (2) and (4).</li> </ul>
<b>Effects managed</b>	<p>The effects managed are those on:</p> <ul style="list-style-type: none"> <li>• The protection of the natural character of the coastal environment and its protection from inappropriate subdivision, use, and development.</li> <li>• The protection of outstanding natural landscapes from inappropriate subdivision, use and development.</li> </ul>
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	Residential – Mixed Housing Suburban affected by MDRS.
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	<p>MDRS has a 3 storey height limit. QM supports retaining a two storey / 8m height limit. 35% building coverage limit applies in the Sub-precinct. This is at odds with MDRS 50% coverage limit. Other differences in standards exist in relation to yards and height in relation to boundary that are more restrictive in the Sub-precinct than the MDRS.</p> <p>The Sub-precinct has a density standard for permitted activity of 1 unit per 300m<sup>2</sup>. This activity status is not consistent with MDRS.</p> <p>The sub precinct standards operate as a package, seeking to develop a character of development that is appropriate in relation to the areas proximity to high value coastal environments and landscapes.</p>
<b>Conclusion</b>	Re-zone to MHU (MDRS version) but retain the Sub-precinct G provisions relating to height, coverage, yards and height in relation to boundary. Retain RD activity status for dwellings that are at a density of greater than 1 unit per 300m <sup>2</sup> of site area.

### Integrated evaluation for (a) to (i) qualifying matters for Sub-precinct H

The Sub Precinct provides for a mixture of two and three storey stand alone and terrace type housing on the northern slopes of the Awaruku ridge and the lower North Vaughans slopes. The Residential - Mixed Housing Urban zone applies.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	Section 6(a) and section 6(f) of the RMA given effect to by the adjoining Open Space – Conservation zone and cultural heritage items. These also give effect to policies 2, 13, and 17 of the NZCPS.
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<b>Relevant precinct provisions supporting QMs</b>	The following provisions are the rules relating to the above including, Sub-precinct specific building height controls within 30m of the adjoining Open Space – Conservation Zone: <ul style="list-style-type: none"> <li>• I519.2 Objectives (2), (4) and (12)</li> <li>• 1519.3 Policies (62)</li> <li>• I519.6.2 Building height (1) and (5).</li> </ul>
<b>Effects managed</b>	This manages effects of building height on the adjoining cultural, heritage and natural character values (10.5 m building height versus 11m+1m roof form).
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	Residential – Mixed Housing Urban affected by the MDRS
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	Application of the height control qualifying matter affects a relatively small number of sites on the eastern edges of the Sub-precinct. Many of these properties are already developed.  Otherwise, there are relatively minor differences in MDRS standards and standards in the Sub-precinct. The MHU (MDRS) zone has a more generous height in relation to boundary control, but the Long Bay version of MHU zone has no side or rear yards. There may be some effect on the building bulk achievable on remaining unbuilt sites if there was any redevelopment of sites in the future in accordance with the MHU (MDRS) height in relation to boundary control. This affect will be relatively minor in the context of the capacity of the precinct as a whole.  MDRS standards should apply, except for height close to the Heritage area.  The MDRS permitted activity standard of up to 3 units on a site should be incorporated into the Sub-precinct.
<b>Conclusion</b>	Retention of the Sub-precinct H height provisions and yard controls. Amend activity table to provide for 3 units as a permitted activity.

### Integrated evaluation for (a) to (i) qualifying matters for Sub-precinct I – THAB zone

This Sub-precinct provides for terraced housing and apartment buildings in close proximity to the village centre and open space areas located in the Vaughan's Stream corridor.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	<b>No qualifying matters identified</b>
<b>Relevant precinct provisions supporting QMs</b>	None
<b>Effects managed</b>	Effects on landscapes and the stream corridor
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	Residential – Terrace Housing and Apartment Buildings Zone affected by the MDRS and Policy 3
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	None. The THAB zone is more enabling than the MDRS and the Long Bay Sub-precinct controls provide for a level of development that is commensurate with the level of activity in the centre.
<b>Conclusion</b>	Apply Long Bay THAB zone standards. Provide for up to 3 dwellings per site as a permitted activity

### Integrated evaluation for Sub-precinct J: Local Centre

Policy 3(d) of the NPS-UD applies to the Long Bay Business - Local Centre zone. Height and density is to be commensurate with the level of commercial activity and community services. The centre has a modest collection of commercial activities. The Long Bay Local Centre Sub precinct has a 14m height limit, whereas the AUP Local Centre zone has a 16m+2m height limit.

The centre has a physical and visual relationship with the lower Vaughan's Stream and associated coastal environment, with the potential for some physical and visual dominance of the coastal and stream corridor environments from taller buildings.

The Sub-precinct height standard should be retained.

### Integrated evaluation for Sub-precinct K: Local Centre

The Sub-precinct sits beside the Vaughans Stream and has a range of be spoke standards and policies that seek a sensitive approach to development. The standards reduce the allowed building height and coverage significantly relative to the standard zone provisions. However, the standard only affects two small sites and the overall effect on centre capacity is minor.

The Sub-precinct is subject to Policy 3(d). The level of development enabled is commensurate with the role and function of the centre. Retention of the Sub-precinct provisions is appropriate.

### Attachment A: More information on Sub-precinct D

This Sub-precinct is zoned Residential – Single House Zone (SHZ). The current (20 June 2022) AUP zoning is shown in the image below. It has a number of bespoke sub-precinct provisions including standards that are not consistent with the MDRs. These are:

- Minimum 600m<sup>2</sup> lot size / two storey height limit
- 5m front yard
- 35% building coverage.

In addition:

- 50% impervious area coverage
- Requirement for 80% of run off from impervious areas to be treated

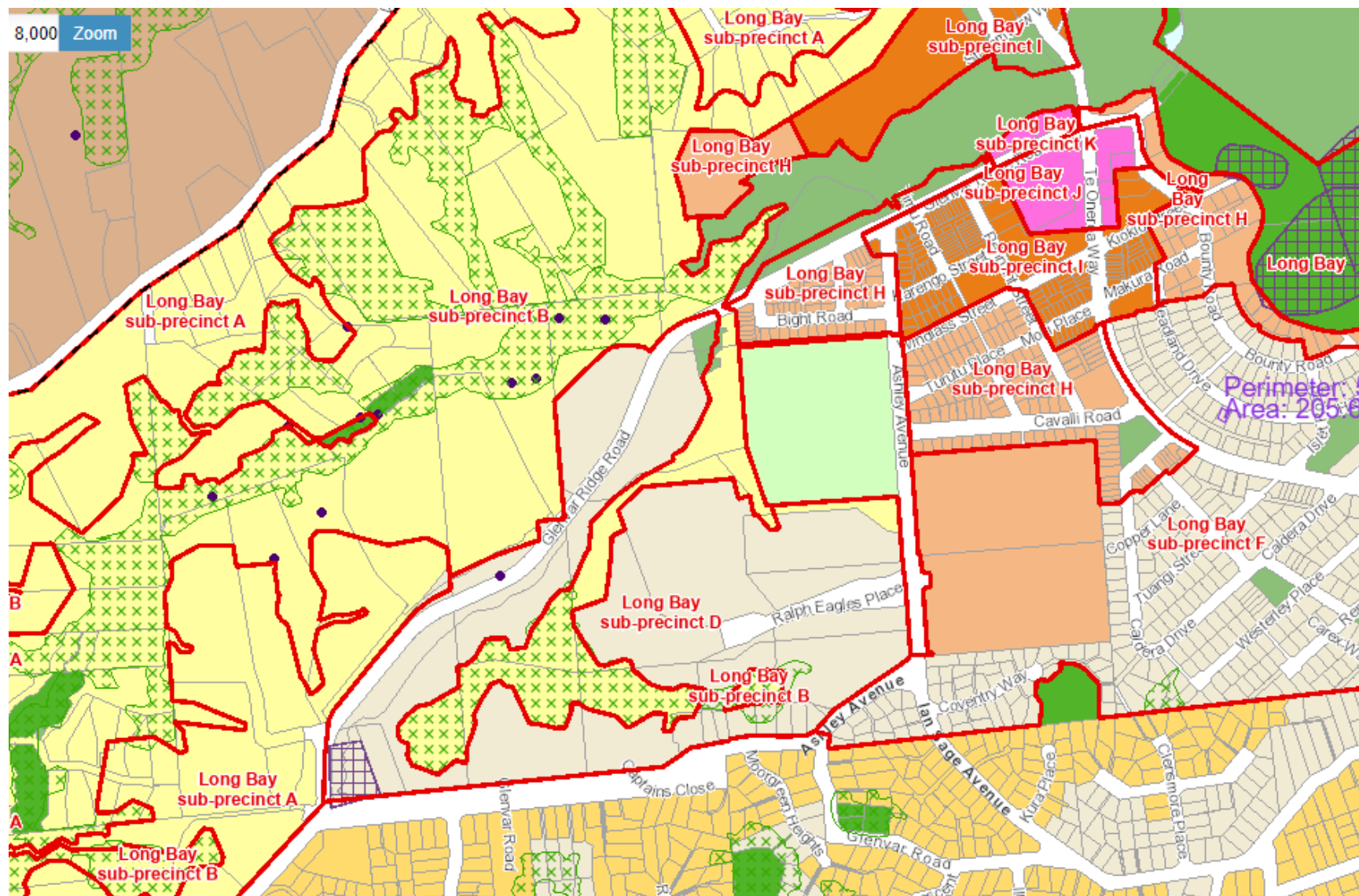
It is the most inland of the residential Sub-precincts and one of the last to be developed. Sections are now for sale in parts of the Sub-precinct as per the photographs below.

While technically within the coastal environment, the Sub-precinct is at least 1200m or more from Long Bay Beach and is not visible from the beach due to intervening topography.

Note that there is a small significant ecological area (SEA) adjoining this Sub-precinct. Some of the land is steep.

The Precinct is within the Stream Protection A area. This is an area of high quality streams.

### AUP map of Sub-precinct D 20 June 2022





**Photo of Sub-precinct D taken 18 June 2022**

This shows new local roads and street lighting installed of Glenvar Ridge Road. Sections are for sale.



**Attachment B: More information on Sub-precinct E**

This sub-precinct is zoned Residential – Single House Zone (SHZ). The current (20 June 2022) AUP zoning is shown in the image below. It has a number of bespoke sub-precinct provisions including standards that are not consistent with the MDRS.

Part of the zone is close to the coastline and overlaps with adjoining coastal high natural character and outstanding natural landscape overlays.

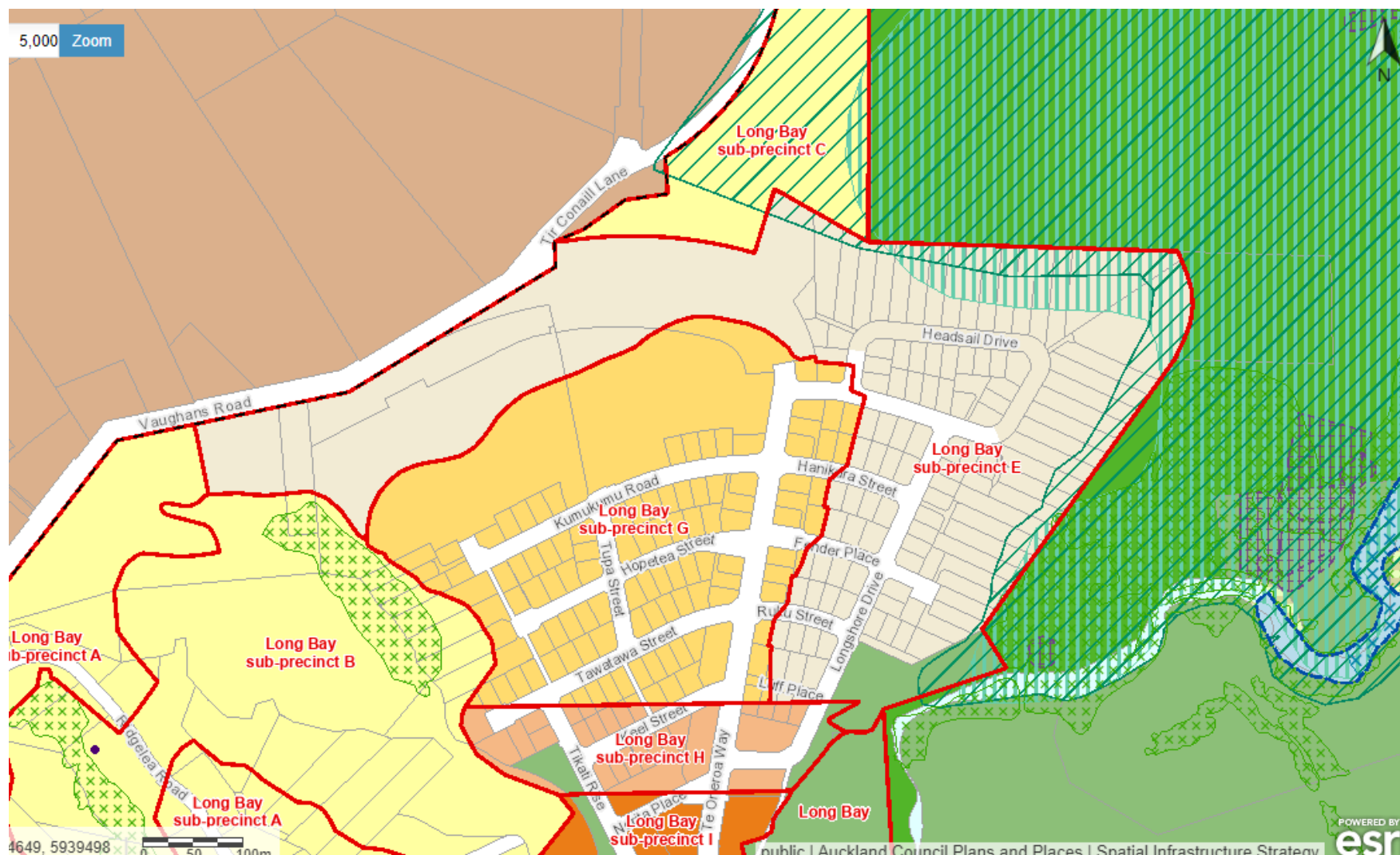
A north-western fringe adjoins Vaughans Road and is subject to a wide front yard requirement (10m set back) to lessen impacts on the landscape of the adjoining catchment to the north (which is outside the RUB)

Development is now well advanced with many lots built on or under construction as per the photographs below.

Qualifying matters relate to the Park Interface Viewpoints, Ridgeline Height Control, Visibility Line and Park Interface Protection Area. These are addressed in more detail in the evaluation above where qualifying matters are identified in relation to Section 6 of the RMA and policies of the NZCPS.

The existing sub-precinct site size, building coverage and height controls should be retained. The MDRS are likely to conflict with these QM-based standards.

**AUP map of Sub-precinct E 20 June 2022**



**Photos of Sub-precinct E at two positions on Headsail Drive taken 18 June 2022**

These photos show recently completed houses. The second photo shows the landform at the rear of the house sites that relates to specific rules in the precinct to minimise the visual impact of the development from the coast.







### Attachment C: More information on Sub-precinct F

This sub-precinct is zoned Residential – Single House Zone (SHZ). The area zoned Residential – Mixed Housing Urban (MHU) is Long Bay college. The current (20 June 2022) AUP zoning is shown in the image below. The Sub-precinct has a number of bespoke Sub-precinct provisions including standards that are not consistent with the MDRS.

The area is close to the coastline and overlaps with adjoining cultural heritage overlays.

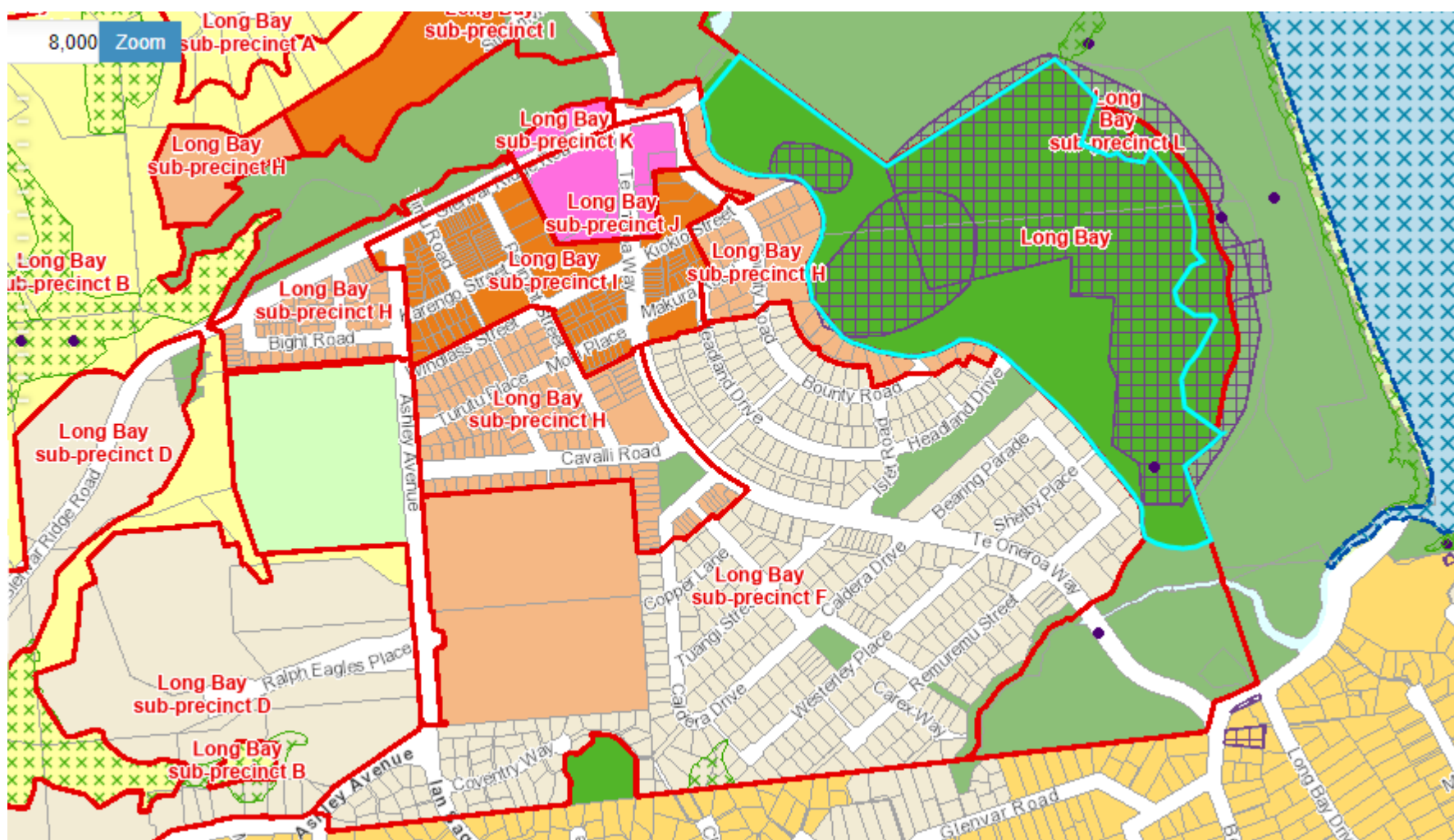
Development is now complete in the SHZ area featuring mainly large 2-storey detached housing with high site coverage.

Qualifying Matters justify retention of a height control on the eastern boundary with the Open Space – Conservation Zone and heritage area. These are addressed in more detail in the evaluation above where qualifying matters are identified in relation to Section 6 of the Resource Management Act and policies of the New Zealand Coastal Policy Statement.

Stormwater from the area is treated via a wetland prior to discharge to the marine environment. The sizing of this wetland and its efficiency is based on expected densities / coverage in the sub precinct (e.g. 50% impervious area).

Otherwise, the existing sub-precinct site size controls (450m<sup>2</sup> lots) conflict with the MDRS. The sub zone does allow for more intensive duplexes and triplexes on larger sites along the main road and around open spaces.

AUP map of Sub-precinct F 20 June 2022



As an option, land to the east of Beach Road extension – Te Oneroa Way – could be retained as Residential – Low Density Residential on the basis of its proximity to the coastal environment, while land to the west of Te Oneroa Way could be rezoned Mixed Housing Urban (MDRS).

This option may open the way for considerable extra density (including associated earthworks and stormwater runoff) in the western sector. This may impact upon the marine environment if the efficiency of the wetland is reduced. A 50% impervious area limit would need to apply, with extension to 70% subject to on-site stormwater control.

Given the recent development of the area and the measures taken to manage adverse effects that are scaled to the density provided for by the Sub-precinct (e.g. wetland), the lower density nature of Sub-precinct F should be maintained. A modified Residential: Low Density Residential zoning is appropriate.



**Photos of Sub-precinct F at two positions near Headland Drive taken 18 June 2022**

First photo is taken from Sub-precinct E looking at the adjoining heritage areas and Open – Space Conservation Zone



The second photo is taken looking back with Sub-precinct F on the left and intermediate ground with Sub-precinct H in the foreground on the right and in the far background on the right. The first 2-storey row of houses block views of similar or higher houses to the rear. This includes the 4-storey building in the right background which appear to have a similar height to the 2-storey houses in the foreground. Maintaining the 2-storey height control for the first few row of houses will maintain this relationship when viewed from the open space heritage area without significantly affecting capacity.





#### Attachment D: More information on Sub-precinct G

This sub-precinct is zoned Residential – Mixed Housing Suburban Zone (MHS). The current (20 June 2022) AUP zoning is shown in the image below. It has a number of bespoke sub-precinct provisions including standards that are not consistent with the MDRs.

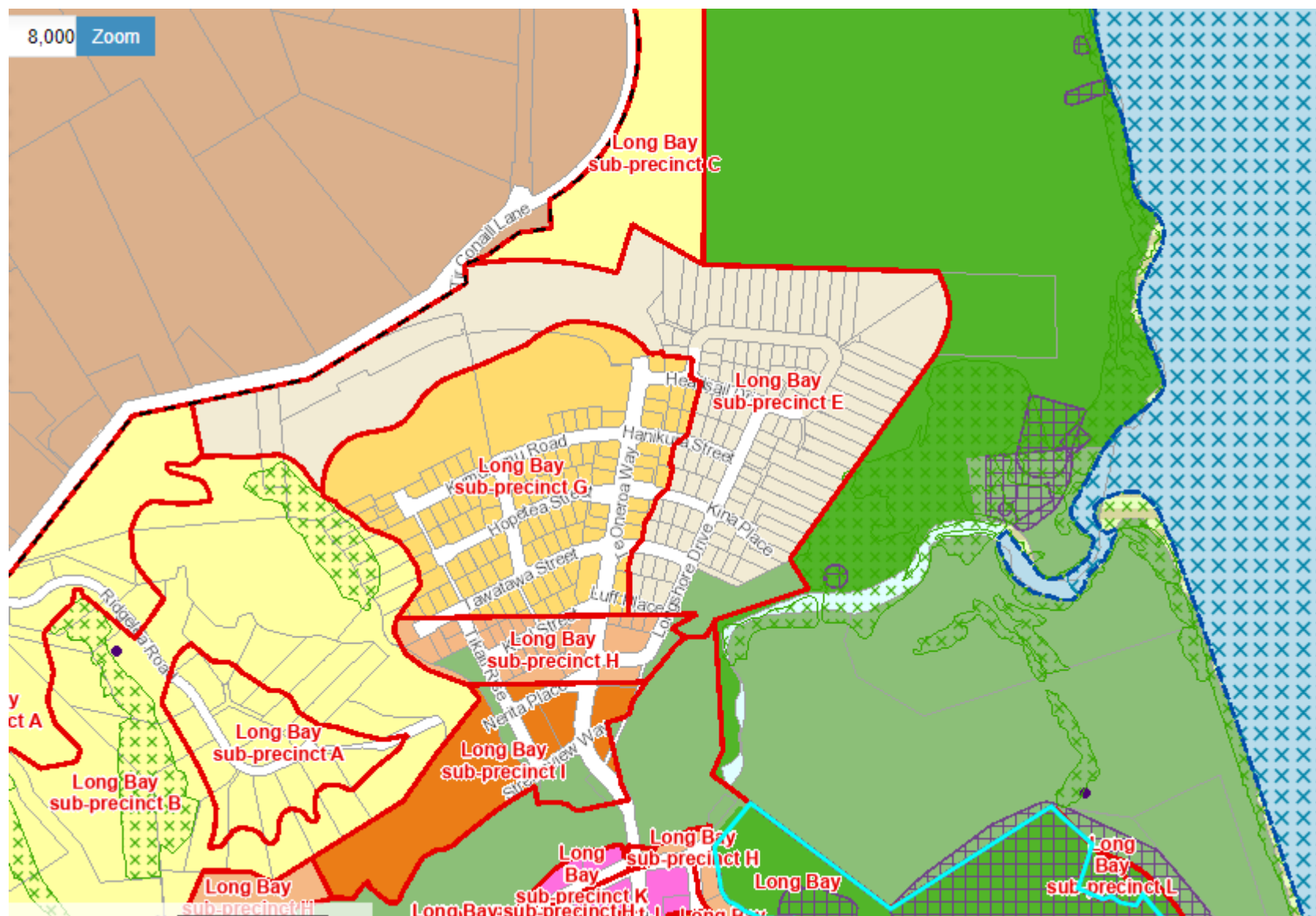
Development is well underway featuring mainly large 2-storey detached housing with high site coverage.

This sub-precinct will need to acquire MHU-MDRS zoning. Qualifying matters are identified that justify retention of all bespoke height controls that conflict with the MDRS. The standards for retention are those that relate to the Park Interface Viewpoints, Ridgeline Height Control and Visibility Line that apply to the areas east of Beach Road extension.

In addition, a two storey height limit should be maintained across the balance of the Sub-precinct due to the areas relationship to sub precinct E and the nearby coastal landscapes of the Regional Park.

These matters are addressed in more detail in the evaluation above where qualifying matters are identified in relation to Section 6 of the RMA and policies of the NZCPS.

#### AUP map of Sub-precinct G 20 June 2022



Dwellings in Sub-precinct G not exceeding a density of 1 unit per 300m<sup>2</sup> of site area are a permitted activity, with more intense development subject to Restricted Discretionary activity status. This density standard conflicts with the MDRS of the MHU zone, where up to three dwellings maybe constructed on any sized site. Less generous building coverage standards (35% as opposed to 50%) also apply.

Matters of discretion relate to amongst other factors, visual effects on the Vaughan Stream corridor and the Long Bay Regional Park – which are components of the coastal environment.

Maintaining the Sub-precinct density standard and 35% building coverage control is appropriate given the areas relationship to surrounding landscape values.

Photo of Sub-precinct G at Tawatawa Street taken 18 June 2022





## Attachment E: More information on Sub-precinct H

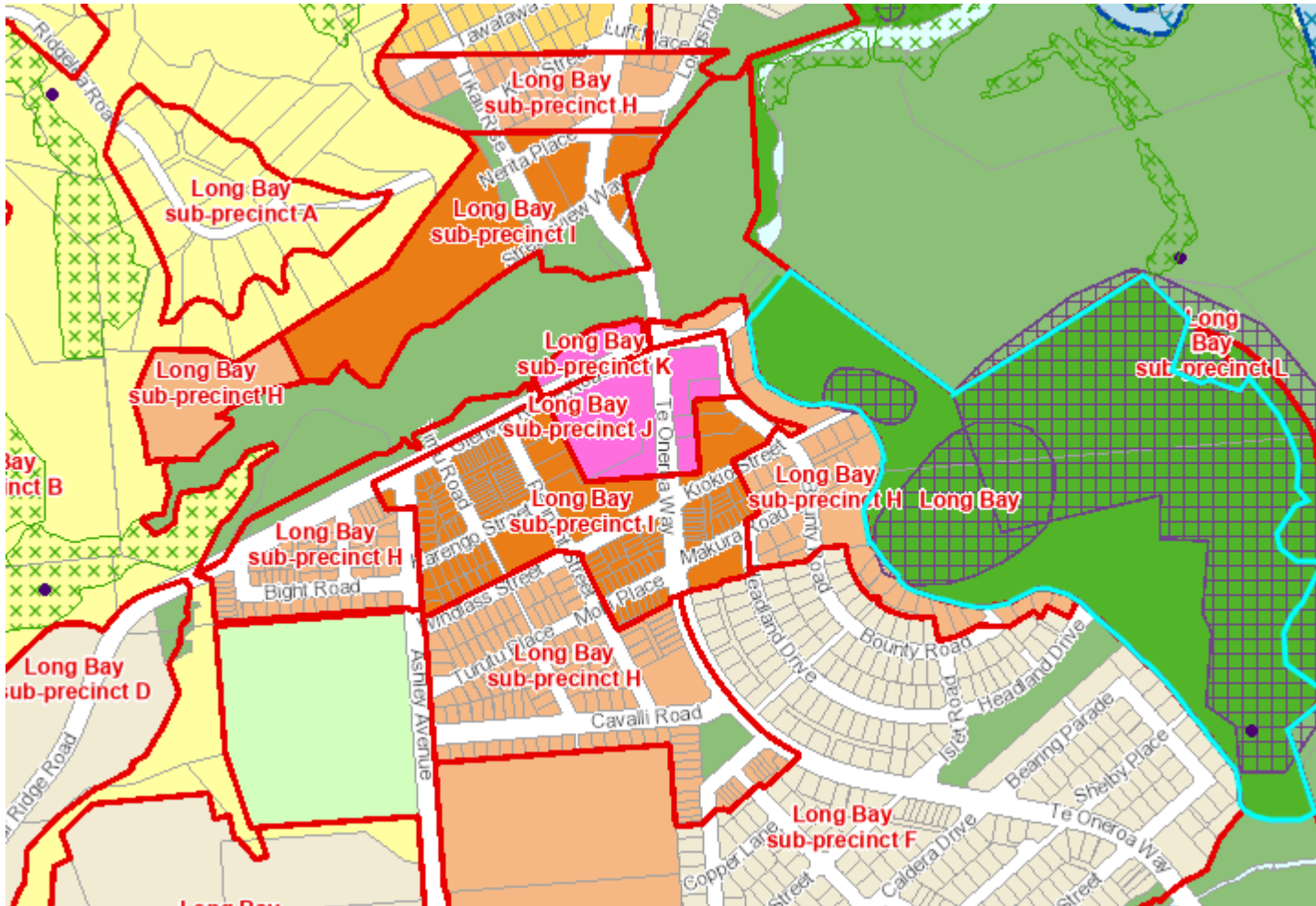
This sub-precinct is zoned Residential – Mixed Housing Urban Zone (MHU). The current (20 June 2022) AUP zoning is shown in the image below where it is located in five separate areas. It has a number of bespoke sub-precinct provisions including standards that are not consistent with the MDRS.

Development is mostly completed featuring mainly 2-storey detached housing with high site coverage, with some 2-storey terrace houses and one 4-storey apartment block.

This sub-precinct will acquire MHU-MDRS zoning. Qualifying matters apply that justify retention of a height control on the eastern boundary of the Heritage Protection Area.

This is addressed in more detail in the evaluation above where qualifying matters are identified in relation to Section 6 of the RMA and policies of the NZCPS.

### AUP map of Sub-precinct H 20 June 2022



In other respects, the Sub-precinct based standard are similar to the standards for the AUP MHU zone, with small differences related to more generous front yard and height in relation to boundary standards for the Long Bay provisions

The Sub-precinct provides for the MHU zone height in relation to boundary standard to apply along any boundary with Sub-precincts A to F, or an open space zone. For sites that adjoin other sites in the Sub-precinct, buildings must not project beyond a 68 degree recession plane measured from a point 3m vertically above ground level, except that this does not apply to:

- The internal boundaries of sites 1,500m<sup>2</sup> or greater;
- The boundary between adjoining dwellings established concurrently on adjoining sites and joined at a common wall on the boundary; and
- Front boundaries.

This height in relation to boundary control operates in conjunction with zero side and rear yards.

In contrast the AUP MHU (MDRS) zone has a height in relation boundary control of 4m plus 60 degrees and 1m side and rear yards.

The Long Bay controls are more enabling than the standard MHU (MDRS) controls and can be retained.

Currently the Long Bay Sub-precinct H has a permitted activity density standard of 1 unit per 300m<sup>2</sup> of site area, with more intensive density subject to an RDA activity status. This standard relates to amenity and urban design considerations. These activity classifications need to be amended to address the MDRS. Up to three dwellings per site should be a permitted activity, consistent with MDRS. The density standard of 1 unit per 300m<sup>2</sup> should be removed.

**Photos of Sub-precinct H taken 18 June 2022**

This shows 2-storey terrace houses at Glenvar Ridge Road



## Attachment F: More information on Sub-precinct I

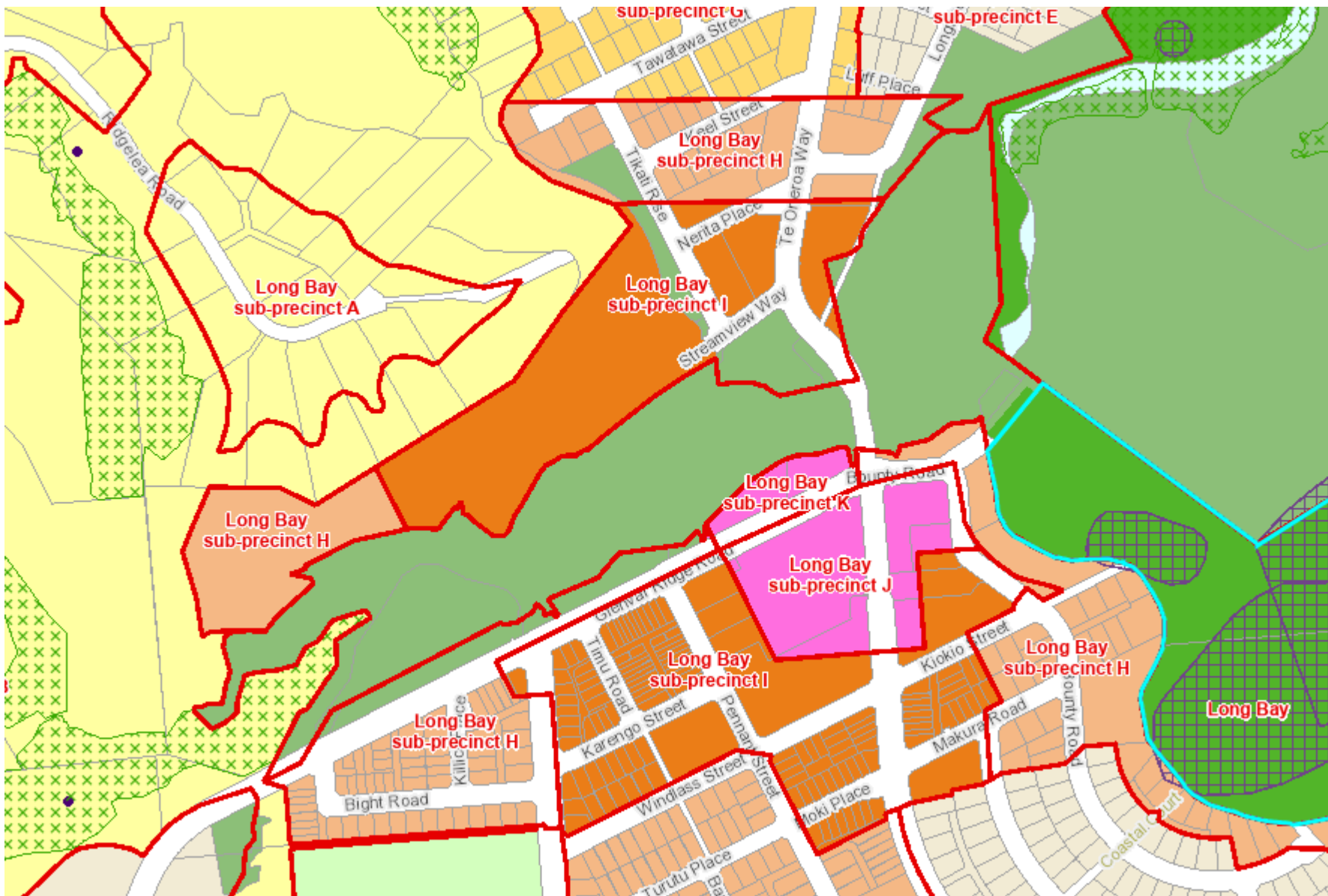
This sub-precinct is zoned Residential – Terrace Housing and Apartment Buildings Zone (THAB).

The current (20 June 2022) AUP zoning is shown in the image below where it is located in two separate areas.

The Sub-precinct allows for terraced housing and apartment buildings development up to four storeys in height recognising that the average density of development across the sub-precinct is expected to be more than one unit per 100m<sup>2</sup>.

The Sub-precinct falls within the terms of Policy 3(d) of the NPS-UD – density around local centres - and is a location where the MDRS should be made more enabling.

### AUP map of Sub-precinct I 20 June 2022



Precinct specific controls cover:

- Activities within 30m of the open space corridor
- No height in relation to boundary standard applies to front boundary, or sites that adjoin the Sub-precinct J and K.
- No internal side or rear yards
- 80% building coverage
- 90% impervious area
- 14m height limit.

Differences to revised (policy 3) THAB are:

- Height 14m v 16m
- Front yard 2m v 1.5m
- Building coverage 80% v 50%
- Impervious area 70% v 90%
- Landscape area 0% v 20%

While height is less than the modified THAB zone, in other respects the Long Bay THAB zoning is more enabling than the revised THAB zone (for example building coverage at 80% compared to 50%). An option would be to apply the height limit of the revised THAB zone while retaining other Long Bay specific standards, however additional height cannot be treated in isolation from the other building envelope standards that



apply. The more generous building coverage control reflects the extensive open spaces in the area, for example, but the extra coverage would not be compatible with additional height.

On balance, the Long Bay provisions should be retained on the basis that they enable (as a package) a greater building bulk than the standard MDRS provisions. The Long Bay standards for the THAB zone do not need to be qualified, as they represent a more enabling set of standards than the MDRS. The standards enable a level of development that is commensurate with the level of activity in the Local Centre.

The activity status for new dwellings should be amended to be consistent with the proposed amended THAB zone (i.e. up to 3 dwellings per site will be a permitted activity).

**Photo of Sub-precinct I taken 18 June 2022**



**Attachment G: More information on Sub-precinct J**

This Sub-precinct is zoned Business – Local Centre Zone. The current (20 June 2022) AUP zoning is shown in the image below

It has some bespoke Sub-precinct provisions including standards that are not inconsistent with Policy 3(d) of the NPSUD. In particular I519.6.2 Building height is limited to 14m (with zone-based standard being 16m + 2m roof form).

Development is well advanced featuring commercial activities. The scale of the centre sits comfortably in the surrounding environment and is commensurate with the range of commercial and community activities present.

This Sub-precinct will retain the local centre zoning. The 14m height limit should be retained based on the centre’s physical and visual relationship with the coastal environment.

**AUP map of Sub-precinct I 20 June 2022**

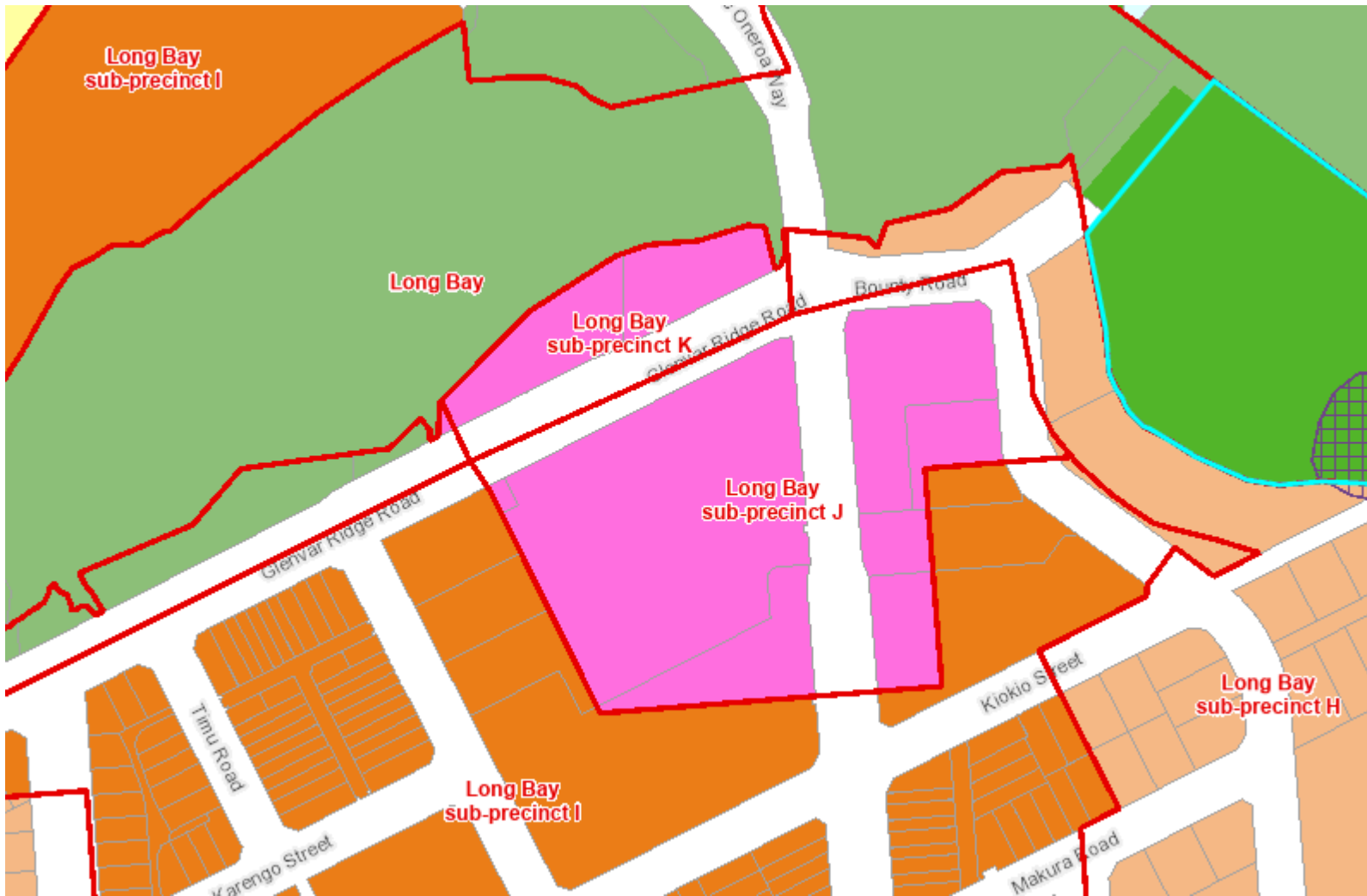


Photo of Sub-precinct I taken 18 June 2022



## Attachment H: More information on Sub-precinct K

This Sub-precinct is zoned Business – Local Centre Zone. The current (20 June 2022) AUP zoning is shown in the image below where it is located adjoining the Vaughan’s Stream and associated open space zoning and floodplain to the north.

Vaughans Stream is a high quality stream that forms part of the coastal environment. The stream corridor is subject to the NZCPS and section 6 of the RMA to avoid inappropriate development in relation to natural character of the coastal environment.

The precinct has some bespoke Sub-precinct provisions to retain a largely open character in the land on the southern side of the Vaughan Stream corridor, within a Stream Interface Management Area. A 2m yard applies to all boundaries with the Open Space – Informal Recreation Zone. Policies promote one to two storey development set within an open landscape that integrates with the natural character and open space values of the adjoining Vaughan Stream corridor

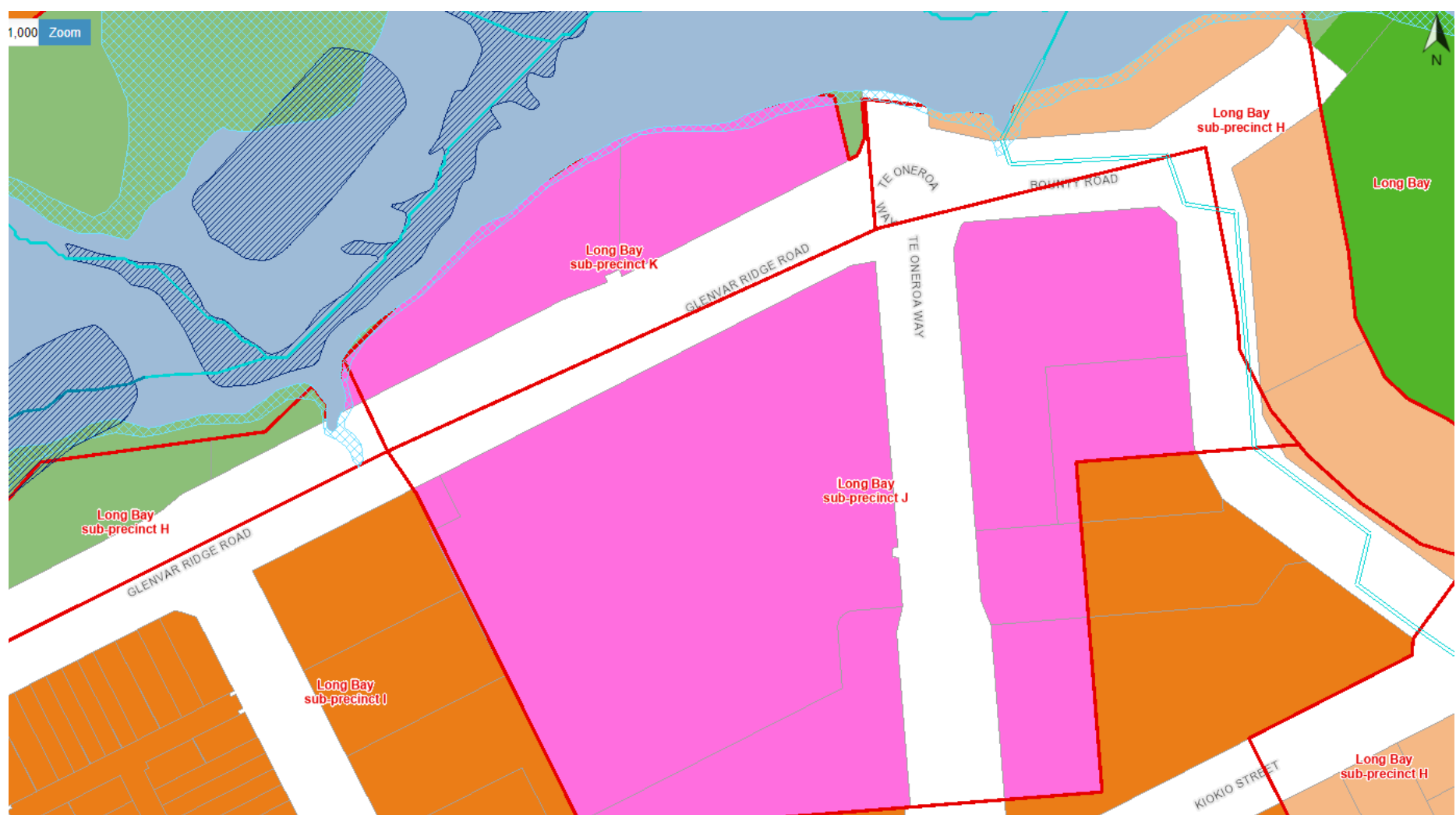
It is a small Sub-precinct comprised of two sites which are not developed. One of the two sites is owned by Auckland Council and the other by a private owner. It is not known what development intentions might exist.

This Sub-precinct will retain the Business Local Centre zoning.

A qualifying matter is identified to retain standards that potentially conflict with policy 3 of the NPS-UD. These QMs set a low building height and coverage adjacent to the stream. This applies to:

- I519.3 Policy (28)
- I519.6.2 Building height (1) and (5)
- I519.6.4 Building coverage (1) and (2).

## AUP map of Sub-precinct I 23 June 2022





**Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part  
1524 North Harbour Stadium and Domain Precinct**

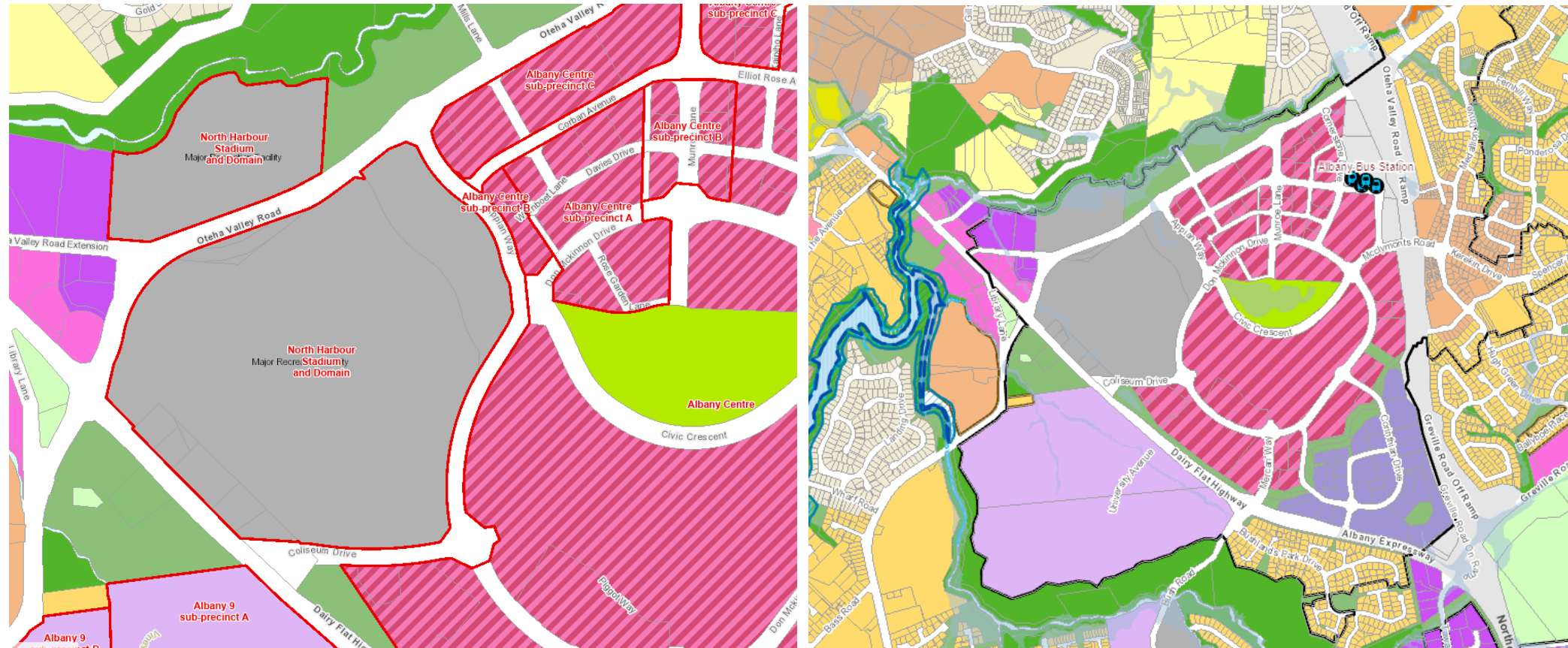
**1524 North Harbour Stadium and Domain Precinct Analysis**

**Purpose:** Provides specific planning controls for the use of North Harbour Stadium and Domain

**Zoning:** The zoning of land within this precinct is Special Purpose - Major Recreation Facility Zone.

**Changes to the precinct required by MDRS:** The Special Purpose - Major Recreation Facility Zone is not a relevant residential zone so MDRS does not apply

**Changes to the precinct required by NPS-UD:** The Precinct is entirely within the WC of Albany Metro Centre and therefore is affected by Policy 3(c) and must provide for 6 storeys (21m) or have a modifying QM.



Precinct provisions affected by MDRS or Policy 3	Outcome
Rule I524.4.1 (A1-A16)	<b>Retain</b> (no QM required)
Rule I524.4.1 (A17) New Buildings up to 20m = P	<b>Amend</b> (to 21m)
Rule I524.4.1 (A18) New Buildings above 20m = RDA	<b>Amend</b> (to 21m)
Rule I524.4.1 (A19) – (A21)	<b>Retain</b> (No QM required)
Rule I524.4.1 (A22) New buildings, building alterations or additions to a building for a primary, compatible, or accessory activity not meeting Standard I524.6.8 (I524.6.8. Interface control areas)	<b>Retain</b>
Rule I524.4.1 (A23) – (A25)	<b>Retain</b> (No QM required)
I524.6.1. Noise	<b>Retain</b> (No QM Required)
I524.6.2. Lighting	<b>Retain</b> (No QM Required)
I524.6.3. Special noise events	<b>Retain</b> (No QM Required)
I524.6.4. Special lighting events	<b>Retain</b> (No QM Required)
I524.6.5. Traffic management	<b>Retain</b> (No QM Required)
I524.6.7. Screening	<b>Retain</b> (No QM Required)
I524.6.8. Interface control areas	<b>Retain</b>
I524.6.9. Height in relation to boundary	<b>Retain</b>

<b>I524.6.10. Professional fireworks displays</b>	<b>Retain</b> (No QM Required)
<b>I524.6.11. Helicopter flights</b>	<b>Retain</b> (No QM Required)
<b>I524.6.12. Temporary buildings</b>	<b>Retain</b> (No QM Required)
<b>I524.10.1. North Harbour Stadium and Domain: Precinct plan 1</b>	<b>Retain</b>

**section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter**

**EVALUATION REPORT**

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I524 North Harbour Stadium and Domain Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

**Integrated evaluation for (a) to (i) qualifying matters**

For the purposes of PPC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be less than minor as no (a) to (i) Qualifying Matters apply in this Precinct.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	None
<b>Relevant precinct provisions supporting QMs</b>	N/A
<b>Effects managed</b>	N/A
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	N/A

How qualifying matter changes level of development enabled by Policy 3 and / or MDRS	N/A
Conclusion	N/A

### Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PPC78, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be minor as the height for new buildings in the Precinct has been amended to comply with the 21m required by Policy 3(c) except in the interface control area and to a certain extent by the HIRTB standard. The effect of these modification is anticipated to be minor as they affect small areas of the Precinct and do not prevent development – just require a consent to ensure good urban design at the interface of the Precinct and surrounding area.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	<b>77O (j) Urban Design of interface areas</b>
<b>Relevant precinct provisions supporting QMs</b>	Rule I524.4.1 (A22) I524.6.8. Interface control areas I524.6.9. Height in relation to boundary I524.10.1. North Harbour Stadium and Domain: Precinct plan 1
<b>Effects managed</b>	Control of urban design close to the boundary of the Precinct
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	Non Residential - Special Purpose - Major Recreation Facility Zone
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	The scale of stadium design means that it is anticipated that there may be adverse effects on the surrounding areas however the Interface control and height in relation to boundary control aim to mitigate these adverse effects on the boundary.
<b>Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD</b>	Development of a scale anticipated by NPS UD Policy 3(c) may be achieved and this QM simply requires consideration of design through a consent
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	Remove, Amend, Retain
<b>Costs of applying QM</b>	There is the possibility that buildings fully complying with

	Policy 3 can be achieved in the majority of the Precinct by way of a resource consent
<b>Benefits</b>	The interface areas between the Precinct and the surrounds will be managed to ensure good urban design.
<b>Conclusion</b>	Retain

**Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part**

**I529 Orewa 1 Precinct**

**I529 Orewa 1 Precinct Analysis**

**Purpose:** The key purpose of the precinct is to enable the completion of a comprehensive residential community that will incorporate a range of housing typologies, complemented by community facilities, a network of public open spaces, and accessory commercial activity.

**Zoning:** Residential – Mixed Housing Urban Zone, Open Space – Community Zone and Open Space – Informal Recreation Zone.

**Changes to the precinct required by MDRS:** Changes to the MHU Zone rules to reflect MDRS.

**Changes to the precinct required by NPS-UD:** The precinct is not within a walkable catchment, so Policy 3 requirements does not apply

Precinct provisions affected by MDRS or Policy 3	Outcome
<p align="center"><b>I529.4 Activity table</b></p> <p>(A4) New Buildings RD</p>	<p align="center"><b>Amend</b></p> <p>Add a new activity for new dwellings to reflect QM's</p>
<p align="center"><b>I529.6 Standards</b></p> <p>Standards not applying</p> <p>(1) Standard H5.6.4 Building height;</p> <p>(2) Standard H5.6.10 Building coverage and do not apply; and</p> <p>(3) Standard H5.6.9 Maximum Impervious area and do not apply.</p>	<p align="center"><b>Retain</b></p>
<p align="center"><b>I529.6 Standards</b></p> <p>I529.6 (1A)</p>	<p align="center"><b>Amend</b></p> <p>Add standard H5.6.5 to list of standards that do not apply as the precinct has its own height in relation to boundary standard.</p>
<p align="center"><b>I529.6.1 Building height</b></p>	<p align="center"><b>Retain</b></p> <p>Enables building height in parts of the precinct greater than the MHU or MDRS allows.</p>

I529.6.4. Precinct interface yards I529.6.5 Front Yards	Retain
I529.6.6 Building coverage	Retain
I529.6.6 Height in relation to boundary	Retain
I529.6.6 Impervious areas	Retain
I529.6.9 Building block	Retain
I529.6.10. Visual amenity corridors	Retain
<b><u>I529.6.(10A) Landscaped Area</u></b>  (1) <u>The minimum landscaped area must be at least 35 per cent of the net site area.</u> (2) <u>At least 50 per cent of the area of the front yard must comprise landscaped area.</u>	<b>Add</b> Rule added as need to retain old MHU landscaping requirement as the other precinct standards assume these and existing development is based on these.
I529.6.11 Subdivision	Retain
I529.10.1 Precinct Plan 1	Retain
I529.10.2 Precinct Plan 2	Retain

**Section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter**

**EVALUATION REPORT**

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:



- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I529 Orewa 1 Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).]

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

### Integrated evaluation for (a) to (i) qualifying matters

For the purposes of PPC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	<b>77I(a) and s6(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:</b>	<b>77I(a) and s6(h) the management of significant risks from natural hazards.</b>
<b>Relevant precinct provisions supporting QMs</b>	I529.6.4 Precinct Interface yards  I529.10.1 Precinct Plan 1 Riparian Reserve	I529.6.6 Building Coverage I529.6.8 Impervious areas
<b>Effects managed</b>	Effects of development on the Nukumea Stream.	Effects of development on the Nukumea Stream.
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS	MDRS
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	Limits development close to the Nukumea Stream.	Reduces the area of impervious surfaces thus reducing stormwater runoff which could exacerbate flooding.
<b>Conclusion</b>	<b>Retain</b>	<b>Retain</b>

### Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PPC78, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	<b>Local landscape, Local natural features Local amenity</b>
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	<b>Local open space networks</b>
<b>Relevant precinct provisions supporting QMs</b>	<p>I529. 4 Activity Table I529.4 1 (A4A)</p> <p>I529.6 Standards I529.6.1 Building height I529.6.4 Precinct interface yards I529.6.5 Front Yards I529.6.6 Building coverage I529.6.6 Height in relation to boundary I529.6.9 Building block I529.6.10. Visual amenity corridors I529.6.(10A) Landscaped Area</p> <p>I529.10.1 Precinct Plan 1 I529.10.2 Precinct Plan 2</p>
<b>Effects managed</b>	<p>Visual effects on adjoining land, particularly the Nukumea Stream, the school and the higher land to the west. Amenity values within the precinct and impacts on the existing dwellings.</p>
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	<p>The existing built character which is based on the precinct provisions would be adversely affected by greater intensity of development. Greater height, building coverage and density would be enabled across more of the precinct and be contrary to the precinct objectives and policies.</p>
<b>Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD</b>	<p>The existing built character which is based on the precinct provisions would be adversely affected by greater intensity of development. Greater height, building coverage and density would be enabled across more of the precinct and be contrary to the precinct objectives and policies.</p> <p>The precinct is already zoned MHU and development already provides for a mix of dwelling sizes and densities but subject to area specific rules. There is very little of the precinct yet to be developed but it is important that the development that is still to occur is in keeping with the existing character and amenity of the precinct.</p>
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	Remove all of the precinct standards and revert to the MHU and MDRS standards.
<b>Costs of applying QM</b>	Slightly reduce the development potential by reducing the building coverage and thus the number of dwellings.
<b>Benefits</b>	<p>Retain the character, amenity and open spaces of the existing residential development within the precinct and ensures the remaining areas to be developed are consistent with that character.</p> <p>Minimises the adverse effects on the surrounding areas, particularly the school and elevated properties to the west.</p> <p>Retaining the precinct enables building heights in identified parts of the precinct greater than what the MHU or MDRS allows.</p>

<b>Conclusion</b>	<b>Retain</b>

**Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part  
I530 Orewa 2 Precinct**

**I530 Orewa 2 Precinct [Precinct Analysis]**

**Purpose:** The purpose of the precinct is to develop a new residential community on greenfield land in accordance with the Orewa 2: Precinct plan 1 and Orewa 2: Precinct plan 2 – sub-precincts, while protecting and enhancing the ecological and amenity value of the receiving environment. A flexible range of residential densities is provided for. The precinct contains a variety of topographical and other landscape features that will impact on the form of future urban development.

**Zoning:** Single House Zone

**Changes to the precinct required by MDRS:** The existing Residential Single House Zone would become Residential - Mixed Housing Urban and Residential – Low Density Residential Zone.

**Changes to the precinct required by NPS-UD:** No walkable catchment, therefore no effect from Policy 3.

Precinct provisions affected by MDRS or Policy 3	Outcome
<b>I530.4.1 Activity Table</b> (A2) two or more dwellings per site RD	<b>Retain</b>  (A2) Up to 3 dwellings are permitted under MDRS.
<b>I530.6.1 Minimum net site area for land not within a Physical Limitation Area</b>  Sets a range of site sizes and the proportion of sites in each category.	<b>Retain</b>
<b>I530.6.2 Minimum net site area for land within a Physical Limitation Area</b>	<b>Retain</b>
<b>I530.6.3 Height</b>	<b>Retain</b>
<b>I530.6.4. Height in relation to boundary</b>	<b>Retain</b>
<b>I530.6.5. Yards</b>	<b>Retain</b>
<b>I530.6.6. Maximum impervious area and building coverage</b>	<b>Retain</b>
<b>I530.6.8 Daylight for two or more dwellings on a site</b>	<b>Deleted</b>
<b>I530.6.11 Subdivision</b>	<b>Added</b>

<p>I530.10.1 Precinct Plan 1</p>	<p>Retain</p>
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## Section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter

### EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I530 Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).]

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

#### **Integrated evaluation for (a) to (i) qualifying matters**

For the purposes of PPC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	<b>77I(a) and s6(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:</b>	<b>77I(a) and s6(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna</b>	<b>77I(a) and s6(h) the management of significant risks from natural hazards.</b>
<b>Relevant precinct provisions supporting QMs</b>	I530.6.1 Minimum net site area for land not within a Physical Limitation Area I530.6.9 Subdivision layout I530.10.1 Precinct Plan 1	I530.6.1 Minimum net site area for land not within a Physical Limitation Area I530.6.9 Subdivision layout I530.10.1 Precinct Plan 1	I530.6.2 Minimum net site area for land within a Physical Limitation Area  I530.6.6 Maximum impervious area and building coverage. I530.6.9 Subdivision layout I530.10.1 Precinct Plan 1
<b>Effects managed</b>		Effects on SEA.	

	Effects on the coastal and stream environment. Limits extent of precinct developed.	Limits extent of precinct developed.	Limits development in steep and geotechnically difficult areas.
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS	MDRS	MDRS
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	Prevents development in coastal and stream margins.	Prevents development in the SEA.	Prevents development in steep areas.
<b>Conclusion</b>	<b>Retain</b>	<b>Retain</b>	<b>Retain</b>

### Integrated evaluation for section 77J and 77L 'other' qualifying matters

For the purposes of PPC78, the evaluation of 'other' qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>'Other' qualifying matters sections 77I/O(j) and sites affected</b>	<b>Water and Wastewater Constraints Control</b>	<b>Local landscape, Local natural features Local amenity Local open space networks</b>
<b>Relevant precinct provisions supporting QMs</b>	I530.6.1 Minimum net site area for land not within a Physical Limitation Area	I530.6.1 Minimum net site area for land not within a Physical Limitation Area  I530.6.3 Height I530.6.4 Height in relation to boundary I530.6.5 Yards I530.6.6 Maximum impervious area and building coverage I530.6.9 Subdivision layout I530.6.11 Subdivision  I530.10.1 Precinct Plan 1
<b>Effects managed</b>	Number of dwellings.	Local landscape, Local amenity – mix of site sizes enables landscape of hills and gullies to developed in a way that reflects the landscape and creates a mixed density local amenity. Local natural features – areas of native vegetation protected from development Local open space networks – riparian margins protected from development
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS	MDRS
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	Wastewater QM. Wastewater capacity is based on the site sizes and densities in the rule which is a lower level of development than would occur under MDRS.	Steepness and frequency of streams and gullies.



<b>Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD</b>	Wastewater QM. Wastewater capacity is based on the site sizes and densities in the rule which is a lower level of development than would occur under MDRS. Potential development under MDRS would exceed the capacity of the wastewater network.	Greater levels of development would not be in keeping with the local character and local amenity of the already developed parts of the area. It could adversely affect the local natural features and open space network associated with the steep and undulating topography and areas of native vegetation and stream network.
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	Remove the minimum net site area rule Upgrade the existing wastewater network.	Remove the minimum net site area rules Increase the height limit Amend the height in relation to boundary rules Amend the Yard and Maximum impervious area and building coverage rules
<b>Costs of applying QM</b>	The QM will reduce the number of dwellings by retaining the rules to create a proportion of larger sites.	The QM's will reduce the development potential by reducing the number of dwellings.
<b>Benefits</b>	Protect the capacity of the wastewater network. Will avoid the need to upgrade the wastewater network. Protects sensitive areas in the precinct ie native vegetation, stream margins and steep geotechnically difficult land.	Protects sensitive areas in the precinct ie native vegetation, stream margins and steep geotechnically difficult land. Retains a mix of site sizes and dwellings styles and retains the character of the existing developed areas.
<b>Conclusion</b>	<b>Retain</b>	<b>Retain</b>

**Proposed Plan Change78 (PC78) to the Unitary Plan Operative in part  
I531 Orewa 3 Precinct**

**I531 Orewa 3 Precinct Analysis**

**Purpose:** The precinct is constrained by onsite features including geotechnical instability and native biodiversity. To respond to, and manage these constraints, a more intensive form of development is enabled by the precinct in areas free from constraints.

**Zoning:** Single House zone

**Changes to the precinct required by MDRS:** The existing Single House Zone would become Residential - Mixed Housing Urban.

**Changes to the precinct required by NPS-UD:** No walkable catchment, therefore no effect from Policy 3.

Precinct provisions affected by MDRS or Policy 3	Outcome
<p align="center"><b>Rule I531.4.1 Activity Table</b> (A2) two or more dwellings per site RD</p>	<p align="center"><b>Retain</b></p>
<p align="center"><b>Rule I531.6.1 Dwellings</b> Applied certain Mixed Housing Urban standards to the precinct.</p>	<p align="center"><b>Delete</b> The Mixed Housing Urban standards will apply as the underlying zone becomes Mixed Housing Urban.</p>
<p align="center"><b>I531.6.2 Number of dwellings</b> Sets a total dwelling cap and caps for various sub-precincts</p>	<p align="center"><b>Retain</b> Retain due to wastewater capacity limits QM, Hazards QM and SEA QM on part of the site. Dwelling numbers and the cap are based on single house zone subdivision standards.</p>
<p align="center"><b>I531.6.3 Esplanade reserve</b></p>	<p align="center"><b>Retain</b></p>
<p align="center"><b>I531.6.4 Public Open Space</b></p>	<p align="center"><b>Retain</b></p>
<p align="center"><b>I531.6.5 Buildings and building platforms</b></p>	<p align="center"><b>Retain</b> Hazards QM and SEA QM on the balance of the site</p>

<b>I531.6.10 Subdivision</b>	<b>Amend</b>
<b>I531.10.1 Precinct Plan</b>	<b>Retain</b>

## Section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter

### EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PCX are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I531 Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).]

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

#### **Integrated evaluation for (a) to (i) qualifying matters**

For the purposes of PPC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	<b>77I(a) and s6(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:</b>	<b>77I(a) and s6(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna</b>	<b>77I(a) and s6(h) the management of significant risks from natural hazards.</b>
<b>Relevant precinct provisions supporting QMs</b>	I531.6.3 Esplanade reserves I531.6.4 Public open Space I531.6.7 Stormwater I531.10 Precinct Plan	I531.6.8 Significant Ecological Areas I531.6.9 Planting I531.10 Precinct Plan	I531.6.2 Number of dwellings I531.6.5 Building and building platforms I531.10 Precinct Plan
<b>Effects managed</b>	Development is avoided along the Nukumea Stream. Development is prevented in the central stream gully.	Effects on the SEA within the precinct. Development is prevented from the SEA area and enhancement planting required on parts of the area to remain as open space.	Development prevented in steep geotechnically difficult areas.
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS	MDRS	MDRS

<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	Prevents development in the esplanade reserve and in the central gully. Retains the development enabled to a yield that could occur across the whole site under the Single House Zone.	Prevents development in the SEA. Retains the development enabled to a yield that could occur across the whole site under the Single House Zone.	Prevents development in steep areas. Retains the development enabled to a yield that could occur across the whole site under the Single House Zone.
<b>Conclusion</b>	<b>Retain</b>	<b>Retain</b>	<b>Retain</b>

### Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PPC78, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	<b>Water and Wastewater Constraints Control</b>	<b>Local landscape</b> <b>Local natural features</b> <b>Local open space networks</b> <b>Local amenity</b>
<b>Relevant precinct provisions supporting QMs</b>	I531.6.2 Number of dwellings	I531.6.1 Activity table (A3) I531.6.2 Number of dwellings I531.6.3 Esplanade reserves I531.6.4 Public open space I531.6.5 Building and building platforms I531.6.8 Significant ecological areas I531.6.9 Planting I531.6.10 Subdivision I531.10.1 Precinct Plan
<b>Effects managed</b>	Density of development. Number of dwellings.	Extent of area developed Density of development Local natural features and Local landscape – areas of native vegetation protected from development Local open space networks – riparian margins and steep gully protected from development
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS	MDRS
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	Wastewater network capacity limited.	Proximity to Nukumea Stream SEA and other areas of native vegetation Steep unstable central gully Local amenity of existing development
<b>Why inappropriate with level of development provided in light national significance of urban</b>	Wastewater network does not have capacity for additional development. Wastewater capacity is based on the site sizes and densities in the rule which is a lower level of development than would occur under	Greater levels of development would not be appropriate given the steep unstable topography of the site and the central stream gully and the SEA

<b>development and the objectives of the NPS-UD</b>	MDRS. Potential development under MDRS would exceed the capacity of the wastewater network.	
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	Remove the development cap. Remove the area identified in the Precinct Plan as Open Space Upgrade the wastewater network	Remove the development cap. Remove the restriction on development of part of the site.
<b>Costs of applying QM</b>	The QM will reduce the development potential by reducing the number of dwellings that could occur under MDRS.	The QM's will reduce the development potential by reducing the number of dwellings that could occur under MDRS.
<b>Benefits</b>	Protect the capacity of the wastewater network. Development density in the developable areas already at MHU densities. Protects sensitive areas in the precinct ie SEA, stream margins and steep geotechnically difficult land.	Protects sensitive areas in the precinct ie native vegetation, stream margins and steep geotechnically difficult land. Protects local amenity of existing development
<b>Conclusion</b>	<b>Retain</b>	<b>Retain</b>

## Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part

### I532 Pinewoods Precinct

#### I532 Pinewoods Precinct Analysis

**Purpose:** to enable the ongoing use and development of the Pinewoods Precinct for a range of dwellings occupied on a permanent or non-permanent basis, camping sites, cabins, caravans and mobile camping vehicles while protecting the amenity of adjoining sites.

**Zoning:** Residential – Single House Zone

**Changes to the precinct required by MDRS:** The existing single house zone would become MHU(MDRS).

**Changes to the precinct required by NPS-UD:** No walkable catchment, therefore no effect from Policy 3

Precinct provisions affected by MDRS or Policy 3	Outcome
<b>I532.1. Precinct Description</b> Refers to the unique nature of the site	<b>Amend</b> The existing SHZ would become the new Residential – Low Density Residential Zone because of the QMs: Outstanding Natural Features Overlay and coastal erosion and inundation. Natural hazards and flooding, Significant Ecological Areas Overlay, Local infrastructure and Local Amenity QMs also apply to the site.
<b>I532.3. Policies</b>  (1) Enable development of the site in accordance with the Pinewoods Precinct Plan whilst ensuring that the overall site complies with the Residential - Single House Zone Residential – Low Density Residential Zone building coverage and impervious surfaces standards	<b>Amend</b> The existing SHZ would become the new Residential – Low Density Residential Zone because of the QMs: Outstanding Natural Features Overlay and coastal erosion and inundation. Natural hazards and flooding, Significant Ecological Areas Overlay, Local infrastructure and Local Amenity QMs also apply to the site.
<b>I532.3. Policies</b>  (4) Protect the amenity of sites adjoining the Pinewoods Precinct by requiring compliance with the Residential - Single House Zone height to boundary and yard controls at the interface to abutting sites.	<b>Amend</b> The existing SHZ would become the new Residential – Low Density Residential Zone because of the QMs: Outstanding Natural Features Overlay and coastal erosion and inundation. Natural hazards and flooding, Significant Ecological Areas Overlay, Local infrastructure and Local Amenity QMs also apply to the site.



<b>Rule 1532.4.1(A1)</b> Camping Grounds (P)	<b>Retain</b>
<b>Rule 1532.4.1(A2)</b> Dwellings (P)	<b>Retain</b>
<b>Rule 1532.4.1(A3)</b> Buildings less than 100sqm GFA (P)	<b>Retain</b>
<b>Rule 1532.4.1(A4)</b> Buildings more than 100sqm GFA (RD)	<b>Retain</b>
<b>Rule 1532.4.1(A5)</b> Activity or Development not located in accordance with the Pinewoods Precinct: Precinct Plan 1. (D)	<b>Retain</b>
<b>1532.6. Standards</b> Description of the underlining zone in relation to the precinct standards	<b>Amend</b> The existing mentions of SHZ would become the new Residential – Low Density Residential Zone because of the QMs: Outstanding Natural Features Overlay and coastal erosion and inundation. Natural hazards and flooding, Significant Ecological Areas Overlay, Local infrastructure and Local Amenity QMs also apply to the site.
<b>1532.6.1. Activity and Development</b>	<b>Retain</b> 771(a) QMs e.g. Natural hazards and flooding, Significant Ecological Areas Overlay, and Outstanding Natural Features Overlay, create development restriction in certain areas and Local Infrastructure restrictions apply to the whole site
<b>1532.6.2. Compliance with Residential - Single House Zone standards</b>	<b>Amend</b> Change mentions of SHZ and align with the new Residential – Low Density Residential Zone. 771(a) QMs create development restriction in certain areas and Local Infrastructure restrictions apply to the whole site
<b>1532.6.3. Term of Continuous Occupancy for Dwellings</b>	<b>Retain</b> This does not affect height or density so can be retained.

Section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter

## EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 ('the Act') for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I532 Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be "other" qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

### Integrated evaluation for (a) to (i) qualifying matters

For the purposes of PP78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be large as the QMs affect all of the site covered by the Precinct.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Qualifying matters in section 77I/O(a) to (i)	77I(a) Natural hazards and flooding (s6(h))	77I(a) Significant Ecological Areas Overlay (s6(c))	77I(a) Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay (s6(b))
	<ul style="list-style-type: none"> <li>• Flooding</li> <li>• Coastal erosion</li> <li>• Coastal inundation</li> </ul>	Natural Resources: Significant Ecological Areas Overlay - SEA_T_7000a, Terrestrial	Natural Heritage: Outstanding Natural Features Overlay [rcp/dp] - ID 178, Red Beach Miocene flysch
Relevant precinct provisions supporting QMs	Rule 1532.4.1(A3) (A4) and (A5) I532.6.1. Activity and Development I532.6.2. Compliance with Residential - Single House Zone standards	Rule 1532.4.1(A3) (A4) and (A5) I532.6.1. Activity and Development I532.6.2. Compliance with Residential - Single House Zone standards	Rule 1532.4.1(A3) (A4) and (A5) I532.6.1. Activity and Development I532.6.2. Compliance with Residential - Single House Zone standards
Effects managed	Land use and development is provided for in manner which address natural hazards present on the site such as flooding, coastal erosion and coastal inundation.	Protect the significant ecological values of the area	Protect the Outstanding Natural Feature
Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS	MDRS	MDRS	MDRS
How qualifying matter changes level of development enabled by Policy 3 and / or MDRS	Development is designed, controlled and managed to avoid building in hazardous areas of the site.	Development is designed to avoid adverse effects on the significant ecological areas.	Development is designed to avoid adverse effects on the landscape values of the overlay.
Conclusion	<b>Retain</b>	<b>Retain</b>	<b>Retain</b>

## Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PPC78, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be large as the QMs affect all of the site covered by the Precinct.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	<b>77I(j) Local infrastructure</b>	<b>77I(j) Local Amenity</b>
<b>Relevant precinct provisions supporting QMs</b>	Rule 1532.4.1(A3) and (A4) I532.6.1. Activity and Development I532.6.2. Compliance with Residential - Single House Zone standards	Rule 1532.4.1(A1), (A2), (A3), (A4) and (A5) I532.6.1. Activity and Development I532.6.2. Compliance with Residential - Single House Zone standards
<b>Effects managed</b>	Development is appropriate for the local wastewater network	Local amenity values are protected from development which does not reflect the current precincts development form.
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS	MDSR
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	Protection of the local wastewater network	The precinct was established as a camping ground which then developed into a mixture of small dwellings, cabins, caravans and tent sites, resulting in a unique development form on the site.
<b>Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD</b>	Additional density will apply added pressures to the local wastewater network	Added height and density will significantly diminish the amenity value of the established site and the surrounding community.
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	Retain, remove or amend the provisions	Retain, remove or amend the provisions
<b>Costs of applying QM</b>	Restrictions on the number of dwellings will reduce the development capacity	Restrictions on the number and size of dwellings will reduce the development capacity
<b>Benefits</b>	Ensures a functioning wastewater network	Ensures that the amenity values of the precinct are maintained.
<b>Conclusion</b>	<b>Amend</b>  Aligning the precinct zoning with Residential – Low Density Residential Zone	<b>Amend</b>  Aligning the precinct zoning with Residential – Low Density Residential Zone

**Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part  
I533 Red Beach Precinct**

**I533 Red Beach Precinct Analysis**

**Purpose:** The purpose of the precinct is to provide for comprehensive and integrated residential development with a variety in residential housing options with larger sites than allowed for in the zone around the edge of the site and within a development cap of 570 dwellings. Development is provided at a rate of one dwelling per site and will be integrated with key road links, recreational resources and stormwater infrastructure.

**Zoning:** The zoning is mostly Residential - Mixed Housing Suburban Zone would become MHU (MDRS)

**Changes to the precinct required by MDRS:** The existing Mention of Residential - Mixed Housing Suburban Zone used throughout the precinct.

**Changes to the precinct required by NPS-UD:** Not within a walkable catchment so Policy 3 requirements do not apply.

Precinct provisions affected by MDRS or Policy 3	Outcome
<p><b>I533.1 Precinct Description</b> Refers to the development cap and the transport and stormwater limitations</p>	<p><b>Amend</b> The existing Mixed Housing Suburban Zone would become the new Mixed Housing Urban Zone</p>
<p><b>I533.3. Policies</b> (4) Require built development to be restricted in height and intensity on the boundary of the precinct to a level that is integrated with the existing neighbouring development on land zoned Residential - Single House Zone.</p>	<p><b>Amend</b> Local amenity QM. Remove mention of the SHZ</p>
<p><b>Rule I533.4.1(A1)</b> One dwelling per site (P)</p>	<p><b>Retain</b> Retain based on Local Amenity, Local Infrastructure and Transport QMs.</p>
<p><b>Rule I533.4.1(A2)</b> More than one dwelling per site within sub-precinct A or sub-precinct B except within the identified Development Control Area shown on Red Beach: Precinct plan 1 (D)</p>	<p><b>Retain</b> Retain the Development Control Area based on Local amenity, Local Infrastructure and Transport QMs.</p>
<p><b>Rule I533.4.1(A3) More than one dwelling per site within the Development Control Area</b> More than one dwelling per site within the Development Control Area shown on Red Beach: Precinct plan 1 (NC)</p>	<p><b>Retain</b> Retain the Development Control Area based on Local amenity, Local Infrastructure and Transport QMs</p>
<p><b>I533.6.1. Maximum number of dwellings sub-precinct A, B and C</b></p>	<p><b>Retain</b> Retaining due to constraints from Local Infrastructure and Transport QMs as well as Local Amenity QM.</p>
<p><b>I533.6.2. Building height</b></p>	<p><b>Retain</b> Local Amenity QM limiting heights</p>
<p><b>I533.6.3. Height in relation to boundary</b></p>	<p><b>Retain</b> Local Amenity QM limiting HIRTB</p>
<p><b>I533.6.4. Yards</b></p>	<p><b>Retain</b> Local Amenity QM limiting yards</p>
<p><b>I533.6.5. Maximum impervious area</b></p>	<p><b>Retain</b> Local Infrastructure QM limiting coverages</p>
<p><b>I533.6.6. Building coverage</b></p>	<p><b>Retain</b> Local Infrastructure QM limiting coverages</p>
<p><b>I533.6.7. Minimum landscape area</b></p>	<p><b>Retain</b> Local Infrastructure QM limiting coverages</p>

<b>I533.6.8. Fencing</b>	<b>Retain</b> No QM is required because it does not affect height or density.
<b>I533.6.9.1. Minimum net site area</b>	<b>Retain</b> Retaining due to constraints from Local Infrastructure and Transport QMs as well as Local Amenity QM
<b>I533.6.9.2. Roading</b>	<b>Retain</b> No QM is required because it does not affect height or density.

### **Section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter**

#### **EVALUATION REPORT**

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PCX are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I533 Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).]

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

#### **Integrated evaluation for (a) to (i) qualifying matters**

For the purposes of PPC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be less than minor as there are no (a)-(i)QMs affect this Precinct.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

## Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PPC78, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be large as the QMs affect all sites covered by the Precinct.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	<b>77I(j) Local amenity</b>	<b>77I(j) Local infrastructure</b>
<b>Relevant precinct provisions supporting QMs</b>	I533.4.1(A1) I533.4.1(A2) I533.4.1(A3) I533.6.1. Maximum number of dwellings sub-precinct A, B and C I533.6.2. Building height I533.6.3. Height in relation to boundary I533.6.4. Yards I533.6.9.1. Minimum net site area	I533.4.1(A1) I533.4.1(A2) I533.4.1(A3) I533.6.1. Maximum number of dwellings sub-precinct A, B and C I533.6.5. Maximum impervious area I533.6.6. Building coverage I533.6.7. Minimum landscape area I533.6.9.1. Minimum net site area
<b>Effects managed</b>	Local amenity values are protected from development which does not meet the development and community expectations intended of the precinct.	Development is appropriate for the localised stormwater management devices and the local stormwater network
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS	MDRS
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	The precinct site was originally a golf course and meant that adjoining neighbour built with the amenity view in mind. The precinct seeks to protect this amenity of the neighbouring sites by managing height and density around the perimeter of the precinct.	Protection of the precinct’s stormwater management and also the local stormwater network
<b>Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD</b>	Added height and density will significantly diminish the amenity value of neighbouring sites	Additional density will apply added pressures to the local stormwater network
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by</b>	Retain, remove or amend the provisions	Retain, remove or amend the provisions



<b>Policy 3 while managing specific characteristics</b>		
<b>Costs of applying QM</b>	The QM will reduce the scale and density of development by limiting the number of dwellings, the height and HIRTB.	Restrictions on the number of developments per site, site size and number will reduce the development capacity Restricting impervious area, building coverage and landscape areas will reduce the development capacity.
<b>Benefits</b>	Ensures that the amenity views of the neighbouring sites are maintained in keeping with the development intentions of the precinct.	Ensures a functioning stormwater network and reduced risk of flooding
<b>Conclusion</b>	<b>Retain</b>	<b>Retain</b>

## Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part

### I537 Silverdale 3 Precinct

#### I537 Silverdale 3 Precinct Analysis

**Purpose:** The precinct provisions seek to achieve a high quality urban design outcome within a visually strong vegetated framework. All development within the precinct will require careful management to assist in creating a high quality gateway to the Hibiscus Coast. It also manages the traffic effects of activities on the surrounding road network.

**Zoning:** The zoning of the land within the Silverdale 3 precinct is Business - General Business Zone for Sub-precinct A and Sub-precinct C, and the Residential - Mixed Housing Urban Zone for Sub-precinct B.

**Changes to the precinct required by MDRS:** The underlying Mixed Housing Urban zone will be subject to the MDRS so dwellings should default to the rules in the underlying zone.

**Changes to the precinct required by NPS-UD:** No walkable catchment, therefore no effect from Policy 3.

Precinct provisions affected by MDRS or Policy 3	Outcome
Rule I537.4.1 All sub-precincts (A1) Buildings are RD	<b>Amend</b>  Add new activity for buildings in Sub-precinct B so that MDRS provisions of underlying zone apply
Rule I537.4.3 Activity Table Sub-precinct B	<b>Retain table</b>  Table retained as development in sub-precinct B still controlled by other standards in the precinct.
Rule I537.4.3 Activity Table Sub-precinct B (A26) and (A27) Buildings are RD	<b>Amend Activities</b>  Remove RD activity status for (A26) and (A27) so that MDRS provisions of underlying zone apply

### Section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter

#### EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I537 Silverdale 3 Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).]

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

### Integrated evaluation for (a) to (i) qualifying matters

For the purposes of PPC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be less than minor as there are no 77 (a) to (i) qualifying matters that affect the Precinct.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	<b>None</b>
<b>Relevant precinct provisions supporting QMs</b>	N/A
<b>Effects managed</b>	N/A
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	N/A
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	N/A
<b>Conclusion</b>	N/A

### Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PPC78, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be less than minor as there are no 77(j) qualifying matters that affect the Precinct.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	<b>None</b>
<b>Relevant precinct provisions supporting QMs</b>	N/A
<b>Effects managed</b>	N/A
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	N/A
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	N/A
<b>Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD</b>	N/A
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	N/A
<b>Costs of applying QM</b>	N/A
<b>Benefits</b>	N/A
<b>Conclusion</b>	N/A

**Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part**

**I539 Smales 2 Precinct**

**I539 Smales 2 Precinct Analysis**

**Purpose:** The precinct provides for urban development of a 4.8ha block on the shores of Lake Pupuke. It was formally used as a quarry. Business and residential development are proposed.

**Zoning:** Business – Mixed Use Zone and Residential – Mixed Housing Suburban

**Changes to the precinct required by MDRS:** Sub-precinct B is zoned Residential - Mixed Housing Suburban and contains some height and density standards that are inconsistent with the MDRS. Part of Sub-precinct B is a scheduled outstanding natural feature, which extends beyond the precinct around the margin of Lake Pupuke. It is proposed that titles partly or wholly within the outstanding natural feature be zoned Residential – Low Density Residential Zone as a qualifying matter. This report assumes that zoning change to the Residential – Low Density Residential Zone. It will need to be revised if a different zone is applied.

<b>Precinct provisions affected by MDRS</b>	<b>Outcome</b>
<b>I539.6.7 Dwellings (1) (a) and (b)</b>	It is recommended that the standard be retained with a qualifying matter.
<b>Table 1539.6.8.1 Total building heights for sub-precinct B – second and third rows</b>	It is recommended that: <ul style="list-style-type: none"> <li>• the second table row is deleted</li> <li>• the third table row is retained with a qualifying matter</li> <li>• the fourth table row is retained as it exceeds the MDRS.</li> </ul>
<b>Table 1539.6.10 Yards in Sub-precinct B (entire table)</b>	It is recommended that: <ul style="list-style-type: none"> <li>• the second table row is retained with a qualifying matter</li> <li>• the third table row is deleted to default to the underlying zone</li> <li>• the fourth table row is retained with a qualifying matter</li> <li>• the fifth row is retained with a qualifying matter.</li> </ul>

**Changes to the precinct required by NPS-UD:** Sub-precinct A is within an RTN walkable catchment. A minimum of six storeys must be provided for under Policy 3 of the NPSUD. The existing sub-precinct height standards are not consistent with that.

Precinct provisions affected by Policy 3	Outcome
<b>Policy 14 (a) and (b)</b> <b>Table 1539.6.2.1: Total building heights for Sub-precinct A</b>	Policy 14(a) and (b) are deleted. Table 1539.6.2.1 is amended to increase the height standards to provide for 6 Storeys (21m).

## section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter

### EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I539 Smales 2 Precinct to the medium density residential standards (MDRS) of Schedule 3A of the Act and the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).]

The council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

#### **Integrated evaluation for (a) to (i) qualifying matters**

For the purposes of PC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Qualifying matters in section 77I/O(a) to (i)	s77I(a) of the Act	77I(a) of the RMA	Section 77I(b) of the RMA
	Section 6 (a)  <i>the preservation of the natural character of the... wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:</i>  D6 The identified Lake Pupuki Urban Lake Management Area	Section 6 (b)  <i>the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:</i>  D.10 The Outstanding Natural Feature 74 identified on eastern and northern parts of the precinct and adjoining areas outside the precinct.	The National Policy Statement for Freshwater Management 2020.  Objective 1 and policies 1 and 3.

<b>Relevant precinct provisions supporting QMs</b>	<ol style="list-style-type: none"> <li>1. 1539.6.7 Dwellings</li> <li>2. 1539.6.8 Building height, Table I539.6.8.1 Total building heights for Sub-precinct B, table row 3 only (within 10m of the lake yard setback).</li> <li>3. I539.6.10 Yards, Table I539.6.10.1 Yards in Sub-precinct B, table row 1 only (minimum setback from Northcote Road)</li> </ol>	<ol style="list-style-type: none"> <li>1. 1539.6.7 Dwellings</li> <li>2. 1539.6.8 Building height, Table I539.6.8.1 Total building heights for Sub-precinct B, table row 3 only (within 10m of the lake yard setback).</li> <li>3. I539.6.10 Yards, Table I539.6.10.1 Yards in Sub-precinct B, table row 1 only (minimum setback from Northcote Road)</li> </ol>	<ol style="list-style-type: none"> <li>1. 1539.6.7 Dwellings</li> <li>2. I539.6.10 Yards, Table I539.6.10.1 Yards in Sub-precinct B, row 1 only (minimum setback from Northcote Road)</li> </ol>
<b>Effects managed</b>	<p>These provisions collectively manage the transition effects of high built density forms of development within ten metres of the lake yard, while incentivising them further inland; to maintain the natural character values of Lake Pupuke and its margins. Note that other provisions provide additional offsetting development capacity further from the lake.</p>	<p>These provisions assist in managing the effects of building activity and the ongoing built environment on the Outstanding Natural Feature identified at the eastern and northern parts of Sub-precinct – B.</p>	<p>These provisions assist in managing the effects of the built environment on lake water quality and the associated freshwater systems and lake margin ecosystems that extend beyond the lake waterbody.</p>
<b>Applies to a residential zone in relation to the MDRS</b>	<p>The existing residential zone is Residential – Mixed Housing Suburban. This is proposed to change to Residential – Low Density Residential Zone.</p>	<p>The existing residential zone is Residential – Mixed Housing Suburban. This is proposed to change to Residential – Low Density Residential Zone.</p>	<p>The existing residential zone is Residential – Mixed Housing Suburban. This is proposed to change to Residential – Low Density Residential Zone.</p>
<b>How qualifying matter changes level of development enabled by the MDRS</b>	<p>The height and density standards which give effect to the qualifying matter limit the built density achievable on the eastern and northern edge of Sub-precinct B to a level that is below what a standard MHU – MDRS would deliver in these margin subareas of the sub-precinct.</p> <p>This is however offset by allowing additional height (14.5m), and reduced setback and height in relation to boundary requirements in the bulk of the precinct. This allows additional capacity in the bulk of the sub-precinct.</p> <p>The overall additional floor area capacity enabled in the sub-precinct as a whole will be more than what could be achieved under standard MHU-MDRS provisions.</p> <p>The overall density standard limits the number of dwellings to 145 within the 2.1 ha Sub-precinct B. Given that the sub-precinct is not intensively divided into small sites, this standard exceeds the MDRS standard so is technically not in conflict with it at present. However, it discussed here in case there is a concern that it could conflict with the intent of the MDRS.</p> <p>It equals about 69 dwellings per hectare. This is a higher density than is commonly achieved in MHU areas. Also, it does not affect the floor area of individual dwellings so does not directly impact on occupiable floor area. It probably will not affect enabled capacity significantly but may encourage larger individual dwellings.</p>	<p>The height and density standards which give effect to the qualifying matter limit the built density achievable on the eastern and northern edge of Sub-precinct B to a level that is below what a standard MHU – MDRS would deliver in these margin subareas of the sub-precinct.</p> <p>This is however offset by allowing additional height (14.5m), and reduced setback and height in relation to boundary requirements in the bulk of the precinct. This allows additional capacity in the bulk of the sub-precinct.</p> <p>The overall additional floor area capacity enabled in the sub-precinct as a whole will be more than what could be achieved under standard MHU-MDRS provisions.</p> <p>The overall density standard limits the number of dwellings to 145 within the 2.1 ha Sub-precinct B. Given that the sub-precinct is not intensively divided into small sites, this standard exceeds the MDRS standard so is technically not in conflict with it at present. However, it discussed here in case there is a concern that it could conflict with the intent of the MDRS.</p> <p>It equals about 69 dwellings per hectare. This is a higher density than is commonly achieved in MHU areas. Also, it does not affect the floor area of individual dwellings so does not directly impact on occupiable floor area. It probably will not affect enabled capacity significantly but may encourage larger individual dwellings.</p>	<p>The height and density standards which give effect to the qualifying matter limit the built density achievable on the eastern and northern edge of Sub-precinct B to a level that is below what a standard MHU – MDRS would deliver in these margin subareas of the sub-precinct.</p> <p>This is however offset by allowing additional height (14.5m), and reduced setback and height in relation to boundary requirements in the bulk of the precinct. This allows additional capacity in the bulk of the sub-precinct.</p> <p>The overall additional floor area capacity enabled in the sub-precinct as a whole will be more than what could be achieved under standard MHU-MDRS provisions.</p> <p>The overall density standard limits the number of dwellings to 145 within the 2.1 ha Sub-precinct B. Given that the sub-precinct is not intensively divided into small sites, this standard exceeds the MDRS standard so is technically not in conflict with it at present. However, it discussed here in case there is a concern that it could conflict with the intent of the MDRS.</p> <p>It equals about 69 dwellings per hectare. This is a higher density than is commonly achieved in MHU areas. Also, it does not affect the floor area of individual dwellings so does not directly impact on occupiable floor area. It probably will not affect enabled capacity significantly but may encourage larger individual dwellings.</p>



	However, it is possible that in the site context of high value land with high lakeside amenity and a high-income demographic; commercial feasibility would tend towards a smaller number of larger high value (larger floor area) dwellings in any case, irrespective of the maximum dwelling number standard.	However, it is possible that in the site context of high value land with high lakeside amenity and a high-income demographic; commercial feasibility would tend towards a smaller number of larger high value (larger floor area) dwellings in any case, irrespective of the maximum dwelling number standard.	However, it is possible that in the site context of high value land with high lakeside amenity and a high-income demographic; commercial feasibility would tend towards a smaller number of larger high value (larger floor area) dwellings in any case, irrespective of the maximum dwelling number standard.
<b>Conclusion</b>	Retain	Retain	Retain

### Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PC78, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	S77I(j) Transport - pedestrian safety and access through internal roads.
<b>Relevant precinct provisions supporting QMs</b>	I539.6.10 Yards, Table I539.6.10.1 Yards in Sub-precinct B, table row 4 only (minimum setback from the carriageway of internal roads). While this is not one of the standard MDRS setbacks (as it does not relate to sites), it may have the appearance of conflict with the MDRS standard for front yards, so is included in this evaluation for the purpose of being comprehensive.
<b>Effects managed</b>	It is possible that the internal roading network in the sub-precinct will be privately owned (as for example in the nearby Smales 1 precinct). This standard ensures that there is sufficient room on the sides of vehicle carriageways for safe pedestrian access and amenity.
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	The existing zone is Residential – Mixed Housing Suburban. This is proposed to change to Residential – Low Density Residential Zone.
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	Allowing buildings right to the edge of a vehicle carriage way would result in internal roads that are both unsafe and unpleasant for pedestrian use.
<b>Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD</b>	Building up to the right up to the edge of vehicle carriage ways would not be consistent with a well-functioning urban environment, particularly in a residential area.
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	<p><b>Four potential options area identified for providing a yard along an internal carriage way (including a private road):</b></p> <p><b>1. Rely on the MDRS Yards only or use the Residential – Low Density Residential Zone Yards (delete Table I539.6.10.1 Yards in Sub-precinct B, row 4 and delete the exclusion of zone yard rule applicability).</b></p> <p>Because the standard MDRS and zone setback rules apply the yard from site boundaries; their application depends on how sites are defined in the AUP and through legal administration. This sub-precinct is likely to be developed as an integrated development including unit titles. This makes the actual application and effect of the standard MDRS and zone setback rules very uncertain. For example, they may only end up applying at the precinct boundaries, or only at some boundaries within the precinct depending on how the area is developed in practice. They would not necessarily apply along internal private roads. Therefore, this option is not recommended as being appropriate in this context.</p>

	<p><b>2. No yards at all (delete I539.6.10.1 Yards in Sub-precinct B, row 4 and retain the exclusion of zone yard rule applicability).</b></p> <p>This could result in internal vehicle carriage ways without safe or attractive pedestrian access and the potential for 'canyon like' amenity. This option is not recommended as being appropriate in this context.</p> <p><b>3. Retain the rule but reduce the yard from 2.5m to 1m.</b></p> <p>This rule relates to the edge of the carriageway boundary so does not rely on the way site boundary definitions apply legally so provides a more certain outcome than option 1. This would have the effect of providing a minimal area at the side of the carriage way to provide a minimum pedestrian refuge but would not meet modern standards for pedestrian safety and amenity. This option is not recommended as being appropriate in this context.</p> <p><b>4 Retain the rule as is, with a 2.5m yard from the carriage way.</b></p> <p>This rule relates to the edge of the carriageway boundary so does not rely on the way site boundary definitions apply legally so provides a more certain outcome than option 1. This, provides an area at the side of the carriage way that meets pedestrian safety standards, and can include a combined cycleway or other amenities and features such as planting, seats etc... This is the recommended option.</p>
<b>Costs of applying QM</b>	<p>The costs of applying the QM to retain the rule include the cost of forgone development capacity amounting to the amount of land 2.5m either side of the carriageways. This opportunity cost could potentially be reduced via resource consent application to reduce the yard.</p> <p>Note that not having a QM and reinserting standard MDRS or underlying zone setbacks would also have some land development opportunity costs, although effect of this would be uncertain for the reason outlined above.</p>
<b>Benefits</b>	<p>The benefits include improved pedestrian safety and amenity along internal road carriageways.</p>
<b>Conclusion</b>	<p>Retain the rule.</p>

Attachment A:

74	Lake Pupuke volcano	Lake Pupuke	E	Pupuke volcano is large compound explosion crater (about 1500m diameter) partly filled with a fresh water lake covering 104 ha and 55m deep. Lava is mostly mantled with tuff, but has been quarried inside the crater. A lapilli knoll to the southwest forms the highest point. Lava chemistry supports two eruptions from this volcano.	a, b, c, d, e, f, g, h
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## Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part

### I540 Takapuna 1 Precinct

#### I540 Takapuna 1 Precinct Analysis

**Purpose:** The precinct comprises sub-precincts A to D. A variety of building heights are provided across each of the sub-precincts, ranging from an unlimited building height in the area west of Lake Road, to three and five-storey development closer to the beachfront. This precinct also includes frontage and buildings setbacks and encourages through site links. The coastal setting is respected while providing opportunities for growth and the development of a quality built environment.

**Zoning:** Business – Metropolitan Centre Zone

**Map:** AUP 27 June 2022 map of the northern part of the precinct. This shows:

- zoning
- precinct and sub-precinct boundaries
- 2017 aerial photomap
- scheduled Notable trees
- scheduled Significant Ecological Area
- Area Susceptible to Coastal Instability and Erosion.

**Changes to the precinct required by MDRS:** None





Changes to the precinct required by NPS-UD: Policy 3(b) is applicable

Precinct provisions affected by Policy 3	Outcome
I540.3 Policies (1) and (3) to the extent that they apply to Sub-precinct D	Retained with qualifying matter
I540.6.1 Building height (1), Table I540.6.1 Building height, row 'Sub-precinct D'	Retained with qualifying matter

## section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter

### EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I540 Takapuna 1 Precinct to the implementation of policy 3(b) of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).

The council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

#### Integrated evaluation for (a) to (i) qualifying matters

For the purposes of PC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be medium. This assessment is comprised of the following:

- A high rating for the significance of the effects of intensification.
- A low rating for effects on development capacity because the area of land and height loss (two storeys out of six) is very minor.

This is given an overall medium rating.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

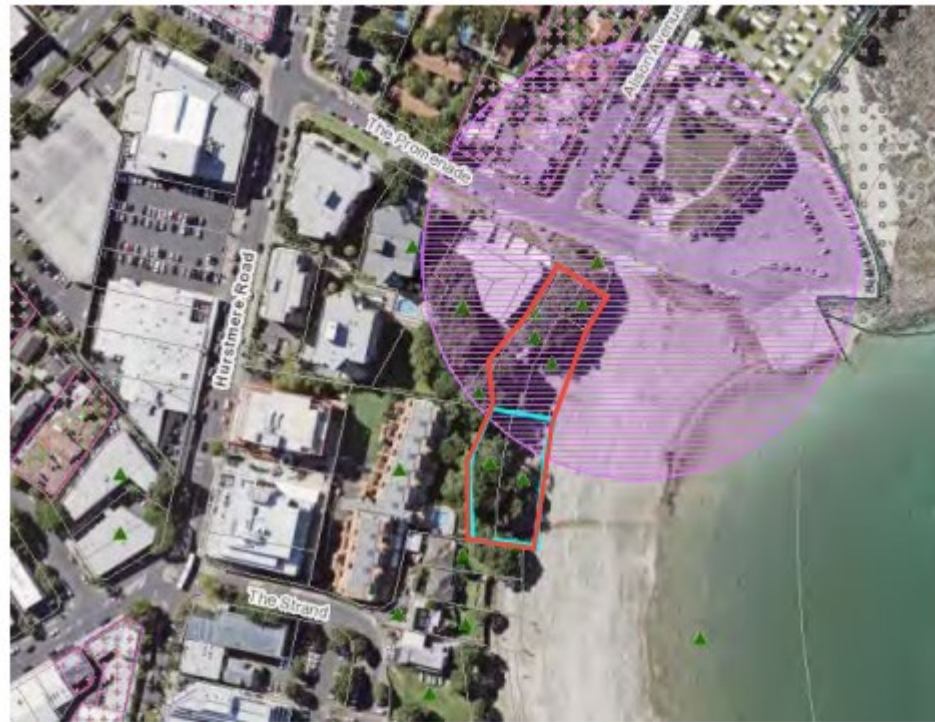
<b>Qualifying matters in section 77I/O(a) to (i)</b>	<p>Section 6 of the Resource Management Act:</p> <ul style="list-style-type: none"> <li>• Section 6(c) of the Resource Management Act in relation to the scheduled Significant Ecological Area on the Sub-precinct D sites.</li> <li>• Section 6(f) of the Resource Management Act in relation to the scheduled Notable Trees on the Sub-precinct D sites.</li> <li>• Section 6(e) of the Resource Management Act in relation to Te Uru Tapu (see attachment A) on the Sub-precinct D sites.</li> <li>• Section 6(h) of the Resource Management Act in relation to the Areas Susceptible to Coastal Instability and Erosion on the Sub-precinct D sites.</li> </ul>
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	<p>New Zealand Coastal Policy Statement 2010:</p> <ul style="list-style-type: none"> <li>• Policy 1(f) and (g) in relation to Te Uru Tapu</li> <li>• Policy 11(b) in relation to the Significant Ecological Area and associated Notable Trees.</li> <li>• Policy 25(a) and (b) in relation to the Area Susceptible to Coastal Instability and Erosion.</li> </ul> <p>Section 8(c) and (d) of the Hauraki Gulf Marine Park Act 2000.</p>
<b>Relevant precinct provisions supporting QMs</b>	<p>I540.3 Policies (1) and (3) to the extent that they apply to Sub-precinct D</p> <p>I540.6.1 Building height (1), Table I540.6.1 Building height, row 'Sub-precinct D'</p> <p>This rule sets a 12.5m (4-storey) building height in Sub-precinct D that is less than the six storeys (21m) required by NPS-UD Policy 3(b) for metropolitan centre zones. Note that this is offset by allowance for greater (above 6 storeys) in other sub-precincts all of which provide for more than 6 storeys and Sub-precinct C allows unlimited height.</p>
<b>Effects managed</b>	<p>The effects managed are those of the built environment on:</p> <ul style="list-style-type: none"> <li>• the ecological values of the significant ecological area – Pohutukawa forest</li> <li>• the notable trees – Pohutukawa</li> <li>• Te Uru Tapu</li> <li>• The relationship of mana whenua with, their culture and waahi tapu.</li> </ul> <p>In addition, there is the effect of recently identified coastal erosion hazards on the risk to the built environment and increase in risk as a result of any future intensification through increased building height.</p>
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	<p>This applies to the Business – Metropolitan Centre Zone in relation to Policy 3(b) of the NPS-UD.</p>
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	<p>Sub-precinct D is about 1.1ha. Google streetview images of it are included in Attachment B.</p> <p>All available areas of the sub-precinct have been developed for residential attached three or four storey development. Therefore, most of the existing site capacity under the existing 12.5m height rule has been used.</p> <p>Changing the height rule to 21m would enable redevelopment of the available areas of the sub-precinct up to six storeys, i.e. another two storeys could be added. It would not alter the available footprint for development.</p> <p>It is not known whether further redevelopment of part or all of the available area would be commercially feasible. If the existing attached buildings are unit titled, redevelopment could be commercially problematic.</p> <p>Given the attractive coastal setting, it is unlikely that any redevelopment would be for commercial purposes and residential use could be expected to continue.</p> <p>If redevelopment does occur, the extra floor area capacity added would be minor in the context of the capacity of Takapuna as a neighbourhood or Auckland as a whole. Also, given the attractive coastal setting and high land values, any redevelopment would not add affordable housing capacity as that would not be commercially feasible in this high value location.</p> <p>Noting that most of sub-precinct D is now identified as an area susceptible to erosion and instability as a result of sea level rise, it is not clear that any additional height redevelopment capacity will be realizable in the future at this point in time, as policy and rules on these matters is still under development.</p>
<b>Conclusion</b>	<p>Retain the following provisions supported by qualifying matters:</p> <p>I540.3 Policies (1) and (3) to the extent that they apply to Sub-precinct D</p> <p>I540.6.1 Building height (1), Table I540.6.1 Building height, row 'Sub-precinct D'</p>






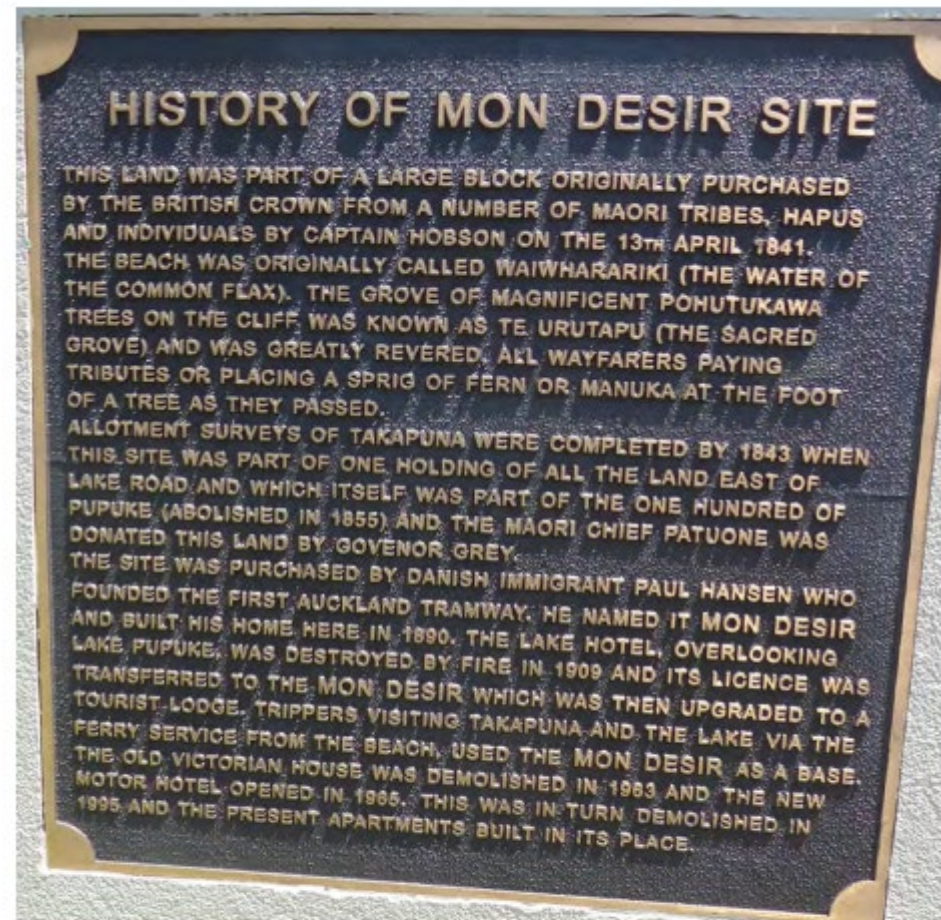
Attachment A: public information on Te Uru Tapu

Note that this does not include additional information held by Mana Whenua



Source - Auckland Unitary Plan Operative in Part. Maps.

-  Site and Place of Value to Mana Whenua
-  Te Uru Tapu/ Sacred Grove extent
-  Notable trees of grove



The site has been acknowledged as significant to iwi since the purchase of the land was completed in 1841.

The original name of the beach was Waiwharariki - the water of the common flax.

The site is acknowledged as waahi tapu. Historically the site was used by iwi as part of the burial ceremony, tangihanga. Secondary burial was said to have taken place, bodies (tupapaku) of high ranking were placed in sitting position and wrapped in mats (wharariki) then placed in tree to naturally decompose (excarnation).



- 2 3 5 6 7 8 10 12 13  
 14 15 16 17 18 19 Principal trees of Te Uru Tapu  
 1 4 9 11 23 24 Trees on private property

Approximate tree locations from Treecare Services Ltd plan dated 30 January 2004.



View of Sub-precinct D from the end of The Promenade taken in 2020.





View from The Promenade 2020





View from The Strand



## Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part

### I544 Wainui Precinct

#### I544 Wainui Precinct Analysis

**Purpose:** The precinct applies to a planned community designed to offer a variety of residential activities and housing typologies to be established around open space areas, neighbourhood centres and reserves.

**Zoning:** Residential – Mixed Housing Urban Zone, Residential - Terrace Housing and Apartment Buildings Zone, Business – Neighbourhood Centre Zone, Business – Local Centre Zone, Open Space – Informal Recreation and Open Space – Conservation.

**Changes to the precinct required by MDRS:** The THAB-MDRS and MHU-MDRS zones will replace previous residential zones. Some consequential changes to zone references in the text will be required, but the objectives, policies are not directly affected. This precinct does not alter the underlying zone height and density standards and they are addressed in other reports. There are rules relating to consistency with the precinct plan and provision of infrastructure that require a qualifying matter under section 77I(j).

**Changes to the precinct required by NPS-UD:** The precinct is not within an RTN walkable catchment but does contain one proposed local centre and four proposed neighbourhood centres. Therefore NPS-UD Policy 3(d) applies. The matter of the extent of zoning in relation to Policy 3(d) is addressed in other reports. This precinct does not alter the underlying zone height and density standards and they are addressed in other reports.

Precinct provisions affected by MDRS	Outcome
Table I544.4.1 Activity table, rules (A1), (A2) and (A3).	Retain with qualifying matter as per s77I(j)
Standard I544.6.2 Infrastructure (1)	Retain with a qualifying matter as per s77I(j)
I544.10.1 Wainui: Precinct plan 1	Retain with a qualifying matter as per s77(j)

#### section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones.
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I544 Wainui Precinct to the medium density residential standards (MDRS) of Schedule 3A of the Act and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in [section 77 I or 77O \(a\) to \(i\)](#) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).

The council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.



### Integrated evaluation for (a) to (i) qualifying matters

For the purposes of PC78, the evaluation of qualifying matters referred to in [section 77 I or 77O \(a\) to \(i\)](#) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be medium overall. This is because:

- the rules are unlikely to have any effect on the density or capacity of development achievable because they are not density controls and because the MDRS zoning exceeds the development density that is commercially attractive in this location being one to two story detached houses,
- the impact on the community of a lack of the infrastructure, connectivity and open space indicated in the precinct plan would be significant.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

### Integrated evaluation for (a) to (i) qualifying matters

For the purposes of PC78, the evaluation of qualifying matters referred to in [section 77 I or 77O \(a\) to \(i\)](#) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

**No (a) to (i) qualifying matters are identified specifically for this precinct. Therefore, further s32 evaluation is not required.**

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

### Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PC78, the evaluation of ‘other’ s77I(j) qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be medium overall. This is because:

- the rules are unlikely to have any effect on the density or capacity of development achievable because they are not density controls and because the MDRS zoning exceeds the development density that is commercially attractive in this location being one to two story detached houses,
- the impact on the community of a lack of the infrastructure, connectivity and open space indicated in the precinct plan would be significant.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	77I(j) Local infrastructure	77I(j) Connectivity	77I(j) Local open space networks
<b>Relevant precinct provisions supporting QMs</b>	Table I544.4.1 Activity table, rules (A1), (A2) and (A3). Standard I544.6.2 Infrastructure (1) I544.10.1 Wainui: Precinct plan 1	Table I544.4.1 Activity table, rules (A1), (A2) and (A3). I544.10.1 Wainui: Precinct plan 1	Table I544.4.1 Activity table, rules (A2) and (A3). I544.10.1 Wainui: Precinct plan 1
<b>Effects managed</b>	Management of potential adverse effects from infrastructure inadequate provision of infrastructure.	Well-functioning environment – ensuring good pedestrian and road connectivity to centres, employment and open space within the precinct and with other parts of Auckland.	Well-functioning environment – ensuring adequate provision of open space.
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	Residential – Terrace Housing and Apartment Buildings Zone and Residential - Mixed Housing Urban Zone.	Residential – Terrace Housing and Apartment Buildings Zone and Residential - Mixed Housing Urban Zone.	Residential – Terrace Housing and Apartment Buildings Zone and Residential - Mixed Housing Urban Zone.
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	These rules will not affect the level of development enabled by the MDRS and is a technical non-compliance with the MDRS rules on consenting. This precinct was a new greenfield precinct in 2016.	These rules will not affect the level of development enabled by the MDRS and is a technical non-compliance with the MDRS rules on consenting. This precinct was a new greenfield precinct in 2016. Development is	These rules will not affect the level of development enabled by the MDRS and is a technical non-compliance with the MDRS rules on consenting. This precinct was a new greenfield precinct in 2016. Development is

	Development is underway with partial delivery of infrastructure. Integration of adequate infrastructure is important to support the growing community.	underway. Connectivity in the precinct and to other parts of Auckland is important to a well-functioning urban environment for the future community of this area.	underway with the location and development of some open spaces still to be finalised. Adequate provision of open space in the precinct is important to a well-functioning urban environment.
<b>Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD</b>	These rules will not affect the level of development enabled by the MDRS and is a technical non-compliance with the MDRS rules on consenting. Inadequate infrastructure would not support realisation of the zone enabled capacity.	These rules will not affect the level of development enabled by the MDRS and is a technical non-compliance with the MDRS rules on consenting. Good connectivity within the precinct and to other areas is important for a well-functioning environment.	These rules will not affect the level of development enabled by the MDRS and is a technical non-compliance with the MDRS rules on consenting. Adequate provision of open space will be important to the future community.
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	Retain, remove or amend the provisions.	Retain, remove or amend the provisions.	Retain, remove or amend the provisions.
<b>Costs of applying QM</b>	These rules will not affect the level of development enabled by the MDRS and is a technical non-compliance with the MDRS rules on consenting. Therefore, although may be extra administrative and infrastructure costs, there is no cost in terms of plan enabled capacity.	These rules will not affect the level of development enabled by the MDRS and is a technical non-compliance with the MDRS rules on consenting. Therefore, although may be extra administrative, there is no cost in terms of plan enabled capacity.	These rules will not affect the level of development enabled by the MDRS and is a technical non-compliance with the MDRS rules on consenting. Therefore, although may be extra administrative and open space costs, there is no cost in terms of plan enabled capacity.
<b>Benefits</b>	The future community will be supported with infrastructure.	The future community will have good connectivity in the precinct and to other parts of Auckland in order to serve their social, cultural and economic wellbeing.	The future community will have adequate access to open space.
<b>Conclusion</b>	Retain the listed provisions.	Retain the listed provisions.	Retain the listed provisions.

**Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part**

**I549. Akoranga Precinct**

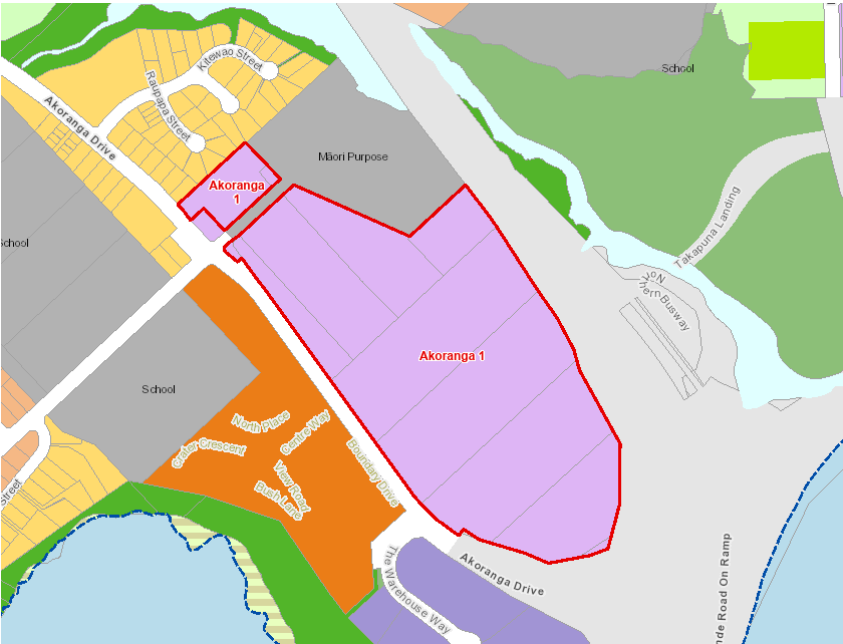
**I549. Akoranga Precinct Analysis**

**Purpose:** The purpose of the precinct is to enable tertiary education and the development and operation of a range of activities to cater for the diverse requirements of the student population, employees and visitors.

**Zoning:** The zoning of land within this precinct is Business - Mixed Use Zone

**Changes to the precinct required by MDRS:** The Business - Mixed Use Zone is not a relevant residential zone so MDRS does not apply

**Changes to the precinct required by NPS-UD:** The Precinct is mostly within the Akoranga Station WC and therefore is affected by Policy 3(c) and must provide for 6 storeys (21m) or have a modifying QM. There is a small portion which is outside the WC and not affected by Policy 3 or MDRS.



Precinct provisions affected by MDRS or Policy 3	Outcome
Table I549.4.1 (all rules)	Retain (No QM required as these rules do not affect height and RDA for buildings in A28 and A29 do not require a QM)
I549.6.1. Building height	<b>Amended</b> to 21m from 18m While this will create a change between the Precinct and the MDRS adjacent to the Precinct – this transition is not unusual in the region under IPI and is considered acceptable. A height of 21m next to Akoranga Drive will be reflective of other similar situations around the region due to Policy 3.
I549.6.2. Building coverage	<b>Retain</b> (No QM required – does not affect height)
I549.6.3. Height in relation to boundary	<b>Retain</b> Relies on neighbour zones for control
I549.6.4. Screening	<b>Retain</b> (No QM required)
I549.6.5. Yards	<b>Retain</b> (No QM required)

## section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter

### EVALUATION REPORT

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I549 Akoranga Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

### Integrated evaluation for (a) to (i) qualifying matters

For the purposes of PPC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be less than minor as no (a) to (i) Qualifying Matters apply in this Precinct.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	None
<b>Relevant precinct provisions supporting QMs</b>	N/A
<b>Effects managed</b>	N/A
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	N/A
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	N/A
<b>Conclusion</b>	N/A

### Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PPC78, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be less than minor as no (j) Qualifying Matters apply in this Precinct.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	None
<b>Relevant precinct provisions supporting QMs</b>	N/A
<b>Effects managed</b>	N/A
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	N/A
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	N/A
	N/A
<b>Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD</b>	N/A
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	N/A
<b>Costs of applying QM</b>	N/A
<b>Benefits</b>	N/A

<b>Conclusion</b>	N/A
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**Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part  
I550. Millwater South Precinct**

**I550. Millwater South Precinct Analysis**

**Purpose:** The purpose of the precinct is to ensure that the development is carried out in an integrated way and that the urban form is consistent with the rest of the already developed Millwater area to the north. The precinct enables a mix of housing densities. The rules also apply a consistent approach to the development controls under which the rest of the Millwater area was developed.

**Zoning:** The zoning of land within this precinct is Residential – Single House.

**Changes to the precinct required by MDRS:** The existing Residential – Single House Zone would become Residential - Mixed Housing Urban Zone.

**Changes to the precinct required by NPS-UD:** No walkable catchment, therefore no effect from Policy 3.

Precinct provisions affected by MDRS or Policy 3	Outcome
<p align="center"><b>Rule I550.4.1(A2)</b></p>	<p align="center"><b>Retain</b></p> <p>Retain RDA status for two or more dwellings using wastewater capacity, local amenity, local views and local character as QMs.</p>
<p align="center"><b>I550.6.1 Activities</b></p>	<p align="center"><b>Retain</b></p> <p>Retain density controls and limitations on site size/shape to enable mix of housing types, using wastewater capacity and local character as QM.</p>
<p align="center"><b>I550.6.2 Height</b></p>	<p align="center"><b>Retain</b></p> <p>Retain 9m height standard using local amenity views and local character as QMs.</p>
<p align="center"><b>I550.6.2 Side and Rear Yards</b></p>	<p align="center"><b>Retain</b></p> <p>Retain larger yard standard, using local character and local amenity as QM.</p>
<p align="center"><b>I550.6.4 Private outdoor living space</b></p>	<p align="center"><b>Retain</b></p> <p>Retain outdoor living space standard, using local amenity as QM</p>
<p align="center"><b>I550.6.5 Sunlight access to the private outdoor living space of proposed and existing dwellings</b></p>	<p align="center"><b>Retain</b></p> <p>Retain sunlight access standard, using local amenity as QM.</p>
<p align="center"><b>I550.6.6.1 Height in relation to boundary</b></p>	<p align="center"><b>Retain</b></p> <p>Retain HIRB standard, using local amenity as QM.</p>

<b>I550.6.6.2 Yards</b>	<b>Retain</b> Retain larger yard standard, using local character and local amenity as QM.
<b>I550.6.6.3 Rear Yards/Open Space</b>	<b>Retain</b> Retain larger yard standard, using local character and local amenity as QM.
<b>I550.6.6.4 Building Frontages</b>	<b>Retain</b> Retain this design standard, as it does not limit height or density.
<b>I550.6.7 Additional controls for two or more dwellings</b>	<b>Amend</b> Amend reference to new underlying zone
<b>I550.6.8 View Protection</b>	<b>Retain</b> Retain view protection standard, using local views as QM.
<b>I550.6.9 Subdivision</b>	<b>Retain</b> Retain subdivision controls and limitations on site size/shape to enable mix of housing types, using wastewater capacity, local character and local amenity as QM.

**Section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter**

**EVALUATION REPORT**

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the 1550 Millwater South Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).]

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

### Integrated evaluation for (a) to (i) qualifying matters

For the purposes of PPC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be not applicable – there are no QMs under 77I(a) to (i).

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	<b>None</b>
<b>Relevant precinct provisions supporting QMs</b>	N/A
<b>Effects managed</b>	N/A
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	N/A
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	N/A
<b>Conclusion</b>	<b>N/A</b>

### Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PPC78, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	<b>Water and Wastewater Constraints Control</b>	<b>77I(j) Local Character Local Amenity</b>	<b>77I(j) Local Views</b>
<b>Relevant precinct provisions supporting QMs</b>	1550.6.1 (1) Varying site sizes allowed.	Rule 1550.4.1(A2) 1550.6.1 Activities 1550.6.2 Height 1550.6.2 Side and Rear Yards 1550.6.4 Private outdoor living space 1550.6.5 Sunlight access to the private outdoor living space of proposed and existing dwellings 1550.6.6.1 Height in relation to boundary 1550.6.6.2 Yards 1550.6.6.3 Rear Yards/Open Space 1550.6.9 Subdivision	Rule 1550.4.1(A2) 1550.6.2 Height 1550.6.8 View Protection

<b>Effects managed</b>	The effects on the capacity of the wastewater network by managing the number of dwellings.	Minimise the adverse effects of development on the appearance of the Millwater valley and minimise the extent to which development in this precinct would be visually incongruous or incompatible with the rest of the already developed Millwater area to the north.	Protect significant local amenity views from public places, and views of Orewa and the coast from higher areas.
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS	MDRS	MDRS
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	Wastewater QM. Wastewater capacity is based on the site sizes and densities in the rule which is a lower level of development than could occur under MDRS.	Protection of local character and local amenity.	Protection of local views
<b>Why inappropriate with level of development provided in light national significance of urban development and the objectives of the NPS-UD</b>	Wastewater QM. Wastewater capacity is based on the site sizes and densities in the rule which is a lower level of development than would occur under MDRS. Potential development under MDRS would exceed the capacity of the wastewater network.	Too much density of built form, and inappropriately sited or designed built form, would cause adverse effects on the local character and local amenity	Too much density of built form, and inappropriately sited or designed built form, would adversely affect local views and reduce their values by changing the character of the views.
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	Remove the density rule Upgrade the existing wastewater network.	Retain, remove or amend the provisions	Retain, remove or amend the provisions
<b>Costs of applying QM</b>	The QM will reduce the number of dwellings by retaining the rules to create a proportion of larger sites.	Restrictions on site size and number could reduce development capacity  Controls on the location of sites may affect development capacity yield.	Restrictions on site size and number could reduce development capacity  Controls on the location of sites may affect development capacity yield.
<b>Benefits</b>	Protect the capacity of the wastewater network. Will avoid the need to upgrade the wastewater network.	Protects the local character and local amenity.	Protects local views
<b>Conclusion</b>	<b>Retain</b>	<b>Retain</b>	<b>Retain</b>

**Proposed Plan Change 78 (PC78) to the Unitary Plan Operative in part  
I552 Warkworth Clayden Road Precinct**

**I552 Warkworth Clayden Road Precinct Analysis**

**Purpose:** The Warkworth Clayden Road Precinct assists in providing for growth within the Warkworth area. The land slopes up to the north to adjoin the Rural Urban Boundary. The ridgeline that demarks the northern extent of the precinct with the back drop of Dome Valley and the bush clad streams reaching up the slopes toward it, are valued as landscape and ecological features within the precinct. Development in accordance with the precinct provisions will create a range of housing types, respond to existing topography, and maximise urban landscape and environmental outcomes while balancing urban land use efficiency imperatives. The planned Matakana Link Road creates good connectivity to this part of Warkworth with direct connections to State Highway 1.

**Zoning:** Residential – Large Lot zone, Residential – Single House zone, Residential – Mixed Housing Suburban zone, Residential – Mixed Housing Urban zone, Business – Light Industry zone, Business – Neighbourhood Centre zone, Open Space – Conservation zone, Rural – Countryside Living zone.

**Changes to the precinct required by MDRS:** The existing Mixed Housing Suburban (MHS) and Mixed Housing Urban (MHU) will become MHU(MDRS), Single House zone (SHZ) will be replaced with the Low Density Residential zone (MDRS).

**Changes to the precinct required by NPS-UD:** No walkable catchment, therefore no effect from Policy 3.



Precinct provisions affected by MDRS or Policy 3	Outcome
<p align="center"><b>Precinct zoning</b></p>	<p align="center"><b>Amend</b></p> <p>Replace Single House zone with Low-Density Residential zone due to QM for local views, landscape character and amenity.</p>
<p align="center"><b>Height Variation control</b></p>	<p align="center"><b>Amend</b></p> <p>Extend height variation control of 9 metres to cover land currently zoned Mixed Housing Suburban, due to QM for local views, landscape character and amenity.</p>
<p align="center"><b>I552.1 Precinct Description</b> Refers to MHS and SHZ.</p>	<p align="center"><b>Amend</b></p> <p>MHS and SHZ will no longer be included within the precinct, so remove reference to them and add a reference to the Residential – Low Density Residential zone.</p>
<p align="center"><b>I552.2 Objectives</b></p> <p>(3) Enhance the character of the rural – urban interface through limitations in key locations on housing density, building location, height and enhanced landscaping.</p>	<p align="center"><b>Retain</b></p> <p>QMs for local views and landscape character.</p>
<p align="center"><b>I552.2 Objectives</b></p> <p>(5) Provide an appropriate interface and controls between the existing light industry zone and the new residential areas to manage adverse reverse sensitivity effects on industrial activity and heliport operations.</p>	<p align="center"><b>Retain</b></p> <p>QM for provision of sufficient Business zoned land to meet demand.</p>

<p><b>I552.2 Objectives</b></p> <p>(9) Subdivision and development within the precinct provides for the protection and enhancement of identified landscape features within the Warkworth Clayden Road Precinct.</p>	<p><b>Retain</b></p> <p>QMs for local views and landscape character.</p>
<p><b>I552.2 Objectives</b></p> <p>(10) Provide amenity for, and manage effects from, operations within the industrial area to the north west of the Warkworth Clayden Road Precinct including heliport operations, on activities sensitive to noise within the area identified on the Precinct Plan I552.9.1.</p>	<p><b>Retain</b></p> <p>QM for provision of sufficient Business zoned land to meet demand.</p>
<p><b>I552.3 Policies</b></p> <p>(3) Create low density housing along the rural – urban boundary to form a transition from urban to rural uses.</p>	<p><b>Retain</b></p> <p>QMs for local views and landscape character.</p>
<p><b>I552.3 Policies</b></p> <p>(6) Protect landscape values by preventing building on the special landscape areas shown on Precinct Plan 1 and requiring planting of these landscape elements, and applying the height variation control to limit building heights in sensitive locations.</p>	<p><b>Retain</b></p> <p>QMs for local views and landscape character.</p>

<p><b>I552.3 Policies</b></p> <p>(9) Create a 10 metre landscaped buffer and associated bund with a minimum height of 3 metres, where the topography allows; and require 'no complaints covenants' and mechanical ventilation on the properties adjacent to the industrial zoned land, so as to manage reverse sensitivity effects.</p>	<p><b>Retain</b></p> <p>Retain specific reverse sensitivity controls in the precinct due to QM to provide sufficient Business land to meet expected demand.</p>
<p><b>I552.3 Policies</b></p> <p>(18) Require subdivision and development to protect the landscape values of the ridgeline of the knoll adjacent to the north western boundary of the precinct.</p>	<p><b>Retain</b></p> <p>QM for local views and landscape character.</p>
<p><b>I552.3 Policies</b></p> <p>(21) Manage the design and construction of residential buildings within the area identified on the Precinct Plan I552.9.1. so as to mitigate the adverse potential noise effects and manage potential reverse sensitivity effects on operations within the industrial area to the north west of the Warkworth Clayden Road Precinct including heliport operations.</p>	<p><b>Retain</b></p> <p>Retain specific reverse sensitivity controls in the precinct due to QM to provide sufficient Business land to meet expected demand.</p>
<p><b>I552.4.1 All zones [Activity table]</b></p> <p>(A9) Any development of the land shown on Precinct Plan I552.9.1 that is not in accordance with Standard I552.6.3 Special Yard: West – Non-complying activity</p>	<p><b>Retain</b></p> <p>Retain specific reverse sensitivity controls in the precinct due to QM to provide sufficient Business land to meet expected demand.</p>

<p><b>I552.4.1 All zones [Activity table]</b>  (A10) Subdivision involving parent sites of 1ha or greater complying with Standard E38.8.2.1 or E38.8.3.1, and Standards I552.6.5 Special Subdivision Control Area in <del>Single House</del> <u>Low Density Residential Zone</u>, I552.6.3 Special Yard: West, I552.6.6 Noise Management Area, Noise Measurement Line and Covenants, and generally in accordance with Precinct Plans I552.9.1, I552.9.2 and I552.9.3. – Restricted discretionary activity</p>	<p style="text-align: center;"><b>Retain</b></p> <p>Retain specific reverse sensitivity controls in the precinct due to QM to provide sufficient Business land to meet expected demand.</p>
<p><b>I552.4.1 All zones [Activity table]</b>  (A11) Subdivision involving parent sites of less than 1ha complying with Standard E38.8.2.1 or E38.8.2.3 and Standards I552.6.5 Special Subdivision Control Area in <del>Single House</del> <u>Low Density Residential Zone</u>, I552.6.3 Special Yard: West, I552.6.6 Noise Management Area, Noise Measurement Line and Covenants and generally in accordance with Precinct Plans I552.9.1, I552.9.2 and I552.9.3. – Restricted discretionary activity</p>	<p style="text-align: center;"><b>Retain</b></p> <p>Retain specific reverse sensitivity controls in the precinct due to QM to provide sufficient Business land to meet expected demand.</p>
<p><b>I552.4.1 All zones [Activity table]</b>  (A12) Subdivision that does not comply with either Standards I552.6.5 Special Subdivision Control Area in <del>Single House</del> <u>Low Density Residential Zone</u>, I552.6.3 Special Yard: West, or I552.6.6 Noise Management Area, Noise Measurement Line and Covenants. – Non-complying activity</p>	<p style="text-align: center;"><b>Retain</b></p> <p>Retain specific reverse sensitivity controls in the precinct due to QM to provide sufficient Business land to meet expected demand.</p>

<p><b>I552.4.1 All zones [Activity table]</b> (A15) Subdivision of the Special Subdivision Control area: South as shown on Precinct Plan 1</p>	<p><b>Retain</b> Retain specific reverse sensitivity controls in the precinct due to QM to provide sufficient Business land to meet expected demand.</p>
<p><b>Table I552.4.4 Residential – Single House Zone <u>Low Density Residential zone</u>[title of activity table]</b></p>	<p><b>Amend</b> Due to application of Low-density zone across the Single House zoned land due to QM for local views and landscape character, amend title of activity table to read 'Table I552.4.4 Residential – Low Density Residential Zone'.</p>
<p><b>Table I552.4.4 Residential – Single House Zone <u>Low Density Residential zone</u></b> (A3) New buildings and additions to buildings that do not comply with Standard I552.6.1 Special Height Limit. – Discretionary activity</p>	<p><b>Retain</b> QMs for local views and landscape character.</p>
<p><b>Table I552.4.4 Residential – Single House Zone <u>Low Density Residential zone</u></b> (A4) New buildings and additions to buildings on a site subject to the Special Yard: North on I552.9.1 Precinct Plan 1 that do not comply with Standards I552.6.2 Special Yard: North – Non-complying activity</p>	<p><b>Retain</b> QMs for local views and landscape character.</p>
<p><b>Table I552.4.4 Residential – Single House Zone <u>Low Density Residential zone</u></b> (A3) Any subdivision in the “special subdivision control area” area shown in Precinct Plan 1 that does not meet the minimum net site size requirements in Standard I552.6.5 Special Subdivision Control Area – Non-complying activity</p>	<p><b>Retain</b> QMs for local views and landscape character.</p>
<p><b>Table I552.4.5 Residential – Mixed Housing Urban Zone</b> (A7) New buildings and additions to new buildings that do not comply with the</p>	<p><b>Retain</b> QMs for local views and landscape character.</p>

Height Variation Control Standard I552.6.1A – Discretionary activity	
<b>Table I552.4.5 Residential – Mixed Housing Urban Zone</b>  (A8) Residential activity within the area shown on Precinct Plan 1 I552.9.1 as Noise and Lighting Sensitive Area that complies with Standard I552.6.7 Noise and Light Sensitive Areas – Permitted activity	<b>Retain</b>  Retain specific reverse sensitivity controls in the precinct due to QM to provide sufficient Business land to meet expected demand.
<b>Table I552.4.5 Residential – Mixed Housing Urban Zone</b>  (A9) Residential activity within the area shown on Precinct Plan I552.9.1 as Noise and Lighting Sensitive Area that does not comply with Standard 1552.6.7 Noise and Light Sensitive Areas – Non-complying activity	<b>Retain</b>  Retain specific reverse sensitivity controls in the precinct due to QM to provide sufficient Business land to meet expected demand.
<b>Table I552.4.5 Residential – Mixed Housing Urban Zone</b>  (A10) Residential activity on a site subject to Special Yard Tomlinsons Bush that complies with standard I552.6.3A – Permitted activity	<b>Retain</b>  QMs for local views and landscape character.
<b>Table I552.4.5 Residential – Mixed Housing Urban Zone</b>  (A11) Residential activity on a site subject to Special Yard Tomlinsons Bush that does not comply with standard I552.6.3A – Discretionary activity	<b>Retain</b>  QMs for local views and landscape character.
<b>I552.6 Standards</b>  Refers to ‘Single house zone’	<b>Amend</b>  Replace with ‘Low Density Residential zone’ due to QM for local views and landscape character.



<p style="text-align: center;"><b>I552.6 Standards</b></p> <p>(2)(b) Activity Table I552.4.4 Residential – <del>Single House</del> <u>Low Density Residential</u> Zone:</p> <ul style="list-style-type: none"> <li>• Activity (A3): H3.6.6 Building height standard of 8 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard I552.6.1 Special Height Limited applies</li> <li>• Activities(A4): H3.6.8 Yards. The relevant yard in Table H3.6.8.1 Yards does not apply where <ul style="list-style-type: none"> <li>o Standard I552.6.2 Special Yard : North applies</li> <li>o Standard I552.6.3 Special Yard : West applies</li> </ul> </li> </ul>	<p style="text-align: center;"><b>Retain</b></p> <p>QMs for local views and landscape character.</p>
<p style="text-align: center;"><b>I552.6 Standards</b></p> <p>(2)(c) Activity Table I552.4.5 Residential – Mixed House Urban Zone:</p> <ul style="list-style-type: none"> <li>• Activity (A7) H5.6.4 Building height standard of 11 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard I552.6.1A Height Variation Control applies</li> </ul>	<p style="text-align: center;"><b>Retain</b></p> <p>QMs for local views and landscape character.</p>
<p><b>I552.6.1A Height Variation Control</b></p> <p>Purpose: To reduce building height below the standard zone height, where the standard zone height would have adverse effects on the rural backdrop of Dome Valley</p>	<p style="text-align: center;"><b>Retain</b></p> <p>QMs for local views and landscape character.</p>

<p>(1) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres shown for that part of the site on the planning maps</p>	
<p><b>I552.6.1B Yard</b></p> <p>Purpose:</p> <ul style="list-style-type: none"> <li>to increase the side and rear yard set back to a vested walkway adjoining or within a riparian yard.</li> </ul> <p>(1) No building, or retaining wall greater than 1 m in height, shall be constructed within 2m of a vested public walkway adjoining or within a riparian yard.</p>	<p><b>Retain</b></p> <p>QMs for local views and landscape character.</p>
<p><b>I552.6.2 Special Yard: North</b></p> <p>Purpose:</p> <ul style="list-style-type: none"> <li>to form a transition from urban to rural uses;</li> <li>to avoid buildings on the upper slopes of identified parts of the precinct which contribute to the landscape values and amenity of the Warkworth Clayden Road precinct</li> </ul> <p>(1) A building or parts of a building on sites shown as subject to the Special Yard on I552.9.1 Precinct Plan 1 must be set back 12m from the boundary as shown on Precinct Plan 1.</p> <p>(2) All land within the “special yard: north” shown on</p>	<p><b>Retain</b></p> <p>QMs for local views and landscape character.</p>

<p>Precinct Plan 1 shall be landscaped. Fifty percent of the yard shall be planted in native trees that will attain a height of at least 5m when mature.</p> <p>(3) The yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity</p>	
<p><b>I552.6.3 Special Yard: West</b></p> <p>Purpose:</p> <ul style="list-style-type: none"> <li>• to provide a landscape buffer and manage reverse sensitivity effects;</li> <li>• to maintain a reasonable standard of residential amenity for sites adjoining business land; and</li> <li>• to establish a landscape bund at the interface with industrial land on that part of the site with appropriate contour for an urban bund.</li> </ul> <p>(1) A building or parts of a building must be set back from the precinct boundary by at least 30 m where sites are subject to the Special Yard: West on I552.9.1 Precinct Plan 1.</p> <p>(2) For that part of the Special Yard: West within the Mixed Housing Urban zone, and that part within the Large Lot Residential zone with a slope less than 1 in 5, a 10m wide strip measured from the boundary of the precinct</p>	<p style="text-align: center;"><b>Retain</b></p> <p>Retain specific reverse sensitivity controls in the precinct due to QM to provide sufficient Business land to meet expected demand.</p>

shall be planted with indigenous vegetation that will attain a height of at least 5m when mature, forming a planted visual buffer along the precinct boundary. The planting shall have attained a height of at least 1.5m prior to the construction of any dwelling within 100m of the Special Yard: West.

(3) The yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.

(4) On that part of the land within the mixed housing urban zone, and that part of the land within the large lot residential zone that has a slope of less than 1 in 5 a bund shall be constructed within the 10m planting strip of the Yard and shall have a minimum width at its base of 8m and a minimum height at its apex of 3m.

(5) The landscaping and bund shall be constructed at the time of any earthworks consents or other form of development on land within the area subject to this rule, or prior to the issue of any new title for development of the land within the Precinct; or construction of any dwelling, whichever occurs first

<p><b>I552.6.3A Special Yard Tomlinsons Bush</b></p> <p>Purpose:</p> <ul style="list-style-type: none"> <li>• to provide a buffer adjacent to Tomlinsons Bush.</li> </ul> <p>(1) A building or parts of a building must be set back from the legal boundary with Tomlinsons Bush by 6m where sites are subject to the Special Yard Tomlinsons Bush on I552.9.1 Precinct Plan 1.</p> <p>(2) A 3m wide strip of the Special Yard measured from the boundary of the Tomlinsons Bush site shall be planted with indigenous vegetation that attain a height of at least 5m when mature, except where a public walking track is constructed within the 3m yard.</p> <p>(3) The 3m wide strip of the Special Yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area, the prevention of dumping of rubbish and garden waste, the management of noxious weeds, and a prohibition on the keeping of domestic cats</p>	<p style="text-align: center;"><b>Retain</b></p> <p>QMs for local views and landscape character.</p>
<p><b>I552.6.3B Special Landscape Area</b></p> <p>Purpose:</p> <ul style="list-style-type: none"> <li>• to provide landscaping features on two key upper</li> </ul>	<p style="text-align: center;"><b>Retain</b></p> <p>QMs for local views and landscape character.</p>

	portions of the precinct.	
(1)	Land identified on I552.9.1 Precinct Plan 1 as Special Landscape Area shall be landscaped in either indigenous vegetation or retained as grassed land.	
(2)	No buildings or part of the building shall be constructed within the identified Special Landscape Area	

**section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter**

**EVALUATION REPORT**

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PCX78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I552 Warkworth Clayden Road Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).]

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

**Integrated evaluation for (a) to (i) qualifying matters**

For the purposes of PPC78, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.



<p><b>Qualifying matters in section 77I/O(a) to (i)</b></p>	<p><b>Section 77I (i) The requirement of the NPS-UD to provide sufficient business land suitable for low-density uses to meet expected demand.</b></p>
<p><b>Relevant precinct provisions supporting QMs</b></p>	<p><b>I552.2(5)</b> Provide an appropriate interface and controls between the existing light industry zone and the new residential areas to manage adverse reverse sensitivity effects on industrial activity and heliport operations.</p> <p><b>I552.2(10)</b> Provide amenity for, and manage effects from, operations within the industrial area to the north west of the Warkworth Clayden Road Precinct including heliport operations, on activities sensitive to noise within the area identified on Precinct Plan I552.9.1</p> <p><b>I552.3 (9)</b> Create a 10 metre landscaped buffer and associated bund with a minimum height of 3 metres, where the topography allows; and require 'no complaints covenants' and mechanical ventilation on the properties adjacent to the industrial zoned land, so as to manage reverse sensitivity effects.</p> <p><b>I552.3 (21)</b> Manage the design and construction of residential buildings within the area identified on the Precinct Plan I552.9.1. so as to mitigate the adverse potential noise effects and manage potential reverse sensitivity effects on operations within the industrial area to the north west of the Warkworth Clayden Road Precinct including heliport operations.</p> <p><b>Activity Table I552.4.1:</b></p> <p><b>(A9)</b> Any development of the land shown on Precinct Plan I552.9.1 that is not in</p>

accordance with Standard I552.6.3 Special Yard: West

**(A10)** Subdivision involving parent sites of 1ha or greater complying with Standard E38.8.2.1 or E38.8.3.1, and Standards I552.6.5 Special Subdivision Control Area in ~~Single House~~ Low Density Residential Zone, I552.6.3 Special Yard: West, I552.6.6 Noise Management Area, Noise Measurement Line and Covenants, and generally in accordance with Precinct Plans I552.9.1, I552.9.2 and I552.9.3.

**(A11)** Subdivision involving parent sites of less than 1ha complying with Standard E38.8.2.1 or E38.8.2.3 and Standards I552.6.5 Special Subdivision Control Area in Single House Low Density Residential Zone, I552.6.3 Special Yard: West, I552.6.6 Noise Management Area, Noise Measurement Line and Covenants and generally in accordance with Precinct Plans I552.9.1, I552.9.2 and I552.9.3.

**(A12)** Subdivision that does not comply with either Standards I552.6.5 Special Subdivision Control Area in ~~Single House~~ Low Density Residential Zone, I552.6.3 Special Yard: West, or I552.6.6 Noise Management Area, Noise Measurement Line and Covenants.

**(A15)** Subdivision of the Special Subdivision Control area: South as shown on Precinct Plan 1.

**Activity Table I552.4.5 Residential – Mixed Housing Urban Zone:**

**(A8)** Residential activity within the area shown on Precinct Plan 1 I552.9.1 as Noise and Lighting Sensitive Area that complies with Standard I552.6.7 Noise and Light Sensitive Areas.

**(A9)** Residential activity within the area shown on Precinct Plan I552.9.1 as Noise and Lighting Sensitive Area that does not comply with Standard I552.6.7 Noise and Light Sensitive Areas.

**I552.6.3 Special Yard: West**

Purpose:

- to provide a landscape buffer and manage reverse sensitivity effects;
- to maintain a reasonable standard of residential amenity for sites adjoining business land; and
- to establish a landscape bund at the interface with industrial land on that part of the site with appropriate contour for an urban bund.

(6) A building or parts of a building must be set back from the precinct boundary by at least 30 m where sites are subject to the Special Yard: West on I552.9.1 Precinct Plan 1.

(7) For that part of the Special Yard: West within the Mixed Housing Urban zone, and that part within the Large Lot Residential zone with a slope less than 1 in 5, a 10m wide strip measured from the boundary of the precinct shall be planted with indigenous vegetation that will attain a height of at least 5m when mature, forming a planted visual buffer along the precinct boundary. The planting shall have attained a height of at least 1.5m prior to the construction of any dwelling within 100m of the Special Yard: West.

(8) The yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.

(9) On that part of the land within the mixed housing urban zone, and that part of the

	<p>land within the large lot residential zone that has a slope of less than 1 in 5 a bund shall be constructed within the 10m planting strip of the Yard and shall have a minimum width at its base of 8m and a minimum height at its apex of 3m.</p> <p>(10) The landscaping and bund shall be constructed at the time of any earthworks consents or other form of development on land within the area subject to this rule, or prior to the issue of any new title for development of the land within the Precinct; or construction of any dwelling, whichever occurs first.</p>
<b>Effects managed</b>	Effects of reverse sensitivity on neighbouring business uses from increased residential intensification.
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	Prevents further residential intensification in areas sensitive to nearby business uses.
<b>Conclusion</b>	Retain

### Integrated evaluation for section 77J and 77L ‘other’ qualifying matters

For the purposes of PPC78, the evaluation of ‘other’ qualifying matters has been undertaken in an integrated way that combines sections 32 and 77J / 77L requirements.

The scale and significance of the issues is assessed to be medium.

This section 32/ 77J and L evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>‘Other’ qualifying matters sections 77I/O(j) and sites affected</b>	<p><b>Local landscape,</b></p> <p><b>Local natural features</b></p> <p><b>Local amenity</b></p>
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<p><b>Relevant precinct provisions supporting QMs</b></p>	<p><b>Precinct zoning</b></p> <p>Amend Single House zone to the Residential – Low Density Residential zone.</p> <p><b>Height Variation control</b></p> <p>Extend the 9-metre height variation control to cover all land currently zoned Mixed Housing Suburban.</p> <p><b>I552.1 Precinct Description [and throughout precinct]</b></p> <p>Remove references to Single House Zone and replace with Low Density Residential Zone</p> <p><b>I552.2 Objectives</b></p> <p>(3) Enhance the character of the rural – urban interface through limitations in key locations on housing density, building location, height and enhanced landscaping.</p> <p>(9) Subdivision and development within the precinct provides for the protection and enhancement of identified landscape features within the Warkworth Clayden Road Precinct.</p> <p><b>I552.3 Policies</b></p> <p>(3) Create low density housing along the rural-urban boundary to form a transition from urban to rural uses.</p> <p>(6) Protect landscape values by preventing building on the special landscape areas shown on Precinct Plan 1 and requiring planting of these landscape elements, and applying the height variation control to limit building heights in sensitive locations.</p> <p>(18) Require subdivision and development to protect the landscape values of the ridgeline of the knoll adjacent to the north western boundary of the precinct.</p> <p><b>Activity Table I552.4.4 Residential – <del>Single House</del> <u>Low Density Residential</u> zone</b></p> <p>(A3) New buildings and additions to buildings that do not comply with Standard I552.6.1 Special Height Limit.</p> <p>(A4) New buildings and additions to buildings on a site subject to the Special Yard: North on I552.9.1 Precinct Plan 1 that do not comply with Standards I552.6.2 Special Yard: North.</p> <p>(A5) Any subdivision in the “special subdivision control area” area shown in Precinct Plan 1 that does not meet the minimum net site size requirements in Standard I552.6.5 Special Subdivision Control Area.</p> <p><b>Activity Table I552.4.5 – Residential Mixed Housing Urban zone</b></p> <p>(A7) New buildings and additions to new buildings that do not comply with the Height Variation Control Standard I552.6.1A.</p> <p>(A10) Residential activity on a site subject to Special Yard Tomlinsons Bush that complies with standard I552.6.3A.</p> <p>(A11) Residential activity on a site subject to Special Yard Tomlinsons Bush that does not comply with standard I552.6.3A.</p> <p><b>I552.6 Standards</b></p>
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**(2)(b)** Activity Table I552.4.4 Residential – ~~Single House~~ Low Density Residential Zone:

- Activity (A3): H3.6.6 Building height standard of 8 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard I552.6.1 Special Height Limited applies
- Activities(A4): H3.6.8 Yards. The relevant yard in Table H3.6.8.1 Yards does not apply where
  - o Standard I552.6.2 Special Yard : North applies
  - o Standard I552.6.3 Special Yard : West applies

**(2)(c)** Activity Table I552.4.5 Residential – Mixed House Urban Zone:

- Activity (A7) H5.6.4 Building height standard of 11 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard I552.6.1A Height Variation Control applies

**I552.6.1A Height Variation Control**

Purpose: To reduce building height below the standard zone height, where the standard zone height would have adverse effects on the rural backdrop of Dome Valley

If the site is subject to the Height Variation Control, buildings must not exceed the height in metres shown for that part of the site on the planning maps.

**I552.6.1B Yard**

Purpose: to increase the side and rear yard set back to a vested walkway adjoining or within a riparian yard.

(1) No building, or retaining wall greater than 1 m in height, shall be constructed within 2m of a vested public walkway adjoining or within a riparian yard.

**I552.6.2 Special Yard: North**

Purpose:

- to form a transition from urban to rural uses;
- to avoid buildings on the upper slopes of identified parts of the precinct which contribute to the landscape values and amenity of the Warkworth Clayden Road precinct

(4) A building or parts of a building on sites shown as subject to the Special Yard on I552.9.1 Precinct Plan 1 must be set back 12m from the boundary as shown on Precinct Plan 1.

(5) All land within the “special yard: north” shown on Precinct Plan 1 shall be landscaped. Fifty percent of the yard shall be planted in native trees that will attain a height of at least 5m when mature.

(6) The yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.



	<p><b>I552.6.3A Special Yard Tomlinsons Bush</b></p> <p>Purpose: to provide a buffer adjacent to Tomlinsons Bush.</p> <p>(1) A building or parts of a building must be set back from the legal boundary with Tomlinsons Bush by 6m where sites are subject to the Special Yard Tomlinsons Bush on I552.9.1 Precinct Plan 1.</p> <p>(2) A 3m wide strip of the Special Yard measured from the boundary of the Tomlinsons Bush site shall be planted with indigenous vegetation that attain a height of at least 5m when mature, except where a public walking track is constructed within the 3m yard.</p> <p>(3) The 3m wide strip of the Special Yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area, the prevention of dumping of rubbish and garden waste, the management of noxious weeds, and a prohibition on the keeping of domestic cats.</p> <p><b>I552.6.3B Special Landscape Area</b></p> <p>Purpose: to provide landscaping features on two key upper portions of the precinct.</p> <p>(1) Land identified on I552.9.1 Precinct Plan 1 as Special Landscape Area shall be landscaped in either indigenous vegetation or retained as grassed land.</p> <p>(2) No buildings or part of the building shall be constructed within the identified Special Landscape Area.</p> <p><b>I552.6.5 Special Subdivision Control Area in <del>Single House</del> <u>Low Density Residential Zone</u></b></p> <p>Purpose: To create larger sites along a portion of the northern boundary of the precinct identified as a “Subdivision Control Area”.</p> <p>(1) Proposed sites in the area shown as “Special Subdivision Control” on I552.9.1 Precinct Plan 1 must comply with the minimum net site area of 1,000m<sup>2</sup>.</p> <p>(3)</p>
<b>Effects managed</b>	Effects on local landscape features, local amenity and local character.
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS
<b>Specific characteristics that makes level of development provided by the MDRS or Policy 3 inappropriate</b>	Local landscape features, local amenity and local character – the landscape features of the Warkworth Clayden Road precinct are quite distinct, with a upper ridgeline that serves as a border between rural and residential land can be viewed from many points around the township. More intensive residential development on the upper slopes of the ridgeline would mask the ridgeline and create an imposing wall of residential development on the fringe of the rural area to the north. There are also steep, native bush clad gullies throughout the precinct that are to be protected from development, along with riparian margins.
<b>Why inappropriate with level of development provided in</b>	Greater levels of development would not be in keeping with the character of the already developed parts of the area and could adversely affect the local character and amenity of the steep and undulating topography.

<b>light national significance of urban development and the objectives of the NPS-UD</b>	
<b>Range of options to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3 while managing specific characteristics</b>	<p>Remove the minimum net site area rules</p> <p>Increase the height limit</p> <p>Amend the height in relation to boundary rules</p> <p>Amend the Yard and Maximum impervious area and building coverage rules</p>
<b>Costs of applying QM</b>	The QM's will reduce the development potential by reducing the number of dwellings
<b>Benefits</b>	<p>Protects sensitive areas in the precinct ie native vegetation, stream margins and steep geotechnically difficult land.</p> <p>Retains a mix of site sizes and dwellings styles.</p> <p>Protects the natural landscape features identified in the precinct.</p>
<b>Conclusion</b>	<b>Retain</b>

**Proposed Plan Change78 (PC78) to the Unitary Plan Operative in part  
I553 Warkworth North Precinct**

**I553 Warkworth North Precinct Analysis**

**Purpose:** Sets out outcomes for watercourses, including mitigation related to the construction of the Western Link Road, guides development of the Business – Local Centre, and sets out the multi-modal transportation connections and open space network required for the Warkworth North Precinct.

**Zoning:** Residential - Mixed Housing Suburban, Residential - Mixed Housing Urban, Business - Mixed Use, Business - Local Centre and Open Space - Informal Recreation zone.

**Changes to the precinct required by MDRS:** The existing Mixed Housing Suburban zone will become Mixed Housing Urban zone.

**Changes to the precinct required by NPS-UD:** No walkable catchment applies, therefore no effect from Policy 3.

Precinct provisions affected by MDRS or Policy 3	Outcome
I553.1 Precinct Description	<p align="center"><b>Amend</b></p> Remove reference to Mixed Housing Suburban zone.
I553.6.8 Standard for yards adjacent to Business – Light Industry Zone land on Sanderson Road	<p align="center"><b>Retain and amend</b></p> Retain standard due to QM s77(i), and amend to replace reference to Mixed Housing Suburban zone to Mixed Housing Urban zone.

**section 32 and sec77K / sec 77Q alternative process for existing qualifying matters / Section 32 and section 77J / 77L “other” qualifying matter**

**EVALUATION REPORT**

This report is prepared as part of the evaluation required by Section 32 and Sections 77K / 77Q and Sections 77J and 77L of the Resource Management Act 1991 (‘the Act’) for proposed Plan Change 78 (PPC78) to the Auckland Unitary Plan (Operative in Part) (AUP).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q and 77J / L and 77P/R evaluations:

- Sec 77I / 77J/L relates to evaluation steps for relevant residential zones
- Sec 77O / 77P/R relates to evaluation steps for urban non-residential zones.

This report discusses the implications of applying qualifying matters within the I553 Warkworth North Precinct to the medium density residential standards (MDRS) of Schedule 3A of the RMA and/or the implementation of policy 3 of the NPS-UD.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified. There may also be “other” qualifying matter, in terms of sec 77I(j) that are not covered by the qualifying matters listed in 77I (a) to (i) (or 77O for non-residential zones).]

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

**Integrated evaluation for (a) to (i) qualifying matters**

For the purposes of PPCX, the evaluation of qualifying matters referred to in section 77 I or 77O (a) to (i) has been undertaken in an integrated way that combines sections 32 and 77K / 77Q requirements.

The scale and significance of the issues is assessed to be minor, as it relates to a yard standard along a zone interface within the precinct and doesn’t have a great affect on the development capacity of the residential land.

This section 32/77K/Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

<b>Qualifying matters in section 77I/O(a) to (i)</b>	<b>Section 77I (i) The requirement of the NPS-UD to provide sufficient business land suitable for low-density uses to meet expected demand.</b>
<b>Relevant precinct provisions supporting QMs</b>	1553.6.8 Standard for yards adjacent to Business – Light Industry Zone land on Sanderson Road
<b>Effects managed</b>	Reverse sensitivity on neighbouring Business - Light Industry zoned land.
<b>Applies to residential / non-residential zone in relation to Policy 3 and / or MDRS</b>	MDRS
<b>How qualifying matter changes level of development enabled by Policy 3 and / or MDRS</b>	Requires a greater yard along the Business – Light Industry, Mixed Housing Urban interface, along with planting, an acoustic fence and a no-complaints covenant. This only constrains residential development in a minor way.
<b>Conclusion</b>	Retain